AGENDA FOR THE

CITY OF PINOLE PLANNING COMMISSION
REGULAR MEETING

Monday, April 27, 2015
7:00 P.M.
City Council Chambers, 2131 Pear Street, Pinole, CA 94564

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a City meeting or you need a copy of the agenda, or the agenda packet in an appropriate alternative format, please contact the Development Services Department at (510) 724-9014. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Assistant listening devices are available at this meeting. Ask staff if you desire to use this device.

CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine and non-controversial. These items will be enacted by one motion and without discussion. If, however, any interested party or Commissioner(s) wishes to discuss a consent item, it will be removed from the Consent Calendar and taken up in order after the last item under New Business.

PROCEDURE FOR CONSIDERING AN AGENDA ITEM:

At the beginning of an item, the Chair will read the description of that item as stated on the Agenda. The City Staff will then give a brief presentation of the proposed project. The Commission may then ask Staff questions about the item.

For those items listed as Public Hearings, the Chair will open the public hearing and ask the applicant if they wish to make a presentation. Those persons in favor of the project will then be given an opportunity to speak followed by those who are opposed to the project. The applicant will then be given an opportunity for rebuttal.

The Public Hearing will then be closed and the Commission may discuss the item amongst themselves and ask questions of Staff. The Commission will then vote to approve, deny, approve in a modified form, or continue the matter to a later date for a decision. The Chair will announce the Commission's decision and advise the audience of the appeal procedure.

Note: No Public Hearings will begin after 11:00 p.m. Items still remaining on the agenda after 11:00 p.m. will be held over to the next meeting.

CITIZEN PARTICIPATION:

Persons wishing to speak on an item listed on the Agenda may do so when the Chair asks for comments in favor of or in opposition to the item under consideration. After all of those persons wishing to speak have done so, the hearing will be closed and the matter will be discussed amongst the Commission prior to rendering a decision.
Prior to speaking on an item, you must fill out one of the "gold" cards (available at the speaker's podium) and hand it to the Secretary. If a number of persons wish to speak on an item, the Chair may limit each speaker to a set time period in which to address the Commission.

Any person may appeal an action of the Planning Commission or of the Planning Manager by filing an appeal with the City Clerk, in writing, within ten (10) days of such action. Following a Public Hearing, the City Council may act to confirm, modify or reverse the action of the Planning Commission or Planning Manager. The cost to appeal a decision is $803.

Note: If you challenge a decision of the Commission regarding a project in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in writing delivered to the City of Pinole at, or prior to, the public hearing.

A. **CALL TO ORDER**

B. **PLEDGE OF ALLEGIANCE AND ROLL CALL**

C. **CITIZENS TO BE HEARD:**

The public may address the Planning Commission on items that are within its jurisdiction and not otherwise listed on the agenda. Planning Commissioners may discuss the matter brought to their attention, but by State law (Ralph M. Brown Act), action must be deferred to a future meeting. Time allowed: five (5) minutes each.

C. **CONSENT CALENDAR:**

1. **Planning Commission Meeting Minutes fromApril 6, 2015**

E. **PUBLIC HEARINGS:**

1. **General Plan Amendment (GPA 14-01) - Housing Element Update 2015-2023:** Review the proposed Revised Draft Housing Element and consider a resolution recommending the City Council approve the Negative Declaration prepared for this project and approve a General Plan Amendment (GPA 14-01) updating the Housing Element of the General Plan.

Applicant: City of Pinole

Location: Citywide

Staff: Winston Rhodes

F. **OLD BUSINESS:** None

G. **NEW BUSINESS:**

1. **Selection of Planning Commission Chairperson and Vice Chairperson for 2015-2016**

2. **Selection of Development Review Subcommittee Members for 20152016**

H. **CITY PLANNER'S/COMMISSIONER'S REPORT:**

I. **COMMUNICATIONS:**

J. **NEXT MEETING:**

Planning Commission Regular Meeting, May 18, 2015 at 7:00PM

K. **ADJOURNMENT**

POSTED: March April 23, 2015

Winston Rhodes

Winston Rhodes, AICP
Planning Manager

DRAFT

MINUTES OF THE PINOLE PLANNING COMMISSION SPECIAL MEETING

April 6, 2015

A. CALL TO ORDER: 7:00 P.M.

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

Commissioners Present: Bender, Kurrent, Martinez-Rubin, McGoldrick, Tave, Toms, and Chair Brooks

Commissioners Absent: None

Staff Present: Winston Rhodes, Planning Manager

C. CITIZENS TO BE HEARD:

There were no citizens to be heard.

D. CONSENT CALENDAR:

1. **Planning Commission Meeting Minutes from February 9, 2015**

2. **Planning Commission Meeting Minutes from February 23, 2015**

Commissioner Toms requested an amendment to Lines 40 and 41 on Page 6 of the minutes of the February 9, 2015 meeting, as follows:

> *In response to the question about the bus turnout at the Library, Commissioner Toms reported that it was a high priority of the Oversight Committee's Pinole Valley High School Subcommittee.*

MOTION to adopt the Consent Calendar, with an amendment to the minutes of the February 9, 2015 meeting.

MOTION: Martinez-Rubin SECONDED: Toms APPROVED: 7-0

E. PUBLIC HEARINGS:

1. **Design Review (DR 14-11), Conditional Use Permits (CUP 14-05, 14-06, 14-07, and 14-08), a Tentative Parcel Map (MS 651-14) and a Development Agreement (DA 14-01); Gateway Shopping Center project.**

Request: Consideration of design review request; use permits for a sign program, one drive through, grocery store alcohol sales, outdoor dining and outdoor merchandise display; a tentative parcel map; and a Development Agreement to construct a commercial development with three retail buildings totaling approximately 40,558 square feet; one approximately 4,000 square foot office building; an approximate 75-foot pylon sign; and related improvements. The project site is an approximately 5.7-acre site, consisting of three existing parcels totaling 5.5 acres and an approximately 0.16-acre portion of the Pinole Creek property.

Environmental Review: The City prepared a draft Mitigated Negative Declaration (MND) to identify the potential environmental impacts of the project. The Planning Commission will consider the draft MND and accompanying Mitigation Monitoring and Reporting Program (MMRP).

Applicant: Thomas Gateway LLC
3100 Oak Road, Suite 140
Walnut Creek, CA 94597

Location: East and west sides of Pinole Valley Road north of Interstate Highway 80 and south of Henry Avenue, APNs 401-211-032 and -034, and 401-410-017

Project Planner: Winston Rhodes

Mr. Rhodes presented a PowerPoint presentation of the project; described in extensive detail the project components; and introduced the environmental consultants who had prepared the MND, including the traffic analysis, in compliance with the California Environmental Quality Act (CEQA). He also identified a major change to the project since the public workshops related to the medical office building, which had previously been proposed at 9,886 square feet but which had now been reduced to 4,000 square feet in response to public feedback and concerns with respect to parking.

NICK PAPPANI, Vice President, Raney Planning and Management, provided an overview of the Initial Study prepared in compliance with CEQA; identified the technical studies required for the project including traffic, noise, air quality, Greenhouse Gas Emissions (GHGs), biological resources, cultural resources, and a Phase I Environmental Site Assessment; identified the CEQA review findings for potentially significant environmental impacts pursuant to categories of impacts; and stated that all comment letters received in response to the draft Initial Study

had been addressed and certain changes had been made to the CEQA documents, as reflected in the staff report. No new impacts had been identified.

STEVE ABRAMS, Abrams Associates Traffic Engineering, extensively detailed the traffic report including intersection standards, estimated contribution to future traffic percentages, trip generation for the project, and advised that a third of the traffic would be from the local traffic stream. He identified the City of Pinole and Caltrans traffic standards, and noted that queuing was not an impact under CEQA, although the City had requested that the queuing be reviewed and the consultant had concluded that due to the traffic from Starbucks, the left turn pocket at the signalized intersection on Pinole Valley Road closest to the proposed coffee shop should be extended at least 50 feet, with improvements to the westbound Interstate 80 on-ramp recommended. The Traffic Consultant had also recommended that the City pursue a right turn pocket at the main signalized intersection access point for the western portion of the project site to reduce the queuing at the approach to the western portion of the project site. Based on the consultants' review of the operations, there would be no substantial change in emergency response times. He added that traffic calming had been reviewed; speed bumps were not allowed on Henry Avenue and Pinole Valley Road although the City could consider the use of speed tables at the crosswalks to reduce speed within the project site.

Mr. Rhodes advised that both Police and Fire Departments had been consulted on the preparation of the staff report, and had assured Planning staff that traffic would not affect or impair their ability to provide services within the City. In response to a flyer which had been disseminated in the community, he clarified inaccuracies in the flyer and verified that the project was consistent with the policies of the General and Specific Plans. For the benefit of the audience, he also stated that the requests before the Planning Commission involved recommendations to the City Council allowing another opportunity for public comment.

When asked by the Commission, Mr. Pappani clarified that the City had an adequate water supply for the project and that drought tolerant landscaping had been proposed.

Mr. Abrams also noted, when asked, that most improvements that could be made to the existing Pinole Valley Road lane configuration leading to the I-80 westbound on-ramp were infeasible requiring a rebuild of the overpass, which Caltrans was not likely to do, and which might be addressed through ramp metering.

Mr. Rhodes added that an additional free right turn onto the westbound on-ramp for I-80 would require more right-of-way (ROW), and while the project was conditioned to dedicate ROW for a portion of the right turn lane that would be insufficient to accommodate the turn.

Development Services Director Dean Allison, acknowledged the hope that when

the bowling alley property was developed, the City would receive the balance of the ROW needed. He added that there would be no loss of parking for Kaiser as a result of the project, and Kaiser was supportive of the project.

Mr. Rhodes clarified the restrictions of truck traffic on Henry Avenue would be enforced by the Police and the Development Services Departments, although if determined by the City Council, the restrictions could be built into the Development Agreement (DA). The City may consider revocation of the use permit if the conditions were not met subject to a public hearing, or consider fines for each occurrence of non-compliance of conditions. In addition, the disposition of the property from the former Redevelopment Agency would be addressed by the City Manager and the City Attorney.

PUBLIC HEARING OPENED

STEVE THOMAS, Thomas Properties, the applicant for Thomas Gateway LLC, detailed the components of the project, the extensive review by the Planning Commission, the Planning Commission Development Review Subcommittee, City staff, consultants, and the public workshops since 2013, to create a strong sustainable, economically sound, visually, and well balanced shopping center and a gateway to Old Town. He requested Commission approval to move the project on to the City Council.

ELLIOTT THOMPSON, Pinole, suggested emergency response times would be impacted by the development, particularly in the valley due to an increase in traffic. He questioned the time period when the traffic study had been done, suggested it had not taken into account the peak periods, and noted that Pinole Valley High School was not at capacity and that when it is rebuilt traffic would increase.

BOB KOPP, Pinole, found the project would offer healthy choices and much needed revenue to the City. He stated the developer had done a good job with the architectural details, suggested the applicant had done what the City had asked and had made revisions to the project, and expressed concern with the time involved in getting any development approved in the City leading to possible lost business and revenues.

CAROL THOMPSON, Pinole, speaking on behalf of Ellissa Thompson, her daughter, spoke to a recent vehicle/pedestrian accident in front of Kaiser and its correlation to the Corridor Specific Plan. She questioned the conclusions of the traffic study, asked for traffic calming measures, disagreed that the project met CEQA requirements; referenced statements from the East Bay Municipal Utility District (EBMUD) in response to the Initial Study MND, particularly as related to steelhead trout and the lack of a setback from the creek; and understood the drive through analysis had been based on a 2004 traffic study, which should be reanalyzed. She urged a current traffic study to take into consideration existing conditions and peak traffic periods.

JIM BROWNLEE, Pinole, expressed concern with what he described as an inappropriate parking formula used by the City; stated that Sprouts Markets typically had over 100 employees which would impact the parking accommodations, and the bus stop provided no parking which would add to the parking constraints that could impact future developments.

JULIAN KRAYNIK, Pinole, also found the project to be inadequately parked, suggested Sprouts employees would take up much of the parking, and suggested the potential for shared parking at the bowling alley should not be included in the total parking count.

BETH RODRIGUES, Pinole, expressed concern with safety, particularly with the proposed truck deliveries in relation to sporting events in the area; suggested the traffic and parking considerations were incomplete; and was disappointed with another Starbucks when the community was already saturated.

NASSER KASHAVI, Pinole, also expressed concern with large truck traffic affecting Henry Avenue; recommended that Henry Avenue be expanded to three lanes with a center lane for truck traffic; recommended an area for school drop-offs to relieve the traffic constraints; was concerned with the parking conditions; and expressed concern with increased light pollution from the 75-foot high pylon sign and suggested that the illumination be turned off after 9:00 P.M.

LORINA TURINAI, Pinole, suggested the development was too close to the creek; emphasized the goal of the creek to maintain water quality and habitat, with investments to protect steelhead trout; urged the use of native plant material; and encouraged the creek to be a destination location. She suggested the project was too large, too close to the creek, should be sustainable, and should preserve the Pinole environment for future generations.

CAROL THOMPSON, spoke on behalf of Ryan McCann who had raised concerns with safety, the existing traffic conditions and speed along Pinole Valley Road, and urged traffic calming options along Henry Avenue and Pinole Valley Road, and lowering the speed of traffic to 15 MPH near schools. She questioned whether Henry Avenue could accommodate the weight of tractor trailers on a daily basis.

Recognizing that some of the audience members had left the meeting and that Ms. Thompson desired to speak for some of those individuals, Mr. Allison advised that written testimony would be accepted.

SAL SPATARRO, Pinole, objected to a drive through Starbucks and suggested that the commercial components of the project be situated on one side of the road with the medical uses on the other. He suggested traffic to Starbucks would impact ingress/egress to Kaiser, and was convinced traffic would come off the freeway to access Starbucks,

FRED LILES, Pinole, a commercial driver familiar with the freeway traffic along 580 and I-80, questioned the traffic analysis that had been prepared, and encouraged more home development as opposed to commercial development. He urged the preparation of a new traffic analysis to replace the 2004 study.

STACEY MARTIN-BONADUCE, Pinole, suggested traffic would be an issue regardless of any traffic study, particularly due to Collins Elementary and Pinole Valley High Schools. She suggested the City did not need more fast food businesses and Starbucks and urged more local businesses such as those in Old Town. She also expressed concern with safety for those trying to cross the street, the proliferation of shopping carts, and the sale of alcohol given the close proximity of the school.

IRMA RUPORT, Pinole, expressed concern with diesel trucks traveling left onto Henry Avenue; questioned the adequacy of the time restrictions for truck deliveries; and referenced a recent presentation to the City Council by the Contra Costa Transportation Authority (CCTA) for improvements to I-80 that were intended to ease the traffic conditions into Pinole.

DAVID RUPORT, Pinole, spoke to the animal corridors parallel to the proposed Sprouts property and Gateway West, and suggested that some of the mitigations proposed could place that wildlife in jeopardy. He urged consideration of more efficient mitigations, and attention to the potential impacts from garbage/trash from the project site and its proximity to a Clean Water Area.

MATT BIELBY, Pinole, expressed concern for all of the potential impacts and urged the City to listen to the concerns of the residents and do what was right for Pinole.

MIKE STOTT, Pinole, disagreed with the conclusions of the traffic study; suggested the project would not benefit the majority of Pinole; suggested that Sprouts would add to the existing traffic conditions throughout the day and impact school traffic and emergency vehicle responses; and asked for clarification of the boundary of, and allowable businesses in Old Town.

TERESA STOTT, Pinole, asked whether noise pollution had been taken into consideration and suggested that both noise and light pollution would impact wildlife in the creek.

THOMAS FLORIN, Pinole, referenced the former uses on the project site and supported new development in the City.

ANTHONY GUTIERREZ, Pinole, questioned the allowable height of the pylon sign; the proximity of Sprouts to Collins Elementary School with respect to the sale of alcohol; whether the applicant had a legal right to the properties vis a vis a legal

lease or sales agreement; and whether the traffic study had been prepared when I-80 was heavily congested and during a worst case scenario.

MICHAEL BAUM, Pinole, spoke to the potential impacts from the left hand turn pocket and objected to waiting to resolve that situation until the future development of the bowling alley site; suggested a left hand turn into Sprouts was not feasible with little area to accommodate that movement; and cited a number of concerns with traffic movements into and out of the site.

PAUL JOSEPH MARIOTTI, Pinole, liked the project and commended all of the work involved; supported a 100-foot setback from the creek; and expressed his hope that the existing trees would be retained and that more would be planted.

REBUTTAL:

Mr. Thomas clarified that the Pinole Police Department had been involved with the project in relation to the required distance from the sales of alcohol to a school, and he understood there were no problems.

Mr. Abrams described the extensive Level of Service (LOS) calculations that had been provided for each intersection; studies conducted during the entire day and traffic counts two hours in the morning and afternoon with the highest peak hour from each intersection which had determined that the conditions would not change significantly with continued congestion now and in the future; the analysis based on traffic generated during the peak periods and peak hours with overlap of school and other traffic on Pinole Valley Road; accident patterns along the route; and stated that no data from the 2004 traffic study had been used in that the analysis of the drive through was new and no queuing analyses had been carried over. The safety problem referenced was not a safety problem but a recommendation to follow Caltrans standards which already applied to major intersections with vegetation and landscaping to be maintained to avoid blocking oncoming traffic. As an option, the traffic consultant had recommended a restricted right turn only movement into the project only if a problem were to develop, but which had not occurred; there was no pattern of accidents or concern of additional traffic added to the outbound right turn movement; and speed feedback signs required radar surveys and the City had limited funds and locations to place such signs.

Mr. Abrams added that the worst case scenario with congestion on the freeway had been analyzed during the traffic counts with the hope that metering would lessen the congestion. An additional lane inbound had not been considered in this case since single lanes would feed into the site, and would clear out fast enough. If an additional lane was necessary for Starbucks in the future some landscaping could be removed. KEEP CLEAR markings would also help to prevent vehicles form obstructing through traffic while waiting in the drive through queue.

Mr. Pappani reiterated that the project was compliant with CEQA; there were

requirements for the protection of special status fish species; the project did not include any in-channel improvements; the proximity of the development to the site had been reviewed; the project was compliant with C.3 Water Infiltration Standards; and the stormwater system had been designed to prevent any water from entering the creek area. Operational noise associated with truck deliveries had been evaluated by the Noise Consultant which had found that truck noise levels on average would be less than the City's standards due to the distance from the nearest residential receptors; and the illumination from the proposed 75-foot high pylon sign would be addressed through the proposed project mitigations.

Mr. Allison added that C.3 Water requirements would improve with the project, and if the speed of traffic was found to be an issue it could be addressed by the Traffic and Pedestrian Safety (TAPS) Committee.

Mr. Rhodes detailed ABC regulations and the process to be followed pursuant to the City's Zoning Ordinance; clarified that a Creek Setback Ordinance had not been prepared nor did the City have an adopted ordinance requiring a specific setback from the creek although there were policies to address sensitive resources; the proposed fence was to prevent trash from entering the creek but not trap wildlife or prevent deer from jumping over; there was at least 20 feet from the creek center line to the trail; the parking met the City's standards and goals of the General and Specific Plans, and a Parking Demand Management Plan was required as a condition of approval which would identify the location of employee parking. There was also adequate parking for each parcel, and reciprocal parking had been conditioned to keep the parking field intact for both buildings in the future.

PUBLIC HEARING CLOSED

The Planning Commission discussed the project components and offered the following comments and/or direction to staff:

- Encourage the applicant to identify the parking spaces located perpendicular to the entry driveway on the east end closer to Pinole Valley Road as employee parking in the Parking Demand Management Plan;

- Encourage the applicant to post signage stipulating the parking was for shoppers only;

- Reevaluate the lanes on Pinole Valley Road and consider a right turn lane, and a stop sign on Henry Avenue to mitigate any potential future traffic issues;

- Memorialize the truck delivery hours in the conditions of approval for design review as an ongoing condition and in the use permit conditions of approval related to the use permit for Sprouts Market;

- Memorialize a condition of approval regarding the LED lights on the 75-foot high pylon sign to be controlled by a dimmer, with staff to craft language to ensure that the brightness of the lights did not infringe on the nearby residents and be turned down after 9:00 P.M.;

- Add a condition for the left turn pocket for the median into the main driveway access point for Gateway West to be lengthened by approximately 50 feet; with the same condition included in the Development Agreement;

- Recommend that the Pinole Fire Chief address concerns with fire/emergency response during the April 21, 2015, City Council meeting;

- Recommend vertical roofing material on the front/south elevation for Spouts to be replaced with an awning;

- Support the staff recommended modifications to the architecture and landscaping, as outlined in the conditions of approval in the staff report;

- Identify the 750 square foot sign area cap on the 75-foot high pylon sign as the maximum which should provide a variety of ways to identify the City;

- Require Sprouts to use locks on its shopping carts to prevent removal from the property boundaries;

- Add a condition that the parking spaces located at the rear of the Sprouts building be made available for electric charging stations or pre-wired for electric vehicles;

- Recognize the applicant's contribution to the maintenance and enhancement of the creek and the trail community;

- Recognize that if the City Council approves the project, it would be contingent upon the Long Range Finance Property Management Plan, as related to the former Redevelopment Agency;

- Recommend the applicant consider the use of Green technology; and

- Recommend that staff and the applicant address the backflow preventers in a pleasing manner.

Commissioner Kurrent offered a motion to approve the staff recommended resolutions as identified on Page 2 of the April 6, 2015 staff report, subject to the conditions of approval, and subject to additional conditions as recommended by the Planning Commission.

Mr. Gutierrez expressed concern that correspondence had not been included in the record in an un-redacted form, although it was confirmed that his submitted correspondence had been included as part of the record.

On a discussion of the motion, Commissioner Kurrent modified his initial motion to approve the staff recommended resolutions as identified on Page 2 of the April 6, 2015 staff report with the exception of Resolution 15-06.

MOTION to adopt **Resolution 15-02** recommending approval to the City Council of a Mitigated Negative Declaration and accompanying Mitigation Monitoring Reporting Program for the Gateway Shopping Center Project; **Resolution 15-03** recommending conditional approval to the City Council of the design review request (DR 14-11) for development of the Gateway Shopping Center including four new commercial buildings and an approximately 75 foot pylon sign and accompanying improvements; **Resolution 15-04** recommending approval to the City Council of a conditional use permit (CUP 14-08) for the Gateway Shopping Center Sign Program; **Resolution 15-05** recommending approval to the City Council of a conditional use permit (CUP 14-05) for alcohol sales, outdoor merchandise sales, and outdoor dining at the proposed market; **Resolution 15-07** recommending approval to the City Council of a conditional use permit (CUP 14-06) allowing outdoor dining at the proposed retail shop space building; **Resolution 15-08** recommending approval to the City Council of a Parcel Map (MS 651-14) to divide the single parcel (APN 401-410-017) of approximately 4.53 acres west of Pinole Valley Road within the Gateway Shopping Center into two parcels; and **Resolution 15-09** recommending approval of a draft Development Agreement for the Gateway Shopping Center project (DA 14-01), subject to conditions, as modified and as discussed by the Planning Commission.

MOTION: Kurrent **SECONDED: Toms** **APPROVED: 7-0**

Speaking to Resolution 15-06, Mr. Rhodes acknowledged a recommendation to either phase in the request for a drive through and outdoor dining for Starbucks or eliminate that component from the project, and advised that a recommendation on this component was required, although the Planning Commission could recommend modification to the resolution, if so desired.

Commissioners discussed the pros and cons for the drive through and outdoor dining for Starbucks and made no modifications to the resolution.

MOTION to adopt **Resolution 15-06** recommending approval to the City Council of a conditional use permit (CUP 14-07) allowing a drive through and outdoor dining at the proposed coffee shop building (Suite E1-A), subject to conditions.

MOTION: Tave **SECONDED: Kurrent** **APPROVED: 7-0**

F. **OLD BUSINESS**: None

G. **NEW BUSINESS**: None

H. **CITY PLANNER'S / COMMISSIONERS' REPORT**:

Commissioner Kurrent offered his condolences to Mr. Rhodes on the recent loss of his mother and asked that the meeting be adjourned in her memory.

Chair Brooks reported that Congressman Mike Thompson had designated Commissioner Maureen Toms as Woman of the Year.

Mr. Rhodes welcomed new Planning Commissioner Anthony Tave. He reported that a regular Planning Commission meeting would be held on April 27, 2015 to consider the Draft Housing Element, the reorganization of the Planning Commission, and the makeup of the Development Review Subcommittee. The City Council would consider the Gateway Shopping Center Project during its next meeting on April 21, 2015.

I. **COMMUNICATIONS**: None

J. **NEXT MEETING**:

The next meeting of the Planning Commission will be held on Monday, April 27, 2015 at 7:00 P.M.

K. **ADJOURNMENT**: The meeting adjourned at 12:04 A.M. ***In Memory of Marietta Rhodes***.

Transcribed by:

Anita L. Tucci-Smith
Transcriber

Memorandum

TO: PLANNING COMMISSION

FROM: WINSTON RHODES, AICP, PLANNING MANAGER

SUBJECT: 2015-2023 HOUSING ELEMENT UPDATE, GENERAL PLAN AMENDMENT (GPA 14-01)

DATE: APRIL 27, 2015

STAFF RECOMMENDATION

That the Planning Commission review the proposed 2015-2023 Hearing Draft Housing Element Update, hold a public hearing, and adopt Resolution 15-10 (see **Attachment A**) recommending the City Council approve the Negative Declaration, including the California Environmental Quality Act (CEQA) checklist and initial study, as compliant with the California Environmental Quality Act of 1970 as amended, and recommending adoption of General Plan Amendment (GPA) 14-01 to update the Housing Element of the General Plan.

BACKGROUND

Over the past year, Staff has worked to revise the Housing Element to incorporate an updated assessment of Pinole's existing housing needs, to address the City's share of the Regional Housing Needs Allocation (RHNA) for the existing planning period (2015-2023), and ensure that the updated Housing Element is in compliance with State housing law.

In May 2014 the City prepared a Housing Issues Report that summarizes public input received from a community housing needs survey and housing stakeholder interviews conducted earlier in the year. The Housing Issues Report also discusses demographic changes between 2000 and 2010 that relate to housing needs. The Housing Issues Report included potential housing programs the City could pursue to help address these needs withlimited potential housing funds.

On July 15, 2014 the City Council reviewed the Housing Issues Report and the recommendations of the City Council Finance Subcommittee regarding which programs should be prioritized with limited potential housing funds. The City Council identified three funding priorities to reflect within the Housing Element Update. These prioritized programs include:

- Working to preserve the 113 existing affordable units at risk of converting to market-rate housing by 2017;
- Providing rehabilitation assistance to homeowners to improve housing conditions, including accessibility improvement for senior households and/or households where individuals have physical disabilities; and

- Acquiring and rehabilitating foreclosed/distressed properties to turn them into affordable housing.

On August 25, 2014, the Planning Commission reviewed the preliminary draft Housing Element and authorized submittal to HCD with changes recommended by the Housing Element Update Subcommittee that are summarized below as well as the elimination of a reference to Redevelopment funding on page 6.0-66.

Page 6.0-4: Delete reference to Measure J in lines 7 and 8 of paragraph 1.

Page 6.0-30: Add a note to Table 6.19 that clarifies that " -- " indicates that data was not available to prevent confusion.

Page 6.0-37: Delete the word "paying" from the last line of paragraph 2.

Page 6.0-53: Add information about the number of foreclosed homes within Pinole to the third full paragraph on this page.

Page 6.0-60: Verify if there are any changes needed to Table 6.36 based on the existing Zoning Code and Three Corridors Specific Plan that what was approved in 2010. The draft Table 6.36 has been checked and Staff recommends no change to the currently allowable range of uses.

DISCUSSION

The Housing Element is one of seven required elements of a City's General Plan. Unlike the other mandatory General Plan elements, the Housing Element must be updated by a state mandated deadline, and is subject to detailed statutory requirements and mandatory review by the State Department of Housing and Community Development (HCD) of both the draft Housing Element and the approved Housing Element. The City's existing General Plan Housing Element was adopted on July 6, 2010 and was found to be in compliance with State law on August 2, 2010.

The State statutory deadline for approving and submitting the City's Housing Element Update for State review is January 31, 2015. The Housing Element Update planning period will be from January 31, 2015 – January 31, 2023. This 8-year timeframe is a change from the previous shorter (5 to 7-year) planning periods for prior Housing Elements. San Francisco Bay Area cities that do not adopt the housing element within 120 days of the due date (or by June 1, 2015) must revise and adopt the housing element every four years until timely adoption is achieved for two consecutive revisions.

Housing Needs Allocation

State law requires that the Housing Element include an assessment of Pinole's existing Housing Needs. The Housing Needs Assessment comprises pages 6.0-10 through 6.0-53 of the Hearing Draft Housing Element. This section analyzes Pinole's demographic, socioeconomic, and housing characteristics to determine housing needs for current and future residents. Updates to this section incorporate current data including updated U.S. Census information.

Regional Housing Needs Allocation

HCD allocates the region's share of the statewide housing need to regional Councils of Governments (COGs). The COGs are responsible for developing a Regional Housing Needs Plan (RHNP) allocating the region's share of the statewide need to cities and counties within the region. The Association of Bay Area Governments (ABAG) is the COG responsible for developing the Bay Area's RHNP and determining the Regional Housing Needs Allocation (RHNA) for each city and county.

The RHNA provides a total number of housing units needed, by affordability level, to accommodate expected population growth for the current housing element planning period (2015-2023). In July 2013, the RHNA numbers were finalized for Pinole for the 2015–2023 planning period. The City received a RHNA allocation of 297 total housing units. The total RHNA is summarized in Table A below.

Table A
City of Pinole 2007-2014 RHNA

Income Category	Allocation	Percentage
Extremely Low	40	13.5%
Very Low	40	13.5%
Low	48	16%
Moderate	43	14%
Above Moderate	126	42%
Total	**297**	**100%**

The City is not required to build the RHNA units but must zone sufficient land at sufficient densities to accommodate the housing allocation. The City zoned sufficient land at sufficient densities in 2010 to accommodate the assigned RHNA. The Hearing Draft includes an inventory of residentially zoned property available to accommodate the current housing allocation set by ABAG.

Housing Element compliance with State housing law is frequently a prerequisite for eligibility for various grant funding opportunities, and noncompliance may leave the City vulnerable to potential litigation affecting our land use approval authority.

In September 2014 the public draft Housing Element document was forwarded to HCD for mandatory review and comment. A conference call meeting was held on October 27, 2014 to review the state's preliminary feedback. Based on this feedback, several clarifications and modifications to the draft Housing Element were suggested. In December 2014, the State's comments were discussed by the Planning Commission.

The following major issues were raised by HCD in conjunction with review of the initial public draft Housing Element.

Emergency Shelters

HCD wanted more information about the available supply of land where Emergency shelters are allowed by right as a permitted use without the need for a conditional use permit. Pursuant to State law, the City has identified the Office Industrial Mixed Use Zone as the location within the City that

emergency shelters are allowed as a permitted use. This Zoning District is located along the north side of San Pablo roughly east of the Del Monte Shopping Center and up to and including the Pinole Shores Business Park west of Sunnyview Drive. The requested information is now included in the attached draft Housing Element document.

Additionally, HCD noted that several performance standards within the Zoning Code requiring at least 200 feet separation between emergency shelters and public parks, public or private K-12 schools, or recreation facilities primarily designed to serve individuals under the age of 18 were not consistent with State law. The only distance requirement that may be imposed under State law is to have a 300-foot separation from an existing shelter facility. Language has been added to action 4.4.9 requiring that the City modify our Zoning Code within one year of adoption to provide consistency with current State law.

Transitional / Supportive Housing

The City has adopted performance standards to allow transitional housing in residential areas throughout the City. According to State law transitional housing facilities for 10 or fewer individuals may be located in any portion of the City zoned for residential development, subject to the same development and management standards as other permitted uses in the zone. Additionally, HCD noted that supportive housing was not specifically addressed in the current zoning regulations. Language has been added to Action 4.4.9 to ensure consistency with State law within one year of adoption along with ongoing monitoring to evaluate the effectiveness of the zoning provisions for facilitating housing for the homeless.

Employer Housing

Employer housing is housing offered directly by the employer. HCD noted that the City's Zoning Code does not specifically address Employee Housing. State law requires that employee housing for six or fewer individuals be clearly permitted and not be considered different than single family dwelling under the Zoning Code. Language has been added to Action 4.4.10 to amend the Zoning Code to specifically address employee housing within one year of adoption of the Housing Element Update.

The modifications mentioned above are reflected in the attached Public Hearing Draft Housing Element document and were discussed with the Housing Element Subcommittee and Planning Commission in December 2014.

Affordable Housing Water / Sewer Service Prioritization

State law requires water and sewer service agencies to adopt policies requiring that affordable housing projects have priority over other land uses for service connections at all times, including in the event of implementing a rationing system. HCD staff mentioned that this legal requirement be noted in the Housing Element and that the City proactively assist with implementation of the requirement.

By consensus, the Planning Commission directed staff on December 15, 2014 to revise Action H.5.1.2 relating to water and sewer priority allocation. The Commission was concerned that the City had limited authority to compel EBMUD (the City's water service provider) and the other entities involved in sewer service delivery within Pinole to adopt policies to ensure compliance with the State Public Utility Commission policies and the requirements of California Senate Bill (SB) 1087. Action

H.5.1.2 was modified and has been reviewed by members of the Planning Commission Housing Element Subcommittee earlier this month. The Subcommittee was comfortable with the revised language from the Hearing Draft and it is provided below.

"**ACTION H.5.1.2 WATER AND SEWER SERVICE PRIORITY ALLOCATION FOR AFFORDABLE HOUSING.** In compliance with SB 1087, the City will adopt a pdicy for water and sewer services to provide priority allocation to affordable housing in the event that a rationing system is implemented. The City will coordinate with the East Bay Municipal Utility District and the Pinole/Hercules Water Pollution Control Plant (WPCP) Joint Powers Agreement as needed to facilitate adoption of similar policies or to ensure that the State Public Utility Commission policies are adhered to.

TARGET: Adopt policy within one year of Housing Element adoption
RESPONSIBLE ENTITY: Pinole Development Services Department; EBMUD; WPCP Joint Powers Agreement
FUNDING SOURCE: Department budget"

SB 1087 requires local water/sewer service providers to either adopt their own policy or to comply with the policy of the State Public Utility Commission for prioritizing water/sewer service to an affordable housing development application in the event of a rationing system. The action language now calls for facilitating adoption of a policy and better reflects the limited authority the City has in influencing policies adopted by other service agencies. The revised language is located on pages 6.0 –106 through 6.0-107 of the April 2015 Hearing Draft Housing Element document.

The complete Hearing Draft Housing Element is included within **Attachment A**; the document is also available online at http://www.pinolehousingelement.com/documents.html

ENVIRONMENTAL REVIEW

An Initial Study has been prepared analyzing potential environmental impacts resulting from the Housing Element Update and no significant impacts were identified. A Negative Declaration (ND) has been prepared and was publicly circulated for review and comment between December 2014 and January 2015. The ND is also included within Attachment A and is available on the City's web site at http://www.pinolehousingelement.com/documents.html

The City received one comment letter from the State Department of Transportation and has prepared a response (see Attachment B). The letter did result in the need for any changes in the Negative Declaration or alter any conclusions or the determination that the Housing Element Update could not result in any significant effect on the environment. The project is a policy document and all residential growth planned for in the City's General Plan was previously analyzed as part of the General Plan Update Environmental Impact Report (State Clearing House # 2009022057) that was certified by the in 2010.

ATTACHMENTS

A. Draft Resolution 15-10
   Exhibit A: Proposed Negative Declaration and Initial Study
   Exhibit B: 2015-2023 Housing Element Hearing Draft April 2015

B. Caltrans Letter dated January 7, 2015 and accompanying City response

ATTACHMENT A

PLANNING COMMISSION RESOLUTION 15-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PINOLE RECOMMENDING THAT THE CITY COUNCIL APPROVE THE NEGATIVE DECLARATION FOR THE HOUSING ELEMENT UPDATE AND APPROVE GENERAL PLAN AMENDMENT 14-01 REVISING THE HOUSING ELEMENT OF THE GENERAL PLAN

WHEREAS, California Government Code Sections 65580-65589.8 require amendment of the City's current General Plan Housing Element to address the assigned housing needs of current and future City residents; and

WHEREAS, the City of Pinole's share of regional housing need is established by the Association of Bay Area Governments ("ABAG") and this period's related Regional Housing Needs Allocation ("RHNA") was adopted by ABAG in July 2013; and

WHEREAS, ABAG determined that Pinole's fair share of the RHNA for the period between 2015 and 2023 is a total of 297 units in the following housing affordability income categories: 80 very low income units, 48 low income units, 43 moderate income units, and 126 above moderate income units; and

WHEREAS, from February through March 2014 the City conducted extensive public outreach including distribution of a community Housing Survey and conducted housing stakeholder interviews including housing service providers, special housing needs group representatives, realtors and housing developers to better understand existing housing needs;

WHEREAS, a Housing Issues Report was prepared in May 2014 to summarize public input received, evaluate recent demographic trends; and help facilitate the preparation of the Housing Element Update;

WHEREAS, in July 2014, the Pinole City Council held at a publicly noticed meeting to review the Housing Issues Report and discuss Housing Element policy and funding priorities for the Housing Element Update; and

WHEREAS, in August 2014, at a publicly noticed meeting, the Planning Commission reviewed a Preliminary Draft Housing Element and directed Staff to edit the preliminary Draft Housing Element submit the Draft Housing Element for a mandatory 60-day public review period including review by the State Department of Housing and Community Development ("**HCD**"); and

WHEREAS; after publicly circulating the Preliminary Draft Housing Element the City received comments from the State Department of Housing and Community Development (HCD) in November 2014; and

WHEREAS, in December 2014, the Planning Commission held a publicly noticed workshop to review the comments provided on the draft Housing Element and directed staff to make several modifications and circulate a Negative Declaration for the Housing Element Update; and

WHEREAS, an Initial Environmental Study and Negative Declaration were prepared and circulated in accordance with the requirements of the California Environmental Quality Act ("**CEQA**") for this project during the period of December 23 , 2104 through January 22, 2015 and received one comment letter from the State Department of Transportation and prepared a response; and

WHEREAS, at a duly noticed public hearing on April 27, 2015, the Planning Commission considered the staff report and related background documents and materials as well as the testimony of all persons speaking or providing information on this matter.

NOW THEREFORE, BE IT RESOLVED that the Pinole Planning Commission does hereby recommend that the Pinole City Council approve the project Initial Environmental Study and Negative Declaration that is hereby incorporated by reference and attached as Exhibit A and further recommends that the City Council approve General Plan Amendment 14-01 that updates the existing Housing Element of the General Plan with the new 2015 - 2023 Housing Element attached as Exhibit B, based on the following determinations:

1. The above information within this resolution is true and correct; and

2. The Initial Study and Negative Declaration were prepared and processed in accordance with the requirements of the California Environmental Quality Act (CEQA); and

3. The amendments to the City's General Plan Housing Element are consistent with applicable provisions of State law.

PASSED AND ADOPTED by the Planning Commission of the City of Pinole on this 27th day of April 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Thomas M. Brooks, Chair, 2014-2015

ATTEST:

Winston Rhodes, AICP, Planning Manager

INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM

A. Background

1. Project Title:	Housing Element Update (2015-2023), City of Pinole General Plan (File # GPA 14-01)
2. Lead Agency Name and Address:	City of Pinole Development Services Department 2131 Pear Street Pinole, CA 94564
3. Contact Person and Phone Number:	Winston Rhodes, Planning Manager (510) 724-9832
4. Project Location:	Citywide (City of Pinole)
5. Project Sponsor's Name and Address:	Same as Lead Agency
6. General Plan Designation:	Not applicable; Housing Element Update is citywide and not specific to a site or community.
7. Zoning:	Not applicable; see #6 above.
8. Project Description:	The City of Pinole has prepared a draft update to the Housing Element in the City General Plan for an eight-year period from 2015 to 2023. The current Housing Element was adopted by the City Council on July 6, 2010. The updated Housing Element indentifies and analyzes existing and projected housing needs for population groups within the City of Pinole, and it provides a statement of goals, policies, quantified objectives, and documents programs for the preservation, improvement, and development of housing within the City of Pinole. The Housing Element is mandated under California Government Code Section 65580 and is subject to review and certification by the California Department of Housing and Community Development (HCD). Section D contains a more detailed description of the project.
9. Surrounding Land Uses and Setting	The City of Pinole is a relatively small city, with a population of approximately 20,000 and a land area covering approximately five square miles or just under 3000 acres. Pinole is located in the San Francisco Bay Area, on the shores of San Pablo Bay in the western portion of Contra Costa County. The City straddles Interstate 80, one of the heaviest used traffic corridors in the nation. This regional transit corridor connects the San Francisco/Oakland metropolitan area with Sacramento and major tourism and recreation areas within the State of

California and Nevada. Pinole is linked to the central portion of Contra Costa County and the cities of Martinez, Concord, and Pleasant Hill by State Route 4, which begins north of the City and connects with Interstate 680. The City is bounded by the adjacent city jurisdictions of Hercules and Richmond, and bounded on two opposite sides by unincorporated areas of Contra Costa County.

The City is predominantly suburban residential in character and is nearly completely built out. The City's non-urban uses include parkland, watershed, and open space. The City's landform is dominated and shaped by its coastal terrain which includes both gently rolling hills and steeper terrain. Elevations in the City range from sea level to 500 feet above sea level.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

There are no other public agencies whose approval is required for the proposed Housing Element Update. The draft and adopted Housing Element is required to be forwarded to HCD for review and certification. However, its approval is not required for adoption by the City.

B. Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Potentially Significant" or "Less Than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Population/Housing
☐ Agriculture & Forest Resources	☐ Hazards & Hazardous Materials	☐ Public Services
☐ Air Quality	☐ Hydrology/Water Quality	☐ Recreation
☐ Biological Resources	☐ Land Use/Planning	☐ Transportation/Traffic
☐ Cultural Resources	☐ Mineral Resources	☐ Utilities/Service Systems
☐ Geology/Soils	☐ Noise	☐ Mandatory Findings

C. Determination

On the basis of this initial study:

☒	I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☐	I find that although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT(EIR) is required.
☐	I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study. An EIR is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are included in the project, and further analysis is not required.

December 22, 2014

Winston Rhodes AICP, Planning Manager
City of Pinole

D. Project Description

California Government Code Section 65302(c) mandates that each city and county shall include a Housing Element in its General Plan. The Housing Element is required to identify and analyze existing and projected housing needs, and include statements of the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing. The City, in adopting its Housing Element, must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the General Plan. However, while cities generally have considerable flexibility in drafting the other elements of their General Plan, the Housing Element must comply with the detailed statutory provisions of the California Government Code, which are codified in Section 65580 et seq. The Housing Element is unique among General Plan elements in the extent to which California law prescribes local policies and the State's review of local governments' housing elements by the Department of Housing and Community Development (HCD). Failure to adopt a housing element that HCD finds to be in compliance with state law can result in loss of grant funds, increased exposure to legal challenge, and the requirement for more frequent Housing Element Updates.

The Regional Housing Needs Assessment (RHNA), presented in the Housing Element, identifies Pinole's "fair share" of the regional housing need for the RHNA period January 1, 2014, and ending on October 31, 2022, as 297 units. The City's RHNA is distributed into four income categories – 80 units in the extremely/very low income category, 48 units in the low income category, 43 units in the moderate income category, and 126 units in the above moderate income category. State law requires the City to demonstrate that there are adequate sites, either vacant or underutilized, with appropriate zoning to accommodate new housing development commensurate with the RHNA.

To demonstrate adequate capacity to accommodate the RHNA, the City developed a parcel-specific inventory of sites suitable for future residential development, including vacant sites currently designated under the City's General Plan and housing opportunity sites designated in the City's Three Corridors Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way (See Table 6.44 in the Housing Element Update). It is important to note, however, that the Housing Element itself does not propose the actual development or redevelopment of these sites. Any proposal for the development or redevelopment of these sites would occur separately from the Housing Element adoption process.

The Housing Plan section of the Housing Element Update is the only portion of the project with potential to impact the environment. All other sections of the proposed project, including the residential sites inventory, provide information and analysis required by statute and do not commit the City to take any action. The Housing Plan includes programs (referred to in the document as "Actions") that commit the City to take specific action during the 2015-2023 planning period to facilitate and encourage the provision of housing and related services for all economic segments of the City of Pinole. Each proposed Housing Element Update (2015-2023) program is summarized below:

ACTION H.1.1 **CONDUCT AN ANNUAL HOUSING ELEMENT REVIEW.** 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 April 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.

ACTION H.1.2 **EXPLORE HOUSING DEVELOPMENT PARTNERSHIPS.** The City shall seek out opportunities to work with other public agencies by identifying housing grant funding opportunities to encourage and implement improvements and expansion of housing supply, and work with developers by creating a developer interest list and periodically assessing development needs to encourage new residential development to provide affordable housing.

ACTION H.1.3. **PERIODICALLY REVIEW RESIDENTIAL DEVELOPMENT REQUIREMENTS.** Monitor development standards to ensure their appropriateness in fostering residential and mixed use development.

- For key housing opportunity sites, provide development standards and design objectives to streamline the development review process for projects that are consistent with applicable Specific Plans and the General Plan.
- Provision of clear guidelines and incentives for the development of housing in conformance with current state laws and to identify specific ways to streamline processing for subsequent development proposals.

ACTION H.2.1 **APPLY DESIGN REVIEW GUIDELINES.** Apply the Zoning Ordinance Residential Design Guidelines to new residential projects in order to evaluate projects in the context of existing neighborhoods and continue to maintain an objective process that clearly communicates community expectations in the Design Review process.

ACTION H.2.2 **ADEQUATE SITES TO MEET REGIONAL FAIR SHARE OF HOUSING GROWTH.** The City shall provide for a variety of housing types with densities ranging from one to seven units per acre in low-density residential areas and up to fifty dwelling units per acre in very high density residential and mixed use areas along portions of the City's transportation corridors included in the proposed Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way, with the incorporation of density bonuses available consistent with State law.

The City will undertake the following to ensure adequate sites are identified and utilized to provide opportunities for future housing development:

- Continue to provide appropriate land use designations consistent with regional housing needs for mixed use and infill development near transit and other amenities.
- Monitor development and other changes on sites in the inventory to ensure the City has remaining capacity consistent with its share of the regional housing need.
- Maintain an updated inventory of available sites for housing development to provide for developers in conjunction with information about other development incentives for affordable units.

QUANTIFIED TARGET: Consistent with past trends and considering the funding constraints, the City's overall construction target is 80 units (2 extremely low, 5 very low, 5 low, 20 moderate, and 48 above moderate).

ACTION H.2.3 **REHABILITATION ASSISTANCE.** The City will improve public awareness of rehabilitation loan subsidy programs offered by the County and other agencies. Specific actions should include: (a) pamphlets on the programs available at City Hall; and (b) providing public information through articles in the local newspaper and with cable TV public service announcements. In addition, the City will annually explore funding availability at the local, State, and federal levels and pursue funding programs as appropriate with the goal of reinstating the City's Rehabilitation Program.

QUANTIFIED TARGET: Ongoing, with annual assessment of funding opportunities to reinstate the City's Rehabilitation Program. The City's overall target for rehabilitation assistance is 50 units (10 extremely low, 10 very low, 10 low, and 20 moderate), inclusive of the target for Action H.2.4 below.

ACTION H.2.4 **ACQUISITION/REHABILITATION OF BLIGHTED OR DISTRESSED PROPERTIES.** As in other parts of the State, many households in Pinole have been impacted by the recession and depressed housing market, resulting in increases in distressed properties and foreclosure activities. Furthermore, with the dissolution of redevelopment, the City no longer has the funding available to address blighted properties in the community. The City will continue to pursue opportunities to partner with nonprofit housing developers to acquire and rehabilitate blighted or distressed properties, with the objective of making these units available to low income households as affordable housing.

QUANTIFIED TARGET: Ongoing, with annual assessment of funding/partnering opportunities. The City's overall target for rehabilitation assistance is 50 units (10 extremely low, 10 very low, 10 low, and 20 moderate), inclusive of the target for Action H.2.3 above.

ACTION H.3.1 **FEE STRUCTURE EVALUATION.** Periodically review the City's current development impact fees to ensure that new development contributes its fair share of the costs for the provision of services and facilities.

ACTION H.4.1 **GENERAL PLAN LAND USES.** Evaluate General Plan land use designations and plan programs annually to ensure they are consistent with the City's overall goals and review the entire General Plan within eight years.

ACTION H.4.2 **HOUSING CONSTRUCTION.** Construct or encourage the construction of housing units throughout the City through use of the following mechanisms:

- **Mixed Use Housing Incentives.** Encourage mixed residential-commercial uses in areas consistent with the Land Use Plan, and in particular along portions of the San Pablo Avenue, Pinole Valley Road, and Appian Way corridors to increase housing opportunities

through the following and other means, if appropriate: (1) increased densities; (2) prioritized development project review and processing; and (3) flexibility in parking and development standards.

- **Rental Housing Site Assembly and Development.** City shall contact affordable housing builders annually and provide information about sites to facilitate development of affordable rental housing. Based on development interest, the City shall explore possible assistance including priority processing.
- **Affordable Housing Incentives.** Support the use of the following incentives for well-designed rental and ownership projects that provide a minimum of 15 percent of total units affordable to low and moderate income households for 45 and 55 years respectively:
  a. *Density bonuses.* Provide density bonuses consistent with the State Density Bonus Law (Government Code Section 65915).
  b. *Flexibility in development standards.* Allow flexibility in applying development standards (e.g., parking, floor area, setback, height standards).
  c. *Prioritized Development Review.* Affordable housing development should receive the highest priority and efforts should be made by staff and decision-makers to: 1) provide technical assistance to potential affordable housing developers; 2) consider project funding and timing needs in the processing of applications; and 3) provide the fastest turnaround time possible in determining application completeness.
- **Require Affordable Housing in Market Rate Residential Projects.** Require 15 percent of the units located in new residential developments be affordable, and of those units, 40 percent must be affordable to very low income households. The City's intent is the construction of units on-site. If this is not practical, the City will consider other alternatives of equal value, such as in-lieu fees, construction of units off-site, donation of a portion of the property for future non-profit housing development, etc.
- **Housing for Extremely Low Income Households and Persons with Disabilities.** Based on funding availability, the City shall explore, at least once a year, development assistance for multifamily and supportive housing to meet the needs of extremely low income households and persons with disabilities (including persons with developmental disabilities). The City shall continue to contact housing service providers within West Contra Costa County to determine the best way to facilitate development of housing for extremely low income households and persons with disabilities. The City will annually contact developers to assist in development where feasible by prioritizing available funding, assisting and supporting new applications, providing priority processing, considering fee deferrals or subsidies and design modifications, and facilitating site acquisition.

QUANTIFIED TARGET: Ongoing to provide for the construction or approval of at least 279 units between 2014 and 2023.

ACTION 4.4.3 **PARCEL CONSOLIDATION.** The City will play an active role in facilitating lot consolidation, particularly as it relates to parcels listed in the Sites

Inventory in Section 4 of this Housing Element. The lot consolidation procedure will be included in the City's Municipal Code and be made available to the public and discussed with developers during the preliminary review process. Lot consolidation requests made in order to facilitate development of affordable housing will be processed administratively. Incentives offered for lot consolidation will include allowing higher densities for larger parcels once consolidated, flexibility in development standards, and expedited processing.

ACTION 4.4.4 **SECOND UNIT ORDINANCE.** The City will provide information to the public on the ordinance at City Hall and on its website. In addition, the City will review the Second Dwelling Unit Ordinance in regard to development requirements to encourage the development of well-designed secondary housing units in established residential areas.

QUANTIFIED TARGET: Construction of 16 new second units between 2014 and 2023

ACTION 4.4.5 **HOMEBUYER PROGRAMS**. Continue to promote homebuyer assistance programs available through the County and State, such as the Mortgage Credit Certificate (MCC) program and California Housing Finance Agency's Downpayment Assistance Program. Specific actions should include: (a) pamphlets on the programs available at City Hall; and (b) providing public information through articles in the local newspaper and with cable TV public service announcements. The City will continue to explore funding opportunities to reinstate the City's Homebuyer Program.

ACTION 4.4.6 **Below Market Rate (BMR) Regulations**. Implement and monitor rental (55 years) and resale (45 years) restrictions for low and moderate income units assisted or constructed by the former Redevelopment Agency to assure that these units remain at an affordable price level as they are occupied, and transferred.

ACTION 4.4.7 **TECHNICAL ASSISTANCE TO HOUSING DEVELOPERS.** The City will provide technical assistance to developers to encourage provision of affordable housing that are consistent with City goals. Assistance could include provision of information about available funding sources, pre-application planning meetings, expedited development review and processing, and facilitation of neighborhood meetings.

ACTION 4.4.8 **ACCESSIBLE UNITS FOR THE PHYSICALLY DISABLED.** The City will facilitate programs and projects that meet Federal, State and local requirements to provide accessibility for the physically disabled in residential units and will promote affordable accessible housing for the physically disabled. The City will encourage accessible units in all new projects; additionally, where outside funding is involved, the City will ensure compliance with funding agency requirements for units accessible to the physically disabled. The City will provide technical assistance to assure proposed units meet Building Code requirements. The City will implement the adopted ordinance establishing Reasonable Accommodation procedures to accommodate the needs of persons with disabilities

QUANTIFIED TARGET: Five percent of the units built or approved between 2014 and 2023 should be adaptable for the physically disabled

ACTION 4.4.9 **HOUSING FOR THE HOMELESS.** The City amended the Zoning Ordinance to provide emergency shelters and transitional housing for the homeless; however, additional revisions to the Zoning Ordinance are required to be consistent with State law. Specifically, the Zoning Ordinance will be revised to address the provision of supportive and transitional housing as a residential use to be subjected to requirements for similar uses in the same zones. The Zoning Ordinance will also be revised to remove the emergency shelter distance requirements (other than from another shelter). State law (SB2) allows the emergency shelter ordinance to set distance requirement only from another shelter. The City's ordinance currently includes distance requirements from a public park and school, transit route, etc. Within 12 months of adopting the 2015-2023 Housing Element, the City will amend the Zoning Ordinance to address the provisions for transitional housing, supportive housing, and emergency shelters consistent with SB2. The City will continue to monitor the effectiveness and appropriateness of the adopted provisions in facilitating housing for the homeless.

ACTION 4.4.10 **EMPLOYEE HOUSING.** Currently the Zoning Ordinance does not address the provision of employee housing. The City will amend the Zoning Ordinance within one year of the Housing Element adoption to identify employee housing meeting Health and Safety Code definitions will be considered as a residential use and to be permitted in the same manner as similar uses in the same zones.

ACTION 4.4.11 **PREVENTION OF HOUSING DISCRIMINATION.** The City will take actions to prevent discrimination in the housing market and provide information on fair housing laws. Staff will distribute fair housing pamphlets provided by fair housing organizations at the public information counter at City Hall, Pinole Library, 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. The City will also participate in the Regional Analysis of Impediments to Fair Housing Choice, which is updated every five years. The City will work with the County to publicize the outreach program for the update.

ACTION 4.4.12 **CONSERVATION OF AFFORDABLE HOUSING UNITS.** Pinole's supply of affordable housing units is largely made of multi-family units with affordability covenants in place that ensure affordability at a specific income level for a set period of time following the provision of financial assistance to the project, generally through the former Pinole Redevelopment Agency. A number of the covenants were recorded prior to changes in State law that took effect in 2001 requiring minimum thresholds for affordability and are now nearing their expiration dates. The City will take appropriate steps to ensure that the units with covenants close to expiration are conserved or replaced and will remain

affordable to moderate and lower income households. Specific units at risk are detailed in **Error! Reference source not found.**. Specifically, the City will:

- Contact the property owners to assess their interest and incentives required in extending the affordability covenant for the at-risk units.
- Work with property owners to notify tenants of potential conversion to market rate at least one year prior to conversion, pursuant to State law.
- Contact affordable housing developers/providers to solicit their interest and financial capacity in acquiring the at-risk units,
- Work with interested property owners/affordable housing developers/providers to pursue funding for the preservation and improvement of at-risk units.

QUANTIFIED TARGET: Through 2017: 24 very low income units; 4 low income units; and 85 moderate income units.

ACTION 4.4.13 **EXPLORE OPTIONS FOR SENIOR ASSISTANCE PROGRAMS.** Explore program revisions and potential new programs aimed at providing assistance to seniors that would allow them to live independently and age in their homes. The potential assistance program(s) may be an offshoot of or include revisions to the existing Residential Rehabilitation Loan Program, which provides grants and low-interest loans to qualifying households. Specifically, identify funding and initiate a program to provide grants to senior homeowners for home improvements to increase accessibility for daily activities.

ACTION H.5.1.1 **ENERGY & WATER CONSERVATION.** Support and publicize energy and water conservation programs, such as PG&E's SmartAC, ClimateSmart, and Energy Partners Program, which provide assistance for energy conservation improvements as well as EBMUD Residential Conservation Rebates and Programs. In cooperation with PG&E, EBMUD, and other utility providers, the City will promote citizen awareness of energy conservation programs in concert with rehabilitation loan programs. Further, the City will continue to implement water efficient landscaping requirements for new residential development.

ACTION H.5.1.2 **WATER AND SEWER SERVICE PRIORITY ALLOCATION FOR AFFORDABLE HOUSING.** In compliance with SB 1087, the City will prepare a policy for water and sewer services to provide priority allocation to affordable housing in the event that a rationing system is implemented. The City will notify the East Bay Municipal Utility District and the West County Wastewater about the requirements of SB 1087. The City will also work with the City of Hercules on the adotion of a policy for the Pinole/Hercules Water Pollution Control Plant (WPCP) to satisfy SB 1087 requiremetns as needed to ensure similar policies are in place or adhere to the State Public Utility Commission policies .

E. Previous Environmental Documentation

The Housing Element Update (the project) is a policy-level document that is consistent with the range of housing uses and densities that are currently allowed by the City of Pinole General Plan and Zoning Ordinance. The environmental impacts associated with residential development allowed under the existing General Plan and Zoning Ordinance were considered as part of the following CEQA documents:

- City of Pinole General Plan Update, Draft EIR, State Clearing House (SCH) #2009022057, July 2010.
- City of Pinole General Plan Update, Final EIR, SCH#2009022057, September 2010.

This Negative Declaration incorporates by reference and tiers from the previously adopted and certified General Plan EIR pursuant to CEQA Sections 21093-21094 and CEQA Guidelines Section 15183. Although the proposed project is intended to encourage and facilitate the development of housing through the 2015-2023 planning period, specific future residential development projects are subject to regulations of the General Plan, performance standards and permitting processes of the City's Municipal Code, including the Zoning Ordinance and all mitigation measures contained in the General Plan EIR. Furthermore, should future residential development require discretionary action by the City of Pinole, project-level CEQA review will be required to determine project-specific impacts. Evaluation of future project-level impacts would be too speculative to include in this Negative Declaration (see CEQA Guidelines Section 15145).

F. Environmental Baseline

Environmental conditions that existed in July 2010 (when the City prepared and circulated the General Plan Draft EIR) constitute the environmental baseline for environmental issues discussed in this Negative Declaration. The Housing Element Update reports on the City's progress in meeting existing goals and objectives for housing within the City of Pinole, assesses current and project housing needs, and provides policies, programs, and actions to support goals and objectives for the period covering 2015 through 2023. This programmatic update to the Housing Element requires action at the policy level and does not propose approval of any specific development project that would directly result in physical impacts to the environment including adverse aesthetics resulting from development of a specific site or fundamentally change a particular area within the city. The Housing Element Update is designed to be consistent with and complement the goals, policies, and programs of the existing City of Pinole General Plan. As demonstrated in the Initial Study Checklist (Section H, below), all environmental impacts that could result from adoption and implementation of the Housing Element Update were analyzed in the General Plan EIR. Therefore, this Negative Declaration assesses whether the Housing Element Update would create new or significantly greater impacts when compared to implementation of the project analyzed in the 2010 General Plan EIR (i.e., General Plan Update, Three Corridors Specific Plan, and Zoning Code Update).

G. Sources

In the process of preparing the Checklist and conducting the evaluation, the following references (which are available for review at the Development Services Department at Pinole City Hall, 2131 Pear Street, Pinole) were consulted:

1. Draft Housing Element Update (2015-2023)
2. The City of Pinole General Plan, adopted November 2010
3. Three Corridors Specific Plan, adopted 2010
4. The City of Pinole Municipal Code and Zoning Map
5. City of Pinole General Plan Draft EIR, SCH#2009022057 (July 2010)
6. City of Pinole General Plan Final EIR, SCH#2009022057 (September 2010)

H. Evaluation of Environmental Impacts

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended, as appropriate, as part of the proposed project.

For this checklist, the following designations are used:

- **Potentially Significant Impact:** An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.
- **Less Than Significant with Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than-significant level.
- **Less-Than-Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards.
- **No Impact:** The project would not have any impact.

I. AESTHETICS - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As explained on pages 4.11-8 through 4.10-11 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would encourage new development and redevelopment activities that could potentially degrade existing scenic vistas. Although there are no officially designated scenic vistas

within the City, there are scenic views of the bay and the surrounding city that can be seen from multiple vantage points along the city's ridgelines. However, the General Plan EIR concluded that the impact would be less than significant because implementation of the proposed General Plan policies and actions would reduce impacts to scenic vistas by requiring hillside development and development within the ridgeline resource areas to be sited and designed to preserve visual resources. In addition, Pinole's Zoning Code and the Three Corridors Specific Plan contain building height restrictions intended to protect long-range views. Residential development that would occur under the Housing Element Update was considered in the General Plan EIR growth projections and land use mapping and would be subject to General Plan actions and policies addressing potential project-level impacts to scenic vistas. Therefore, no impact would occur with adoption and implementation of the Housing Element Update.

b) **No Impact.** As stated on page 4.11-6 of the General Plan Update Draft EIR, officially designated State scenic highways or highways that are eligible for such designation by the California Department of Transportation Scenic Highways Program do not exist within the City's planning area. Therefore, no impact would occur with adoption and implementation of the Housing Element Update.

c) **No Impact**. As explained on pages 4.11-10 through 4.11-19 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would encourage new development and redevelopment activities that could result in the alteration of visual character; however, would not result in significant conversion of the City's visual character. However, the General Plan EIR concluded that the impact would be less than significant because implementation of General Plan policies and action items, as well as the Specific Plan guidelines, would mitigate impacts to visual character by ensuring that residential projects are well designed and consistent with site and area resources and constraints. In addition, the future development and redevelopment in the city would be directed toward the existing transportation corridors, thus protecting scenic resources including historic visual resources, creeks and the San Pablo Bay shoreline, ridgelines, hillsides, and tree and vegetative resources. Residential development that would occur under the Housing Element Update was considered in the General Plan EIR growth projections and land use mapping and would be subject to General Plan actions and policies addressing potential project-level impacts to scenic resources. Therefore, no impact would occur with adoption and implementation of the Housing Element Update.

d) **No Impact**. Lighting nuisances typically are categorized by the following: (1) Glare – Intense light that shines directly or is reflected from a surface into a person's eyes; (2) Skyglow/Nighttime Illumination - Artificial lighting from urbanized sources that alters the rural landscape in sufficient quantity to cause lighting of the nighttime sky and reduction of visibility of stars and other astronomical features; and (3) Spillover Lighting – Artificial lighting that spills over onto adjacent properties, which could interrupt sleeping patterns or cause other nuisances to neighboring residents. As explained on pages 4.11-20 through 4.11-22 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in the intensification of land uses within the GPU Planning Area, which has the potential to create new sources of daytime glare and nighttime illumination. However, the General Plan EIR concluded that the impact would be less than significant because future development will implement the Three Corridors Specific Plan Private/Public Realm Standards and Design Guidelines and Zoning Code lighting standards, which require new development to design, shield, aim, locate, and maintain outdoor lighting fixtures to shield adjacent properties and to prevent glare onto adjacent properties or roadways. Residential development that would occur under the

Housing Element Update was considered in the General Plan EIR growth projections and land use mapping and would be subject to General Plan actions and policies addressing potential project-level impacts to scenic resources. Therefore, no impact would occur with adoption and implementation of the Housing Element Update.

II. AGRICULTURE and FOREST RESOURCES - Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant**	**No Impact**
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As stated on page 1.0-7 of the General Plan Update Draft EIR, there are no agricultural operations in existence in the City. Therefore, adoption and implementation of the Housing Element Update would not convert farmland to non-agricultural use. No impact would occur.

b) **No impact.** See response II(a). Therefore, adoption and implementation of the Housing Element Update would not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact would occur.

c) **No Impact**. See response II(a). Therefore, adoption and implementation of the Housing Element Update would not conflict with existing zoning for, or cause rezoning of, forest land or timberland. No impact would occur.

d) **No Impact**. See response II(a). Therefore, adoption and implementation of the Housing Element Update would not result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur.

e) **No Impact**. See response II(a). Therefore, adoption and implementation of the Housing Element Update would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use. No impact would occur.

III. AIR QUALITY - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As explained on pages 4.3-20 through 4.3-37 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in increased population and vehicle miles traveled that would exceed assumptions used to create the BAAQMD's Clean Air Plan. The General Plan EIR concluded that mitigation was not feasible despite compliance with General Plan policies and actions and therefore the impact is significant and unavoidable. Adoption and implementation of the Housing Element Update would not result in additional residential development or population growth beyond that which was assumed in the 2010 General Plan Update, Three Corridors Specific Plan, and Zoning Code. Therefore, the Housing Element Update would not create new or significantly greater impacts when compared to implementation of the project analyzed in the 2010 General Plan EIR. No impact would occur.

b) **No impact.** As explained on pages 4.3-37 through 4.3-42 of the General Plan Update Draft EIR, subsequent land use activities associated with implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in short-term construction emissions and long-term operational emissions that could violate or substantially contribute to violations of federal and State ambient air quality standards. Future residential construction activities would be subject to compliance with Sustainability Element Action SE.7.1.1 and General Plan Update EIR mitigation measure MM 4.3.2, which requires use of BAAQMD-approved criteria pollutant reducing Basic Construction Mitigation Measures (including best management practices) where feasible. The General Plan EIR concluded

that with implementation of MM 4.3.2, the construction-related impact would be reduced to a less than significant level. However, the General Plan EIR concluded that mitigation of the long-term operational impacts was not feasible and the impact is significant and unavoidable. Adoption and implementation of the Housing Element Update would not result in additional residential development or population growth beyond that which was assumed in the 2010 General Plan Update, Three Corridors Specific Plan, and Zoning Code. Therefore, the Housing Element Update would not create new or significantly greater impacts when compared to implementation of the project analyzed in the 2010 General Plan EIR. No impact would occur.

c) **No impact**. As explained on page 4.3-51 of the General Plan Update Draft EIR, subsequent land use activities associated with implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code in combination with cumulative development in the SFBAAB, would result in a cumulatively considerable net increase of ozone and coarse and fine particulate matter. The General Plan EIR concluded that implementation of General Plan policies and actions would assist in reducing the proposed project's contribution to cumulative air quality impacts; however, the policies and actions may not be sufficient to reduce this impact to a less than significant level and therefore the impact is significant and unavoidable. Adoption and implementation of the Housing Element Update would not result in additional residential development or population growth beyond that which was assumed in the 2010 General Plan Update, Three Corridors Specific Plan, and Zoning Code. Therefore, the Housing Element Update would not create new or significantly greater impacts when compared to implementation of the project analyzed in the 2010 General Plan EIR. No impact would occur.

d) **No Impact**. As explained on pages 4.3-45 through 4.3-48 of the General Plan Update Draft EIR, subsequent land use activities associated with implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in projects that would include sources of toxic air contaminants which could affect surrounding land use. Subsequent land use activities could also place sensitive land uses near existing sources of toxic air contaminants. These factors could result in the exposure of sensitive receptors to substantial concentrations of toxic air contaminants and/or fine particulate matter. The General Plan EIR concluded that mitigation was not feasible and therefore the impact is significant and unavoidable. Adoption and implementation of the Housing Element Update would not result in additional residential development or population growth beyond that which was assumed in the 2010 General Plan Update, Three Corridors Specific Plan, and Zoning Code. Therefore, the Housing Element Update would not create new or significantly greater impacts when compared to implementation of the project analyzed in the 2010 General Plan EIR. No impact would occur.

e) **No Impact**. As explained on pages4.3-48 through 4.3-51 of the General Plan Update Draft EIR, subsequent land use activities associated with implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could include sources that could create objectionable odors affecting a substantial number of people or expose new residents to existing sources of odor. Future residential development within the City would be subject to compliance with Health and Safety Element Action HS.5.3.7 and General Plan Update EIR mitigation measure MM 4.3.6b, which requires residential development proposed near existing sources of odors to provide adequate buffers, filters, or other equipment/solutions to reduce the potential exposure to acceptable levels. The Housing Element Update would not introduce new or significantly greater impacts related to this issue. Therefore, no impact would occur.

IV. BIOLOGICAL RESOURCES - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As explained on pages 4.7-31 through 4.7-38 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in direct and indirect loss of habitat and individuals of endangered, threatened, rare, proposed, and candidate plant and wildlife species, plant species identified by the California Native Plant Society with a rating of List 1A or 1B (i.e., rare, threatened, or endangered plants) as well as animal and plant species of concern and other non-listed special-status species. However, the General Plan EIR concluded that implementation of General Plan policies and actions, as well as Three Corridors Specific Plan guidelines, would mitigate direct and indirect impacts to special-status listed species and non-listed special-status species. The General Plan policies and actions contain specific, enforceable requirements that would ensure that direct and indirect impacts to special-status species are less than significant. Residential development that would occur under the Housing Element Update was considered in the General Plan EIR growth projections and land use mapping and would be subject to General Plan actions, policies, and applicable City guidelines.

Therefore, the Housing Element Update would not introduce new or significantly greater impacts related to this issue. No impact would occur.

b) **No impact.** As explained on pages 4.7-38 through 4.7-42 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in disturbance, degradation, and removal of riparian habitat, coastal oak woodland, and wetland habitats.

Future residential development would be subject to compliance with Natural Resources and Open Space Element Action OS.1.1.4 and General Plan Update EIR mitigation measure MM 4.7.2a, which requires a minimum 100-foot setback from the top of creek banks (Pinole Creek, Catty Creek, Duncan Canyon/Cole Creek, Shady Draw, Faria Creek, and Roble Creek) for development and associated above-ground infrastructure. As part of mitigation measure MM4.7.2a, the City is also required to analyze the adequacy of a 100-foot setback as a part of project and environmental review, and require a larger setback where necessary to mitigate project-level impacts.

Future residential development would also be subject to compliance with Natural Resources and Open Space Element Action OS.1.1.5 and General Plan Update EIR mitigation measure MM 4.7.2b, which states:

> The City shall require biological resources evaluation for discretionary projects in areas identified to contain or possibly contain plant and/or wildlife species designated by state and federal agencies as rare, threatened, or endangered. This evaluation shall be conducted prior to the authorization of any ground disturbance. For proposed projects in which plant and/or wildlife species designated by state and federal agencies as rare, threatened, or endangered are found, the City shall require feasible mitigation of impacts to those species that ensure that the project does not contribute to the decline of the affected species such that their decline would impact the viability of the species. Such mitigation measures may include providing and permanently maintaining similar quality and quantity of replacement habitat, enhancing existing habitat areas, or paying fees towards to an approved habitat mitigation bank. Replacement habitat may occur either onsite or at approved off-site locations. Feasible mitigation shall be determined by the City after the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) are provided an opportunity to comment. Mitigation shall emphasize a multi-species approach to the maximum extent feasible. This may include development or participation in a habitat conservation plan.

Residential development that would occur under the Housing Element Update was considered in the General Plan EIR growth projections and land use mapping and would be subject to General Plan actions, policies, and applicable City guidelines. Therefore, the Housing Element Update would not introduce new or significantly greater impacts related to this issue. No impact would occur.

c) **No impact**. As explained on pages 4.7-42 through 4.7-45 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in substantial adverse impacts to and the potential loss of jurisdictional waters of the U.S. However, the General Plan EIR concluded that implementation of General Plan policies and actions, as well as adherence to federal and State agency no-net-loss policies would reduce impacts to jurisdictional waters to a less than significant level. Residential development that would occur under the Housing Element Update was considered in the General Plan EIR growth projections and land use mapping and would be subject to General Plan actions, policies, and applicable City guidelines. Therefore, the Housing

Element Update would not introduce new or significantly greater impacts related to this issue. No impact would occur.

d) **No Impact**. As explained on pages 4.7-45 through 4.7-47 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could interfere substantially with the movement of native resident or migratory fish or wildlife species. However, the General Plan EIR concluded that incorporation of the General Plan policies and associated action items would reduce potential impacts to migratory/movement corridors to a less than significant level. Residential development that would occur under the Housing Element Update was considered in the General Plan EIR growth projections and land use mapping and would be subject to General Plan actions, policies, and applicable City guidelines. Therefore, the Housing Element Update would not introduce new or significantly greater impacts related to this issue. No impact would occur.

e) **No Impact**. The Notice of Preparation (NOP) for the General Plan EIR did not identify potential for conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Responses to the NOP and subsequent scoping did not identify this issue as an area of environmental concern (see EIR Appendix A). Therefore, this impact was excluded from analysis in the General Plan EIR. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

f) **No Impact**. As explained on pages 4.7-47 and 4.7-48 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any adopted biological resources recovery or conservation plan of any federal or state agency. Accordingly, the General Plan EIR concluded that no impact would occur. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

V. CULTURAL RESOURCES - Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant**	**No Impact**
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As explained on pages 4.10-11 through 4.10-14 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in the potential disturbance of cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features). Future residential development would be subject to compliance with Community Character Element Action CC.4.2.4 and General Plan Update EIR mitigation measure MM 4.10.1a, which requires preparation of cultural resources studies (i.e., archaeological and historical investigations) for all applicable discretionary projects, in accordance with CEQA regulations, for areas not previously surveyed and/or that are sensitive for cultural resources. The studies should identify cultural resources and provide feasible and appropriate measures for the protection of any historical resources or unique archaeological resources to maximum extent feasible. Future residential development would also be subject to compliance with Community Character Element Action CC.4.2.5 and General Plan Update EIR mitigation measure MM 4.10.1b, which states:

> Should any cultural resources such as structural features, unusual amounts of bone or shell, artifacts, or architectural remains be encountered during development activities, work shall be suspended within 50 feet of the discovery and the City of Pinole Community Development Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with an appropriate specialist (e.g., archaeologist or architectural historian). The project proponent shall be required to implement any mitigation necessary for the protection of cultural resources. The City of Pinole and the project applicant shall consider mitigation recommendations presented by a qualified archaeologist or other appropriate technical specialist for any unanticipated discoveries. The City and the project applicant shall consult and agree upon implementation of a measure or measures that the City and project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.

Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

b) **No impact.** See response V(a). No impact would occur.

c) **No impact**. As explained on pages 4.10-14 through 4.10-16 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in the potential damage or destruction of undiscovered paleontological resources. Future residential development would also be subject to compliance with Community Character Element Action CC.4.2.7 and General Plan Update EIR mitigation measure MM 4.10.2, which states:

> Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be suspended within 50 feet of the discovery and the City of Pinole Planning Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with a qualified paleontologist. The project proponent shall be required to implement any mitigation necessary for the protection of paleontological resources. The City and the project applicant shall consider the mitigation recommendations of the qualified paleontologist for any unanticipated discoveries. The City and the project applicant shall consult and agree upon implementation of a measure or measures that the City and project applicant

deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.

Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

d) **No Impact**. As explained on pages pages 4.10-11 through 4.10-14 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in the potential disturbance of human remains. Future residential development would also be subject to compliance with Community Character Element Action CC.4.2.6 and General Plan Update EIR mitigation measure MM 4.10.1c, which states:

> If human remains are discovered, all work must halt within 50 feet of the find, the City of Pinole Community Development Department shall be notified, and the County Coroner must be notified according to Section 5097.98 of the California Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.

Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

VI. GEOLOGY AND SOILS - Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant**	**No Impact**
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☒
2) Strong seismic ground shaking?	☐	☐	☐	☒
3) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
4) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a)

1. **No Impact**. As explained on pages 4.8-16 through 4.8-18 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in construction of projects over a seismically hazardous area. The General Plan EIR concluded that seismic hazard impacts would be less than significant. The City has adopted the CBC into their building standards for all development within the city limits. All development projects associated with the proposed General Plan Update are subject to the CBC, compliance with which would ensure adequate design and construction of building foundations to resist soil movement. In addition, implementation of the above General Plan policies and action items would also reduce impacts associated with seismic hazards. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be required to comply with the CBC. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.
2. **No Impact**. See response VI(a)(1). No impact would occur.
3. **No Impact**. See response VI(a)(1). No impact would occur.
4. **No Impact**. As explained on pages 4.8-20 through 4.8-22 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code may result in construction in areas subject to landslide. However, the General Plan EIR concluded that the impact would be less than significant. The City has adopted the CBC into their building standards for all development within the city limits. All development projects associated with the proposed General Plan Update are subject to the CBC, which address foundation design, shear wall strength, and other structural-related conditions. Compliance with CBC standards would minimize impacts related to landslides and slope instability. In addition, implementation of the General Plan policies and action items, as well as compliance with applicable state, and local regulations regarding landslides and slope instability, would ensure that slope instability resulting from implementation of the proposed project would be reduced to a less than significant level. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be required to comply with the CBC. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

b) **No impact.** As explained on pages 4.8-18 through 4.8-20 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in increased soil, wind, and water erosion and loss of topsoil, due to grading

activities. However, the General Plan EIR concluded that the impact would be less than significant. Implementation of the General Plan policies and action items and Three Corridors Specific Plan guidelines, as well as compliance with NPDES requirements and the City's Erosion and Sediment Control Plan Ordinance, would ensure that future development projects would be evaluated for potential soil erosion impacts on a site-by-site basis and that runoff and erosion control measures would be integrated into the construction process and project site design. Therefore, impacts associated with loss of topsoil and erosion resulting from implementation of the proposed project would be reduced to a less than significant level. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be required to comply with General Plan policies and actions, Specific Plan Guidelines, NPDES requirements, and the City's Erosion and Sediment Control Plan Ordinance. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

c) **No Impact**. See response VI(a)(4) regarding landslide impacts. As explained on pages 4.8-22 through 4.8-24 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would expose buildings, pavements, and utilities to significant damage as a result of underlying expansive or unstable soil properties. However, the General Plan EIR concluded that the impact would be less than significant with implementation of applicable General Plan policies and actions. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be required to comply with General Plan policies and actions regarding expansive and unstable soils. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

d) **No Impact**. See response VI(c). No impact would occur.

e) **No Impact**. The Notice of Preparation (NOP) for the General Plan EIR did not identify potential for future development to occur in areas where soils are incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Responses to the NOP and subsequent scoping did not identify this issue as an area of environmental concern (see EIR Appendix A). Therefore, this impact was excluded from analysis in the General Plan EIR. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

VII. GREENHOUSE GAS EMISSIONS - Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant**	**No Impact**
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact.** As explained on pages 4.13-19 through 4.13-30 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would increase the consumption of energy associated with electrical, natural gas, and vehicle fuel, would result in greenhouse gas emissions, but would not be anticipated to conflict with the goals of AB 32 nor result in a significant impact on the environment. The General Plan EIR concluded that Implementation of relevant policies and actions from the proposed General Plan Update and associated adoption and implementation of the City GHG Inventory is anticipated to mitigate GHG emissions projected for buildout conditions consistent with State efforts to reduce GHG emissions. Furthermore, implementation of the General Plan would not surpass the BAAQMD threshold of 6.6 MT CO2e per year per service population and would not result in a net increase in GHG emissions over existing conditions. As a matter of fact, implementation of the project analyzed in the General Plan EIR would improve GHG emissions per service population over conditions that would have occurred without the 2010 General Plan update. Additionally policies, standards and strategies specified in the Three Corridors Specific Plans and in the General Plan further address GHG emissions. Therefore the General Plan EIR found the impact to be less than cumulatively considerable.

f) Future residential development in the City of Pinole will be designed and constructed in accordance with existing General Plan land use designations and zoning districts. The Housing Element Update does not change any land use policy or any building regulations that would raise or otherwise change development levels that could contribute to an increase in greenhouse gases beyond that which was considered in the 2010 General Plan EIR. The Housing Element Update does not include any regulations or other policies that would encourage inefficient building practices that could affect the volume of greenhouse gas emissions that would otherwise occur under existing General Plan policies. Additionally, as discussed in detail in the Project Description, the proposed Housing Element Update does not create the ability for any new development to occur that would not otherwise occur, and does not authorize any specific development project. As such, its adoption would not directly generate any greenhouse gas emissions. Adoption and implementation of the Housing Element Update would not affect building energy demands or generate any additional vehicle trips or miles traveled, beyond those that would be associated with the existing General Plan. In addition, environmental review of future projects will continue to be carried out to ensure that the projects are consistent with all General Plan policies, including those that help the City contribute to regional greenhouse gas reduction efforts. Future residential development in the City will be required to comply with Title 24 energy efficiency requirements of the California Building Code (CBC). Compliance with the CBC will further increase energy efficiency in new residential buildings, thus reducing total energy demand and thereby reducing the level of greenhouse gas emissions generated from coal, natural gas, and oil-based energy sources. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

b) **No impact.** See response VII(a). No impact would occur.

VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant	No Impact

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As explained on pages 4.6-16 and 4.6-17 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could include the routine transportation, use, or disposal of hazardous materials on the City's transportation network. The General Plan EIR concluded that implementation of General Plan Policy HS.3.6, as well as adherence to all federal, state, and local regulations regarding the transportation of hazardous materials, would continue to reduce the environmental impacts associated with the routine transportation and handling of hazardous materials on City roadways to less than significant levels. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

b) **No impact.** As explained on pages 4.6-17 through 4.6-21 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could include land uses that have the potential to result in an increased risk of release of hazardous materials. The General Plan EIR concluded that implementation of General

Plan policies and associated actions, as well as guideline 7.3.10.g of the Three Corridor Specific Plan, and adherence to all federal, state, and local regulations regarding the storage and handling of hazardous wastes and the use and removal of underground storage tanks, as well as the cleanup and remediation of leaking contaminants and hazardous wastes and hazardous substances, would reduce potential impacts to the environment and to public health and safety associated with the accidental release of and exposure to hazardous substances to less than significant. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential projects would be subject to compliance with applicable General Plan policies and actions, Three Corridors Specific Plan guidelines, and local regulations. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

c) **No impact**. See response VIII(b). No impact would occur.

d) **No Impact**. The Notice of Preparation (NOP) for the General Plan EIR did not identify potential for future residential development to occur on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment (see also page 4.6-4 of the General Plan EIR). Responses to the NOP and subsequent scoping did not identify this issue as an area of environmental concern (see EIR Appendix A). Therefore, this impact was excluded from analysis in the General Plan EIR. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

e) **No impact**. The Notice of Preparation (NOP) for the General Plan EIR did not identify potential for a future residential project to be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area. Responses to the NOP and subsequent scoping did not identify this issue as an area of environmental concern (see EIR Appendix A). Therefore, this impact was excluded from analysis in the General Plan EIR. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

f) **No Impact**. The Notice of Preparation (NOP) for the General Plan EIR did not identify potential for a future residential project to be located within the vicinity of a private airstrip, and result in a safety hazard for people residing or working in the project area. Responses to the NOP and subsequent scoping did not identify this issue as an area of environmental concern (see EIR Appendix A). Therefore, this impact was excluded from analysis in the General Plan EIR. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

g) **No impact**. As explained on pages 4.6-24 through 4.6-26 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code

could impair implementation of or physically interfere with the City's Emergency Operations Plan (EOP). The General Plan EIR concluded that implementation of General Plan policies and actions, Specific Plan guidelines, as well as adherence to all federal, State, and local regulations regarding emergency response plans, would ensure impacts related to interfering with emergency response plans are less than significant. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

h) **No Impact**. The Notice of Preparation (NOP) for the General Plan EIR did not identify potential for a future residential project to expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Responses to the NOP and subsequent scoping did not identify this issue as an area of environmental concern (see EIR Appendix A). Therefore, this impact was excluded from analysis in the General Plan EIR. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

IX. HYDROLOGY AND WATER QUALITY - Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant**	**No Impact**
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒

g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As explained on pages 4.9-20 through 4.9-26 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in the discharge of polluted runoff during construction and operation of future urban development potentially violating water quality standards or otherwise substantially degrading surface water quality. Future residential development would also be subject to compliance with Health and Safety Element Action HS.2.1.3 and General Plan Update EIR mitigation measure MM 4.9.1, which states:

> Establish land use controls for properties that abut Pinole Creek in order to minimize potential conflicts between flood, resource protection and recreational goals. Adopt new development regulations that require applications for new development projects to adhere to pertinent local, state, and federal agency requirements. City Development regulation for properties that abut the Creek shall specify appropriate land uses and ensure that new projects will take into account issues including flow velocity, sediment load, and volume within Pinole Creek.

Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential projects would be subject to compliance with applicable General Plan policies and actions as well as mitigation measure 4.9.1. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

b) **No Impact**. As explained on pages 4.9-27 through 4.9-33 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would not require the use of any groundwater supplies. However, degradation of groundwater quality could result from construction and operation of future urban development. The General Plan EIR stated that implementation of the SWRCB's statewide General Permits for construction and dewatering (Water Quality Orders 99-08-DWQ and R5-2008-0081) would minimize degradation of storm drainage leaving construction sites. In addition, implementation of the Contra Costa Clean Water Program, as referenced in the City Municipal Code, would protect stormwater quality from pollutants associated with normal operation of urban development once developed. Furthermore, proposed Action OS.8.5.1 requires appropriately designated filters adjacent to all human-made storm drainage channels. Treated effluent from the City's wastewater service providers is disposed in San Pablo Bay and would have no effect on the underlying groundwater. Therefore, the General Plan EIR concluded that compliance with applicable policies, actions, and regulations would reduce the impact to a less than significant level. Residential

development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential projects would be subject to compliance with the same policies and actions outlined in the General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

c) **No impact**. As explained on pages 4.9-32 through 4.9-36 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would increase impervious surfaces and alter drainage conditions and rates in the Planning Area, which could result in increased runoff and potential flooding impacts. The General Plan EIR concluded that implementation of General Plan policies and actions, Specific Plan guidelines, mitigation measure MM 4.9.1, as well as continued adherence to the objectives of Section 8.20.050 of the Pinole Municipal Code, would reduce this impact to less than significant. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential projects would be subject to compliance with the same policies, actions, guidelines, and codes referenced in the General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

d) **No Impact**. See response VIII(b). No impact would occur.

e) **No impact**. As explained on pages 4.9-36 through 4.9-40 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code result in new development that could create or contribute stormwater runoff water which would exceed the capacity of the City's stormwater drainage system. General Plan policy CS.7.1 would ensure that the storm drain system has adequate capacity to minimize street flooding and that the City would expand the capacity of the system to control storm flows. The provision of such facilities within the General Plan's Planning Area were considered in the technical analysis provided in this DEIR, and future stormwater drainage facilities would be subject to project-level CEQA review at such time as they are proposed. Therefore, General Plan EIR concluded that impacts would be less than significant. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

f) **No Impact**. The Notice of Preparation (NOP) for the General Plan EIR did not identify potential for a future residential project to substantially degrade water quality other than as disclosed and analyzed in the General Plan EIR. Responses to the NOP and subsequent scoping did not identify potential to otherwise impact water quality not considered in the General Plan EIR (see EIR Appendix A). Therefore, this impact was excluded from analysis in the General Plan EIR. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

g) **No impact**. As explained on pages 4.9-40 through 4.9-48 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in the development of urban uses within areas subject to flooding, dam failure inundation, and/or sea level rise. Future residential development would also be subject to

mitigation measure MM 4.9.6b, which requires compliance with Municipal Code flood protection standards for development within a FEMA-designated Special Flood Hazard Area. Mitigation measures 4.9.6a and 4.9.6c also requires the City to work with the Bay Conservation and Development Commission (BCDC) to analyze vulnerability, implement strategies to Bay-related impacts of climate change, and pursue funding for protection from sea level rise and continued subsidence in threatened areas. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development will be subject to compliance with Municipal Code flood protection standards if proposed within a FEMA-designated Special Flood Hazard Area (MM 4.9.6b). Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

h) **No Impact**. See response VIII(g). No impact would occur.

i) **No Impact**. See response VIII(g). No impact would occur.

j) **No Impact**. See response VIII(g). No impact would occur.

X. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As explained on page 4.1-9 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would not physically divide an established community. As the Housing Element Update is consistent with these planning documents, adoption and implementation of the proposed project would not physically divide an established community. No impact would occur.

b) No Impact. As explained on pages 4.1-9 through 4.1-22 of the General Plan Update Draft EIR, the General Plan, Three Corridors Specific Plan, and Zoning Code do not conflict with relevant land use planning documents within and adjacent to the City of Pinole, but could create incompatibilities between existing and future land uses within the City of Pinole. General Plan policies and actions reduced conflicts with applicable land use plans resulting from implementation of the proposed project to a less than significant level. The Housing Element Update is designed to be consistent with the goals, policies, and programs of the existing City of Pinole General Plan, and to plan for the City's Regional Housing Needs Allocation for projected development through 2023. The proposed Housing Element Update is a policy level document which makes no land use changes. No impact would occur.

c) **No impact**. As pages 4.7-47 and 4.7-48 of the General Plan Update Draft EIR, the City is not within the boundaries of any habitat conservation plan or natural community conservation plan. Therefore, no impact would occur.

XI. MINERAL RESOURCES - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No impact**. The Notice of Preparation (NOP) for the General Plan EIR did not identify potential for future development to result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or a locally-important mineral resource recovery site. Responses to the NOP and subsequent scoping did not identify this issue as an area of environmental concern (see EIR Appendix A). Therefore, this impact was excluded from analysis in the General Plan EIR. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

b) **No Impact**. See response XI(a). No impact would occur.

XII. NOISE - Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant	No Impact
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No impact**. As explained on pages 4.5-17 through 4.5-29 and 4.5-31 through 4.5-33 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing and could result in exposure of persons to or generation of noise levels in excess of standards established in the General Plan, as a result of increased traffic on the roadway network or from stationary sources. In addition, future development of noise-sensitive land uses could be exposed to roadway and/or railroad noise levels in excess of the City's noise standards. Future residential development would be subject to compliance with the following General Plan Actions and General Plan EIR mitigation measures:

> General Plan Update EIR mitigation measure MM 4.5.3a: New development of noise-sensitive land uses will not be permitted in areas exposed to existing or planned transportation noise sources that exceed the levels specified in Policy HS.8.1 of the proposed General Plan Update, unless the project design includes measures to reduce exterior and interior noise levels to those specified in Policy HS.8.1 of the proposed General Plan Update..
>
> General Plan Update EIR mitigation measure MM 4.5.3b: Require site-specific noise studies for noise-sensitive projects which may be affected by railroad noise, and incorporate noise attenuation measures into the project design to reduce any impacts.

Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be subject to compliance with mitigation measures MM 4.5.3a and MM 4.5.3b. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

b) **No Impact**. As explained on pages 4.5-34 through 4.5-37 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in exposure of persons to or generation of excessive groundborne vibration levels. Future residential development would also be subject to compliance with Health and Safety Element Action HS.8.1.5 and General Plan Update EIR mitigation measure MM 4.5.6, which require the use of temporary construction noise control measures including the use of temporary noise barriers, temporary relocation of noise-sensitive land uses, or other appropriate measures as mitigation for noise generated during construction. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be subject to compliance with mitigation measure MM 4.5.6. Therefore, adoption and

implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

c) **No impact**. See response XII(a). No impact would occur.

d) **No Impact**. See response XII(a). No impact would occur.

e) **No Impact**. As explained on pages 4.5-30 and 4.5-31 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would not expose sensitive land uses, including residential land uses, to aircraft noise in excess of applicable noise standards for land use compatibility. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, no impact would occur.

f) **No Impact**. See response XII(e). No impact would occur.

XIII. POPULATION AND HOUSING - Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant**	**No Impact**
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As explained on pages 4.2-8 through 4.2-13 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in slight population, housing, and employment increases within the City. General Plan Land Use Element policies and associated actions, as well as the Specific Plan standards and guidelines, generally promote infill and redevelopment and direct growth toward existing transit, jobs, retail, and infrastructure. The policies also encourage clustering development at higher densities. These policies make maximum use of existing infrastructure to accommodate population and job growth, which minimizes impacts to the environment. The projected population growth for the proposed project is generally consistent with the existing projections by ABAG, and the anticipated jobs will reduce the existing jobs-to-housing deficit. By creating more jobs within the city, the need for commuting for employment and services is reduced, which in turn reduces vehicle miles traveled and creates an environmental benefit. Therefore, the General Plan EIR concluded that, overall, the impacts associated with population and housing are less than significant. Although the Housing Element Update is intended to address housing needs through policies and programs that may result in future residential development and more intensive use of land, any change in population would be indirectly related. Pinole is a relatively small

suburban city located within an urbanized area of western Contra Costa County. The City has limited opportunities for future residential growth and the majority of its land area is comprised of single family residential neighborhoods. The City of Pinole has identified sufficient developable land to accommodate housing growth through 2014 as projected by the State and the ABAG through the RHNA process. The growth planned in the proposed Housing Element Update is projected to occur. The Housing Element itself would not alter population or housing projections for the City and therefore could not induce population growth either directly or indirectly. No impact would occur.

b) **No Impact**. As explained on pages 4.2-13 through 4.2-15 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would not result in the displacement of substantial numbers of housing units and/or persons. The General Plan does not include any policies and/or action items that address the displacement of substantial numbers of persons or housing. The Three Corridors Specific Plan does not include any policies that specifically address the displacement of substantial numbers of persons or housing. However, Section 6.0, Land Use and Development Standards, of the Three Corridors Specific Plan identifies goals, policies and objectives to create new residential development within the City rather than displacing substantial numbers of persons or housing. Specifically, Land Use Policies 1 and 2 provide for a variety of housing types throughout the Specific Plan areas and promote residential units over commercial while Land Use Policy 4 ensures the development of —Opportunity Sitesll with high quality mixed use or high density housing. Therefore, the General Plan EIR concluded that the impact would be less than significant. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Proposed policies and actions are consistent with and complement existing General Plan and Three Corridors Specific Plan policies, actions, and guidelines. Therefore, no impact would occur.

c) **No impact**. See response XIII(a). No impact would occur.

XIV. PUBLIC SERVICES- Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant**	**No Impact**
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire Protection?	☐	☐	☐	☒
2) Police Protection?	☐	☐	☐	☒
3) Schools?	☐	☐	☐	☒
4) Parks?	☐	☐	☐	☒
5) Other Public Facilities?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a)

1. **No Impact**. As explained on pages 4.12-6 through 4.12-8 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code, along with other planned development and redevelopment could result in

increased demand for fire protection and emergency medical services within the City and would contribute to the cumulative demand for fire protection and emergency medical services. However, the General Plan EIR concluded that implementation of the General Plan and Three Corridors Specific Plan would not result in the need for new or expanded fire protection or emergency medical service facilities. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, no impact would occur.

2. **No Impact**. As explained on pages 4.12-13 through 4.12-15 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code, along with other planned development and redevelopment in the area could result in increased demand for law enforcement services within the City and would contribute to the cumulative demand for law enforcement services. However, the General Plan EIR concluded that implementation of the General Plan and Three Corridors Specific Plan would not result in the need for new or expanded law enforcement facilities or equipment. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, no impact would occur.

3. **No Impact**. As explained on pages 4.12-21 through 4.12-22 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would increase student enrollment within the West Contra Costa Unified School District and may require new school facilities and related services. The General Plan EIR concluded that implementation of General Plan policies, along with payment of State and district fees, would ensure that the proposed project's impacts to public schools would be less than significant. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be required to pay applicable school facility impact fees. Therefore, no impact would occur.

4. **No Impact**. As explained on pages 4.12-29 through 4.12-31 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would increase the demand for existing facilities and require additional parks and recreational facilities to accommodate the anticipated growth associated with the proposed project. The General Plan EIR concluded that implementation of General Plan policies, along with payment of park impact fees, would ensure that the proposed project's impacts to parks and recreation facilities would be less than significant. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be required to pay park impact fees. Therefore, no impact would occur.

5. **No Impact**. See Section XVI for evaluation of environmental impacts to water, wastewater, and solid waste disposal facilities. As explained on pages 4.12-84 through 4.12-86 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would require additional electric and natural gas supplies, along with conveyance facilities for these and telephone and cable television services. The General Plan EIR concluded that implementation of General Plan policies and action items, coupled with adherence to State standards and

regulations, would ensure that implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would not result in the wasteful, inefficient and unnecessary consumption of energy. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be required to comply with applicable General Plan policies and actions and State standards and regulations. Therefore, no impact would occur.

XV. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. See response XIV(a)(4). No impact would occur.

b) **No Impact**. See response XIV(a)(4). No impact would occur.

XVI. TRANSPORTATION / TRAFFIC - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all mode of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to , intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No impact**. As explained on pages 4.4-30 through 4.4-46 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would:

- Result in an increase in freeway mainline volumes during the AM and PM peak hours. No feasible mitigation identified. The General Plan EIR concluded that mitigation is not feasible; therefore, the impact is considered a significant and unavoidable.
- Result in an increase in volume-to-capacity (v/c) ratios and a decrease in LOS on study intersections during the AM and PM peak hours. However, the 2010 General Plan update amended the LOS policy to a less restrictive standard. Because about 75 percent of the traffic on this roadway originates from outside of the GPU Planning Area and uses the roadway as a convenient by-pass for the freeway, the City would prefer a more balanced transportation corridor and seeks to redirect inter-regional traffic back to the freeway, or to alternative modes of transportation such as bicycles, buses, and rail. This modification to the policy eliminated the need to construct certain improvements at the intersections and, as such, the General Plan EIR concluded that the impact would be less than significant.
- Conflict with the multimodal transportation service objectives (MTSOs) identified in the West County Action Plan. MM 4.4.3 requires the City to work with WCCTAC and CCTA to revise the Action Plan level of service standard for San Pablo Avenue within Old Town to LOS F and for Appian Way between Mann Drive and I-80 to LOS E as well as new MTSO's that reflect non-motorized LOS. If the City is able to work with WCCTAC and CCTA to revise the West County Action Plan, or the City modifies the proposed Circulation Element to be consistent with the adopted West County Action Plan, the General Plan EIR concluded that the impact would be less than significant. However, since the outcome of the revision is dependent upon an action by another independent agency, the General Plan EIR concluded that the impact is considered significant and unavoidable.

Implementation of the proposed General Plan would increase the amount of vehicle traffic and modify the roadway network. However, the proposed General Plan is designed to provide and maintain a comprehensive circulation system within the city that would provide adequate roadway connections and emergency access options. Residential development that would be facilitated by Housing Element policies and actions was anticipated and

included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be required to comply with applicable General Plan policies and actions and mitigate project-level traffic impacts as required by subsequent CEQA review. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

b) **No Impact**. As explained on pages 4.3-42 through 4.3-44 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in increased population and employment that would result in level of service operations that would be inconsistent with the region's congestion management program. However, the General Plan EIR concluded that the impact would be less than significant. Based on the traffic analysis prepared for this project, maintaining the existing level of service performance standards along San Pablo Avenue and Appian Way would ensure consistency with MTSO and would mitigate the project impact. To address the proposed LOS change for Appian Way, the traffic analysis recommends modification of the proposed Action CE.3.1.1 to include revisions to the Action Plan level of service standard for Appian Way between Mann Drive and I-80. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

c) **No impact**. The Notice of Preparation (NOP) for the General Plan EIR did not identify potential for future development to result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Responses to the NOP and subsequent scoping did not identify this issue as an area of environmental concern (see EIR Appendix A). Therefore, this impact was excluded from analysis in the General Plan EIR. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new impacts. No impact would occur.

d) **No Impact**. As explained on pages 4.4-46 through 4.4-48 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in changes to the circulation network. However, the General Plan EIR concluded that the changes would not increase hazards due to a design feature or incompatible uses. The General Plan EIR concluded that the impact would be less than significant. Safety and roadway hazards are addressed in multiple General Plan policies and actions, as well as Three Corridor Specific Plan policies. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

e) **No impact.** As explained on pages 4.4-48 and 4.4-49 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would result in an increase in vehicular traffic and changes to the roadway network, which may potentially increase emergency access conflicts. However, the General Plan EIR concluded that the impact would be less than significant. General Plan Actions CE.2.1.3 and CS.2.5.5 as well as Chapter 7.0 of the Three Corridor Specific Plan Private Realm Standards and Design Guidelines address circulation and emergency access for new

development. The Pinole Zoning Ordinance establishes standards for emergency access and parking. These documents include provisions to ensure adequate transportation services in conjunction with future residential development. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

f) **No Impact**. As explained on pages 4.4-50 through 4.4-52 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would support continued and expanded transit use, bicycling, and walking throughout the city, although changes to the roadway network may potentially affect bus operations. Chapter 5.0, Circulation, of the Three Corridor Specific Plan contains goals and policies (Circulation Policies 2, 3, 7, and 8) that support the development and safety of bicycle and pedestrian facilities. Chapter 7.0, Private Realm Standards and Design Guidelines, of the Specific Plan encourages numerous site design techniques to create clearly identifiable, well-connected, and safe pedestrian paths as well as easily accessible transit stops that are sited close to commercial uses. Section 17.48.110 of the proposed Zoning Code contains minimum bicycle parking requirements by land use category. These policies, standards and design guidelines help to implement General Plan policy provisions for continued and expanded transit use, bicycling, and walking throughout the City. As such, the General Plan EIR concluded that the impact would be less than significant. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be subject to compliance with General Plan policies and actions, Specific Plan policies and guidelines, and the Zoning Code. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant**	**No Impact**
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No impact**. As explained on pages 4.12-52 through 4.12-72 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code could result in wastewater discharge that would exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board. Increased flows could also exceed the capacity of the wastewater conveyance, treatment, and disposal systems of the City of Pinole Public Works Department and the West County Wastewater District. The General Plan EIR concluded that the impact to wastewater treatment facilities would be less than significant with implementation of Community Services and Facilities Element Action CS.6.2.4 and General Plan Update EIR mitigation measure. Mitigation measure MM 4.12.6.2 requires all future development to demonstrate that there is sufficient sewer/wastewater treatment capacity to accommodate the proposed development and that the required sewer/wastewater infrastructure is in place before issuance of Certificate of Occupancy. Furthermore, all on-site and off-site sewer conveyance systems must be in place prior to the issuance of Certificate of Occupancy and all financing shall be assured to the satisfaction of the City. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

b) **No Impact**. See response VII(a) for wastewater issues. As explained on pages 4.12-32 through 4.3-52 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would require additional water supply and related infrastructure to meet the projected water demands. Implementation General Plan policies and actions, as well as Specific Plan standards and guidelines, would ensure that the new development under the General Plan Update would not proceed without adequate water supply and necessary water supply infrastructure. Particularly, General Plan Action GM.2.2.1 establishes service standards that require new development projects to obtain verification from East Bay Municipal Utility District (EBMUD) that adequate water supply and quality can be provided. General Plan Policy GM.2.2 requires the City to attach project-specific mitigation requirements as conditions of approval to ensure that new development pays its share of the costs associated with the provision of facilities for water services. General Plan policies also encourage water conservation and the use of recycled water in order to decrease demands on EBMUD potable water supply. Given these conditions, the General Plan EIR concluded that the impact is considered less than significant. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Furthermore, future residential development would be subject to compliance with General Plan policies and actions. Therefore, adoption and

implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur.

c) **No impact**. See response IX(e). No impact would occur.

d) **No Impact**. See response XVII(b). No impact would occur.

e) **No impact**. See response XVII(a). No impact would occur.

f) **No Impact**. As explained on pages 4.12-76 through 4.12-78 of the General Plan Update Draft EIR, implementation of the General Plan, Three Corridors Specific Plan, and Zoning Code would increase solid waste generation and the demand for related services. The West Contra County Integrated Waste Management Authority anticipates that current service levels and facility capacities would be adequate to serve the City's projected 2030 buildout population and no decline in services will result. Residential development that would be facilitated by Housing Element policies and actions was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR. Therefore, adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts. No impact would occur

g) **No Impact**. See response XVII(f). No impact would occur.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant**	**No Impact**
a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

DISCUSSION / CONCLUSION:

a) **No Impact**. As discussed in the previous sections, the proposed update to the Housing Element of the City of Pinole General Plan is a policy document that is consistent with the General Plan, Three Corridors Specific Plan, and Zoning Code. All potential impacts that could result from implementation of the Housing Element were analyzed and mitigated (as applicable) in the 2010 General Plan EIR. The project will not generate significant new or significantly greater cumulative impacts. Specifically, the Housing Element Update would

not result in changes to the environmental impact conclusions of the 2010 General Plan EIR related to: (1) degrading the quality of the environment; (2) reducing the habitat of a fish or wildlife species; (3) causing a fish or wildlife population to drop below self-sustaining levels; (4) eliminating or threatening to eliminate a plant or animal community; (5) reducing the number or restrict the range of a rare or endangered plant or animal; or (6) eliminating important examples of the major periods of California history or prehistory.

b) **No Impact**. See response XVIII(a). No impact would occur.

c) **No impact**. See response XVIII(a). Specifically, the Housing Element Update would not result in changes to the environmental impact conclusions of the 2010 General Plan EIR related to the potential to cause direct or indirect adverse effects on people. No impact would occur.

EXHIBIT B

CITY OF PINOLE

2015 - 2023 HOUSING ELEMENT
HEARING DRAFT
APRIL 2015

HOUSING

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HOUSING

EXECUTIVE SUMMARY

The purpose of the Housing Element is to ensure that a quality, safe, and affordable supply of housing is available for current and future residents of Pinole. In pursuing this goal, the Element focuses on achieving a balance between maintaining the existing character of Pinole and providing housing for low- and moderate-income households and those with special needs.

The Housing Element is a part of the Pinole General Plan. It is the only Element that must be updated every eight years and is subject to review and certification by the State of California through its Department of Housing and Community Development (HCD). The preceding Pinole Housing Element (fourth cycle update) was adopted in 2010, and covered the period through January 31, 2015. This updated Element (fifth cycle update), in accordance with the schedule set by the State, covers a period beginning on January 31, 2015 and ending on January 31, 2023. Housing production targets, however, are measured on a slightly different timeframe of 2014 through 2022, reflecting the planning period of the Regional Housing Needs Allocation (RHNA).

The Element must show that the City can accommodate its fair share of the Bay Area Region's housing need over the current planning period. Pinole's fair share for the 2014-2022 planning period, as determined by the Association of Bay Area Governments (ABAG), is 297 units, 128 of which must be affordable to lower income households.[1]

As established by State law, the major components of the Housing Element are: 1) an assessment of Pinole's housing needs; 2) an analysis of constraints and opportunities; 3) an evaluation of housing accomplishments; and 4) a Housing Plan that establishes specific goals, policies, and programs for meeting needs and objectives. The following are highlights from each of those components.

HOUSING NEEDS

- Pinole's population and household composition remain largely unchanged over the past decade. The most significant changes are the increase in Pinole's senior population and the decrease in young families with children.
- There is a significant concentration of low income households among seniors and renters.
- Pinole continues to serve as a bedroom community for larger employment venues throughout the San Francisco Bay Area Region.
- The Housing Element addresses State requirements to allow emergency shelters by right in at least one zoning district.
- The Housing Element plans for the replacement of assisted housing units at risk of conversion to market rate.

[1] Fair share planning period is aligned with the growth forecast for the Regional Transportation Plan and is often slightly different than the Housing Element planning period.

HOUSING

HOUSING CONSTRAINTS

- Market forces, such as the availability of land and associated land values, availability of financing, and development costs, constrain the production of housing.
- The slow recovery from the economic downturn and mortgage crisis has led to additional constraints in the housing market.
- The City's available resources are greatly reduced as a result of the economic downturn and dissolution of the City's Redevelopment Agency.
- As a whole, the City's development standards, practices and fees are comparable to those of other cities and are not a significant constraint to housing development.

HOUSING OPPORTUNITIES

- Opportunities for residential development in the Three Corridors Specific Plan provide for adequate capacity to meet the City's RHNA.
- The City's infrastructure has adequate capacity to handle the amount of growth anticipated during the planning period.

HOUSING ACCOMPLISHMENTS

- Due to the depressed housing market, housing construction in Pinole came to a standstill and overall, 72 units were constructed during the RHNA period of 2007-2014, including three units affordable to lower income households and ten units affordable to moderate income households.
- Between 2009 and 2013, seven first-time homebuyers were assisted. However, with the dissolution of redevelopment, the City no longer has funding to sustain the First-Time Homebuyer Program.

HOUSING GOALS

- The City should monitor housing accomplishments in order to respond effectively to housing needs.
- The City should strive to protect the character and heritage of Pinole through conserving existing housing and encouraging high quality new construction.
- The City should ensure that there are adequate services and facilities to meet the needs of Pinole's current and future population.
- The City should strive to provide or facilitate a mix of housing types and prices that meet the City's housing needs.
- The City should support energy-efficient design and building practices in order to reduce housing utility expenses, minimize adverse environmental impacts, and provide for sustainability.

Although the Housing Element tends to focus on the affordability and availability of housing for low- and moderate-income households and other special needs groups, the Element also

strives to address the housing needs and related policy issues for the entire community. Accordingly, this Element focuses on protecting the existing character of Pinole through high quality design, strategies such as mixed-use, infill and second unit development, and reliance on parcels that were already designated for residential land uses. Through this Housing Element, Pinole has planned to accommodate its RHNA primarily with opportunity sites in the Three Corridors Specific Plan.

HOUSING

VISION STATEMENT

The City will work to ensure that a quality, safe and affordable supply of housing is available for current and future residents.

Pinole will focus on achieving a balance between maintaining its existing housing supply and community character along with providing housing to serve the needs of lower- and moderate-income households and those with special needs.

INTRODUCTION

The Housing Element helps meet the requirements for Measure J, the Contra Costa County voter-approved Transportation Improvement and Growth Management Program. Measure J establishes a process engaging all jurisdictions to cooperatively manage the impacts of growth in Contra Costa County. The Growth Management Element of the Pinole General Plan ties the level of service for fire, police, traffic, water, sewer and parks to the development potential allowed under the Land Use and Economic Development Element. The intent is to plan for adequate services and facilities to accommodate the residential development potential necessary to achieve the objectives of the Housing Element. The City's previous Housing Element (2009-2014) was adopted in 2010 and was certified by the California Department of Housing and Community Development (HCD) as complying with State law. This fifth cycle update of the Housing Element covers the planning period of January 31, 2015 through January 31, 2023.

The primary obstacle to providing more affordable housing to very low-income and low-income households is the availability of funding to provide units at prices affordable at those income levels, particularly in light of the fact that Pinole is nearly built out and few parcels are available to accommodate multi-family housing, which is the most cost-effective means of providing affordable housing for lower-income households. Programs in the Housing Element, such as the City's inclusionary requirements (Below Market-Rate Housing), aim to establish opportunities to encourage redevelopment and provide for housing opportunities for all economic segments of the community.

The Housing Element's approach to housing issues in Pinole is expressed in three ways. The first is in the form of goals sought by the community. The second, and more specific approach of the Housing Element, are the policy statements. Third, are implementation actions, through which quantified objectives, or short-range targets to achieve the goals, are established. The implementation actions are the most dynamic part of the Housing Element and are comprised of specific tasks that the City or other identified entities will undertake to help implement policies and move closer to the community's housing goals over time. Where appropriate under each policy is a notation identifying related program actions. The Housing Plan (Section 6) describes these actions in more detail and lists program target dates, as required by State law.

HOUSING

HOUSING ELEMENT REQUIREMENTS

Overview of State Law Requirements

Every jurisdiction in California must have a General Plan. The General Plan serves as the 'constitution' for development in the City. It is a long-range planning document that describes goals, policies and programs to guide development decision-making. Once the General Plan is adopted, all development-related decisions must be consistent with the Plan. If a development proposal is not consistent with the General Plan, it must be revised or the Plan itself must be amended. The current Pinole General Plan was adopted in 2010, and the 2009-2014 Housing Element was adopted as part of that larger General Plan Update at the same time. Along with the General Plan Update, the City of Pinole also adopted the Three Corridors Specific Plan in 2010. This Specific Plan established San Pablo Avenue, Pinole Valley Road, and Appian Way as Priority Development Areas (PDAs) through FOCUS, a regional development and conservation strategy that promotes more compact land use patterns for the Bay Area. PDAs are locally identified, infill development opportunity areas where there is local commitment to developing more housing along with facilities and services to meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit.

Every community's General Plan must, by law, contain seven 'elements' that address defined sets of issues. The State-mandated elements of the General Plan include Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. In Contra Costa County, all jurisdictions are also required to have a Growth Management Element.

State law establishes general requirements for all portions of the General Plan. However, for the Housing Element, the State requirements are specific and extensive. Jurisdictions must annually review its progress in implementing the General Plan and revise all elements on a regular basis to ensure that they reflect community sentiments and satisfy legal requirements. State law requires that housing elements be reviewed and updated at least every eight years following a State-initiated regional housing needs allocation process.

The mandatory process of updating Housing Element is initiated by the State through the "Regional Housing Needs Allocation" (RHNA) process. The State of California's Housing and Community Development Department (HCD) works with regional Councils of Government (COGs) to determine the amount of housing needed within the region. The Association of Bay Area Governments (ABAG) is the San Francisco Bay Area region's COG. The determination of housing need is based on existing need and estimated population growth. Need is determined for households in all income categories: extremely low-, very low-, low-, moderate-, and above moderate incomes.

Once the total regional need is determined, ABAG works with local governments and others to allocate the total need to individual cities and counties. Local governments are then required to plan where and how the allocated housing units can be accommodated within their communities. The most recent RHNA was adopted by ABAG on July 19, 2012 covering the 2014-2022 planning period. This Housing Element outlines how Pinole plans to accommodate its "fair share" of this need.

State law specifically details the information housing elements must contain: (1) "an assessment of housing needs and an inventory of resources and constraints relevant to meeting these needs;" (2) "a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing;" and, (3) "a program which sets forth a schedule of actions during the planning period...to implement the policies and achieve the goals and objectives." For each action or program, the Housing Plan must identify the agency responsible, the time frame for implementation, and the number of units planned to be constructed, rehabilitated or conserved, or number of households that will be assisted, as a result of the program.

Most importantly, State law requires that the Housing Element must: (1) identify adequate sites with appropriate zoning densities and development standards, and infrastructure to meet the community's need for housing (including its need for extremely low , very low , and low income households, mobile homes, housing for persons with disabilities (including developmental disabilities), farm worker housing and homeless shelters); and (2) "address, and where appropriate and legally possible, remove governmental constraints" to housing development.

A community's General Plan must be internally consistent. This means that the Housing Element, although subject to special requirements and a different schedule of updates, must function as an integral part of the overall General Plan, with consistency between it and the other General Plan elements.

Recent changes in State law requires that the General Plan Land Use and Safety Elements be updated along with the Housing Element update to address flood hazards and management, as well as the provision of services to disadvantaged unincorporated communities that are either an island within the City limits or with the City's sphere of influence. The City's General Plan was adopted in 2010. The Health and Safety Element addresses flood hazards and management. There are no disadvantaged communities in the City's sphere of influence.[2]

STATE REVIEW

State law requires that every new or updated housing element be submitted to HCD for review to ensure compliance with the State's minimum requirements. This "certification" process is unique among the General Plan elements.

Housing Element updates or amendments are submitted twice to HCD for review and comment: once during development of the Housing Element or subsequent amendment (in draft form), and again after adoption of the Housing Element or amendment by the local jurisdiction. The first review period requires 60 days and must take place prior to adoption by the Pinole City Council. During the first review, HCD submits comments back to the City regarding compliance of the element with State law requirements and HCD guidelines. Modifications to the Draft Housing Element in response to these comments are then made prior to adoption of the

[2] Disadvantaged communities are defined as unincorporated communities that contain at least 10 housing units and have a median income that is 80 percent or less than the statewide median household income. According to the U.S. Census the statewide median income was $57,708. Eighty percent of the statewide median income was $46,166. According to the State of California Department of Water Resources' mapping tool of disadvantaged communities, no disadvantaged communities are located within the City of Pinole or in its sphere of influence.

Housing Element by the City Council. The second review requires 90 days and takes place *after* adoption. It is after the review of the adopted element that written findings regarding compliance are submitted to the City. Throughout the process, the City works with staff at HCD to ensure the draft Element meets State requirements and serves the needs of current and future residents.

DATA SOURCES

Various sources of information were used to prepare the Housing Element. The US Census on Population and Housing remains the most comprehensive source of data available on population and housing trends, and was widely used throughout the element. Additional data sources consulted include:

- Demographic and housing data provided by ABAG, the State Department of Finance (DOF), and the Census Bureau;
- Housing market information, such as home sales, rents, and vacancies from the Contra County Association of Realtors, DQNews, Craigslist, Zillow, and Home Mortgage Disclosure Act (HMDA);
- Building permit and zoning information from the City of Pinole Development Services Department;
- Special needs housing and services data, including homeless services, from Contra Costa County;
- Housing needs survey administered to residents and landlords; and
- Telephone interviews with housing professionals and service providers.

Where available, updated figures for 2013 as reported by the State Department of Finance were utilized. Other statistics draw from the most recent figures reported by the U.S. Census Bureau, including the 2010 Census and the American Community Surveys (ACS). Future projections are based on data provided by ABAG. Where available, this data is supplemented with current market data and local secondary sources of information.

EVALUATION AND PUBLIC PARTICIPATION

The City began the Housing Element update process with an evaluation of the effectiveness of its existing Housing Element, which was adopted by the City and certified by HCD in 2010. The overarching conclusion of this evaluation was that the City's ability in expanding housing opportunities in the community has been seriously compromised by the housing market crisis and subsequent economic recession, along with the dissolution of redevelopment (see Section 5, Housing Accomplishments).

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 worked to engage the community through the drafting and adopting of this Housing Element. In preparation of the draft version of this document, opportunities were provided for local residents

and agencies to help formulate the City's housing goals, policies, and programs. In order to broaden outreach and gather additional information about housing needs and trends, the City developed a Housing Needs Survey. Prior to the development of the draft housing element, the City prepared a brief survey in order to allow residents and landlords to provide input on housing needs within the community. This survey was circulated in Winter 2014. The survey was available in English and Spanish and posted on the City's website and distributed at other community locations. Responses from the surveys were reviewed and considered in formulating both the Housing Needs Assessment and in developing housing goals and objectives included in this Element. A summary of the survey results is included as part of the Housing Issues Report (see Appendix A).

Telephone interviews were also conducted with housing professionals and service providers to obtain better understanding of the current housing market conditions and the housing needs of special populations such as the seniors and persons with disabilities. The following agencies participated in the interviews:

- Eden Council for Hope and Opportunity
- Disabled People's Recreation Center
- Cole Vocational Services
- Pinole Senior Center
- Coldwell Banker Real Estate (Pinole Branch)
- Security Pacific Real Estate Brokerage (Richmond Branch)
- Domus Development
- EAH Housing

A summary of the interviews is included as part of the Housing Issues Report (see Appendix A).

The community was regularly notified of the status of the update process through the City's website where a dedicated housing element update page was updated frequently and included draft documents, an updated timeline including meeting dates, and staff contact information.

On May 28, 2014, the City Council Finance Subcommittee reviewed the Housing Issues Report and discussed funding priority for a range of housing issues and program options. Publicly noticed meetings were also conducted prior to submitting the Draft Housing Element for HCD review. On July 15, 2014, the Housing Issues Report was presented before the City Council. No public comments were received.

On August 12, 2014, the Planning Commission Housing Subcommittee reviewed the Draft Housing Element and recommended the report to be forwarded to the full Planning Commission for review. A public hearing before the Planning Commission was conducted on August 25, 2014 to receive input on the Draft Housing Element. No public comments were received.

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.

The City recently adopted a comprehensive General Plan update as well as the Three Corridors Specific Plan in 2010. 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. The Safety and Conservation Elements of the General Plan include an analysis and policies regarding flood hazard and management information. The City will ensure that updates to these Elements achieve internal consistency with the Housing Element as well. In addition, as outlined in HIA-4 the City will conduct an internal consistency review as part of the annual General Plan implementation report.

HOUSING NEEDS ASSESSMENT

The Housing Needs Assessment presents and analyzes Pinole's demographic, socioeconomic, housing characteristics, and related market data to determine the nature and extent of housing needs for current and future residents.

This assessment recognizes that as a result of Pinole's location within the nine-county San Francisco Bay area, the City is influenced by its regional position. The Bay Area's economy, diverse neighborhoods and communities, vast open spaces, and moderate climate have contributed to Pinole's rapid growth over the past few decades. In addition, trends and patterns of regional growth, transportation improvements, and development have placed constraints on Pinole's ability to support the additional housing and infrastructure necessary to sustain substantial further growth.

The data sources used to compile the Housing Needs Assessment include the 2000 and 2010 Census, the 2011 American Community Survey (ACS) conducted by the U.S. Census Bureau, data from various state and federal agencies, including:

- California Employment Development Department
- California Department of Finance
- California Department of Social Services
- California Department of Developmental Services
- U.S. Department of Housing and Urban Development.

Where available, this data is supplemented with current market data and local secondary sources of information.

Where possible, 2013 figures as reported by the State Department of Finance are cited to provide current population and housing data. In most other cases, the data reported in this Element comes from the 2010 Census and ACS. Anecdotal and other information sources are used to supplement this information. Projections cited in this Element come from ABAG. Notable projections in population, housing, and employment are shown below in **Table 6.1** and detailed in the following sections as they relate to Pinole's future housing needs.

Table 6.1
Bay Area, Contra Costa and Pinole Planning Area Projections

Bay Area Regional Total	2010	2020	2030	2040
Population	7,150,739	7,786,800	8,496,800	9,299,100
Households	2,608,023	2,837,680	3,072,920	3,308,090
Jobs	3,385,300	3,987,150	4,196,580	4,505,230
Contra Costa County	2010	2020	2030	2040
Population	1,049,025	1,123,500	1,224,400	1,338,400
Households	375,364	400,800	432,430	464,150
Jobs	344,920	407,810	432,730	467,390
% of Bay Area Population	14.7%	14.4%	14.4%	14.4%
City of Pinole	2010	2020	2030	2040
Population	18,390	19,500	20,700	22,200
Households	6,775	7,170	7,570	7,970
Jobs	6,740	7,600	7,970	8,490
% of County Population	1.8%	1.7%	1.7%	1.7%

Source: Association of Bay Area Governments (ABAG) – Projections, July 2013.

POPULATION CHARACTERISTICS

Population characteristics, such as size, age, race/ethnicity, and employment influence the amount and type of housing needed within a community.

Population

Although the population in Contra Costa County continues to increase (from 948,816 in 2000 to 1,049,025 in 2010), Pinole's population actually decreased during this time period. According to the 2000 Census, Pinole's population was 19,039. The 2010 Census places Pinole's current population at 18,390. The change in population represents a decrease of more than three percent over the past ten years. As shown in **Table 6.2**, population growth in neighboring jurisdictions was also limited. The most significant growth between 2000 and 2010 occurred in nearby Hercules (23 percent increase). ABAG projects moderate population growth in Pinole and surrounding communities through 2020.

Table 6.2
Population Trends:1990 - 2010

Jurisdiction	Population				% Change		
	1990	2000	2010	2020	1990-2000	2000-2010	2010-2020
El Cerrito	22,869	23,171	23,549	24,700	1%	2%	5%
Hercules	16,829	19,488	24,060	28,900	16%	23%	20%
Martinez	31,808	35,866	35,824	37,100	13%	0%	4%
Pinole	**17,460**	**19,039**	**18,390**	**19,500**	**9%**	**-3%**	**6%**
Richmond	87,425	99,216	103,701	114,600	13%	5%	11%
San Pablo	25,158	30,215	29,139	31,500	20%	-4%	8%
Contra Costa County	803,732	948,816	1,049,025	1,123,500	18%	11%	7%

Source: 1990, 2000, and 2010 U.S. Census; and Association of Bay Area Governments (ABAG) – Projections, July 2013.

Age

Pinole's current and future housing needs are determined in part by the age characteristics of its residents, as each age group typically has distinct housing needs and preferences. For instance, a higher proportion of young adults generally indicate a need for rental units and first-time homebuyer or first move-up opportunities, including condominiums, town homes, and smaller single-family homes. Middle age residents are usually at the peak of their earning power and typically occupy larger homes. Senior residents in Pinole are generally homeowners who have resided in their single-family homes for an extended period of time. As these seniors continue to age, programs will need to address the ability of seniors on fixed incomes to make repairs and accommodations necessary to remain in their homes as well as the cost and availability of move-down and specialized residential developments, such as senior apartments and assisted living facilities.

Table 6.3 shows the age distribution of Pinole residents and how it has changed since 1990. While Pinole remains a family-oriented community, as evidenced by the large number of residents in the 35 to 54 and 0 to 19 age categories, its senior population (55+) increased more than any other age group. Historically, Pinole has had a lower percentage of seniors than the County as a whole, but this is no longer the case. From 2000 to 2010, Pinole's senior population increased by approximately 27 percent to 5,584 persons, or 30 percent of the population. In comparison, the County's senior population increased 35 percent to 259,196 persons but accounting for only 25 percent of the population. Continued growth of the senior population in Pinole is further evidenced by low vacancy rates at local senior housing facilities and increasing use of the Pinole Senior Center.

The housing needs of seniors often change when they are past the age of 70 years. Though many would prefer to stay in their homes, without a spouse to share the costs and chores, managing a house becomes more difficult. Often seniors move from their homes to be closer to family members, especially their children. Of those at the Pinole Senior Center, roughly one-half have family members living in the area, making housing alternatives within the City more attractive. However, senior housing options in Pinole are limited.

Table 6.3
Age Characteristics: 1990 - 2010

Age Groups	1990		2000		2010		% Change	
	Persons	Percent	Persons	Percent	Persons	Percent	1990-2000	2000-2010
0 – 19	4,788	27%	5,241	28%	4,288	23%	9%	-18%
20 – 34 years	3,879	22%	3,100	16%	3,266	18%	-20%	5%
35 – 54 years	5,255	30%	6,293	33%	5,252	29%	20%	-17%
55 – 64 years	1,815	10%	1,949	10%	2,736	15%	7%	40%
65+	1,723	10%	2,456	13%	2,848	15%	43%	16%
Total	**17,460**	**100%**	**19,039**	**100%**	**18,390**	**100%**	**9%**	**-3%**

Source: 1990, 2000, and 2010 U.S. Census

Race

The racial and ethnic composition of Pinole has diversified in recent decades. As **Table 6.4** demonstrates, White residents continued to comprise the largest racial group in 2010. However, the share of the White population decreased 26 percent between 2000 and 2010, while the population of all other groups except American Indian and "Other" races increased. The City's Hispanic population experienced the steadiest and most significant growth, increasing by over 50 percent every decade since 1990. Such changes may have implications for Pinole's future housing needs, as different racial and ethnic groups often have different household characteristics, income levels, and cultural practices. For example, Asian and Hispanic families tend to live with extended family members and therefore require larger units to accommodate the multi-generation living. As Pinole's population continues to diversify, different types of housing may be needed.

Table 6.4
Race and Ethnicity: 1990 - 2010

Racial/Ethnic Groups	1990		2000		2010		% Change	
	Persons	%	Persons	%	Persons	%	1990-2000	2000-2010
White	11,426	65%	9,219	48%	6,814	37%	-19%	-26%
Asian & Pacific Islander	2,963	17%	4,154	22%	4,218	23%	40%	2%
Hispanic Origin	1,715	10%	2,618	14%	4,005	22%	53%	53%
Black/African American	1,204	7%	2,079	11%	2,397	13%	73%	15%
American Indian	126	1%	68	<1%	60	<1%	-46%	-12%
Other[1]	26	<1%	901	5%	896	5%	3,365%	-1%
Total	**17,460**	**100%**	**19,039**	**100%**	**18,390**	**100%**	**9%**	**-3%**

Source: 1990, 2000, and 2010 U.S. Census

1. *The significant increase in the "Other" category between 1990 and 2000 is likely a result of the change in the 2000 Census that allowed persons to identify themselves as members of more than one racial group*

Employment

Employment has an important impact on housing needs. Availability of jobs and income levels determine the type and size of housing a household can afford. Employment growth in a particular region also typically results in an increase in housing demand, particularly in areas like Pinole that function for many as a "bedroom community" where most people live but work elsewhere. Pinole's central location within the San Francisco Bay Area places residents in close proximity to a large number of employment centers in Contra Costa and Alameda Counties as well as in San Francisco. Based on available economic information, historic development patterns and the built-out nature of Pinole, the City anticipates:

- Slow growth in coming decades.
- Future job growth that will be concentrated in service sectors, consistent with the need for additional development of office and retail space.
- Long-term prospects for the residential market will improve as the market recovers and due to the proximity of Pinole to major employment centers, while the rental market prospects remain modest.

Contra Costa County has one of the largest job growth rates among Bay Area counties, with job base growth driven in large part by the need to provide services for a growing population. Additionally, white-collar jobs throughout the county have increased due to the decentralization of office-related employment from the region's top employment centers, including San Francisco. Because many residents of Pinole work outside the City, regional employment trends are a relevant indicator of employment trends affecting Pinole. This trend is expected to continue into the future. Despite the recent economic downturn, ABAG projects that by 2030, approximately 811,300 jobs will be created in the Bay Area; 88,800 of which are expected to be in Contra Costa County.

Residents in Pinole are employed throughout the region, including some of the largest employment centers in Contra Costa and Alameda Counties. The following tables (**Table 6.5, Table 6.6**, and **Table 6.7**) display the largest employers in Contra Costa and Alameda Counties, as well as the City of Pinole, as published by the Employment Development Department. The City's proximity to both counties makes them attractive sources of employment for Pinole residents. The Chevron Corporation has the largest number of employees and is located approximately 30 miles from Pinole, with a large refinery complex located in Richmond, which is within ten miles of Pinole. **Table 6.7** shows the top ten employers in Pinole by number of employees in 2013. As shown, the largest employer in the City was the West Contra Costa Unified School District, while six out of the top ten employers were retail industry businesses.

Table 6.5
Largest Employers – Contra Costa County: 2014

Employer	Industry	Location
500-999 Employees		
Bayer Health Care Pharmaceuticals	Laboratories—Pharmaceutical (MFRS)	Richmond
Bio-Rad Laboratories, Inc.	Biological Products (MFRS)	Hercules
Concord Naval Weapons Station	Federal Government—National Security	Concord
Department of Veterans Affairs	Clinics	Martinez
Muirlab	Laboratories—Medical	Walnut Creek
Richmond City Offices	Government Offices—City, Village, & TWP	Richmond
San Ramon Regional Med Ctr	Hospitals	San Ramon
Shell Oil Products	Oil & Gas Products	Martinez
Sutter Delta Medical Ctr	Hospitals	Antioch
Tesoro Golden Eagle Refinery	Oil Refiners (MFRS)	Pacheco
VA Outpatient Clinic	Surgical Centers	Martinez
1,000-4,999 Employees		
Chevron Global Downstream LLC	Marketing Programs & Services	San Ramon
Contra-Costa Regional Medical Ctr	Hospitals	Martinez
Doctor's Medical Center	Hospitals	San Pablo
John Muir Physical Rehab	Physical Therapists	Concord
John Muir Medical Center	Hospitals	Walnut Creek
Kaiser	Clinics	Martinez
Kaiser Permanente	Hospitals	Walnut Creek
Kaiser Permanente	Hospitals	Antioch
Kaiser Permanente Martinez Med	Hospitals	Concord
La Raza Market	Grocers-Retail	Richmond
St. Mary's College of CA	Schools—Universities & Colleges Academic	Moraga
5,000-9,999 Employees		
AAA Northern Ca Nevada & Utah	Automobile Clubs	Walnut Creek
10,000 + Employees		
Chevron Corp	Oil Refiners (MFRS)	San Ramon

Source: Employment Development Department, 2014

Table 6.6
Largest Employers – Alameda County: 2014

Employer	Industry	Location
1,000-4,999 Employees		
Alameda County Law Enforcement	Sherriff	Oakland
Alameda County Sherriff's Dept.	Sherriff	Hayward
Alameda County Sherriff's Office	Sherriff	Oakland
Alta Bates Summit Medical Ctr	Hospitals	Berkeley
BART	Transit Lines	Oakland
Bayer Corp	Drug Milles (MFRS)	Berkeley
California State-East Bay	School-Universities & Colleges Academic	Hayward
Children's Hospital Health Library	Special Interest Libraries	Oakland
Cooper Vision Inc	Physicians & Surgeons Equip & Supls-(MFRS)	Pleasanton
EBMUD	Transit Lines	Oakland
Highland Hospital	Hospitals	Oakland
Intel Corp	Semiconductor Devices (MFRS)	Fremont
Kaiser Permanente Hospital	Hospitals	Hayward
Kaiser Permanente Medical Center	Hospitals	Oakland
Oakland Police Patrol Division	Police Departments	Oakland
Residential & Student Services/Programs	School-Universities & Colleges Academic	Berkeley
Safeway Inc.	Convenience Stores	Pleasanton
Tesla Motors	Automobile Repairing & Service	Fremont
Transportation Department—California	State Government—Transportation Programs	Oakland
Washington Hospital	Hospitals	Fremont
Waste Management, Inc.	Garbage Collection	Oakland
5,000-9,999 Employees		
Alta Bates Summit Medical Ctr	Hospitals	Oakland
Lawrence Berkeley National Lab	Physicians & Surgeons	Berkeley
Lawrence Livermore National Lab	Small Arms Ammunition (MFRS)	Livermore
10,000+ Employees		
University of California, Berkeley	School-Universities & Colleges Academic	Berkeley

Source: Employment Development Department, 2014

Table 6.7
City of Pinole – Principal Employers: 2013

Employer	Industry	Number of Employees
West Contra Costa USD	Education	320
Lucky's / Food Max	Food Retail	169
Target	Retail	136
Best Buy	Retail	108
K-mart	Retail	107
City of Pinole	Government	99
Safeway	Food Retail	78
Kaiser Health Center	Healthcare	75
Trader Joe's	Food Retail	71
Round Table Pizza	Restaurant	65

Source: City of Pinole, Comprehensive Annual Financial Report, 2013

Table 6.8 displays the fastest growing occupations in the Oakland-Fremont-Hayward Metropolitan Division (MD), according to the Employment Development Department. The income groups are categorized according to the State income limits for Contra Costa County. The fastest growing occupations in this region are in the combined food preparation and serving workers category, including fast food. This occupation falls into the extremely low income category (based on a four-person household income). Especially of concern to the City is the fact that five of the ten fastest growing occupations in the region fall into this extremely low income category. A sixth occupation falls into the very low income category. This suggests that the jobs that will be available through 2020 are likely not going to provide adequate income for households to afford market-rate housing, indicating a need for affordable housing throughout the Oakland-Fremont-Hayward MD.

Table 6.8
Oakland-Fremont-Hayward Metropolitan Division Projections of Employment

Occupation Group	Estimated Employment (2010)	Estimated Employment (2020)	Numeric Change	Median Annual Salary	Income Group[1]
Combined Food Preparation and Serving Workers, Including Fast Food	16,740	20,410	3,670	$19,535	Extremely Low
Waiters and Waitresses	13,010	15,960	2,950	$18,786	Extremely Low
Software Developers, Applications	7,180	9,560	2,380	$102,242	Above Moderate
Cooks, Restaurant	6,300	7,720	1,420	$25,286	Extremely Low
Computer Systems Analysts	5,720	6,920	1,200	$94,495	Above Moderate
Management Analysts	5,510	6,850	1,340	$93,965	Above Moderate
First-Line Supervisors of Food Preparation and Serving Workers	5,280	6,400	1,120	$28,900	Very Low
Cooks, Fast Food	5,080	6,240	1,160	$18,934	Extremely Low
Dishwashers	4,890	5,990	1,100	$19,315	Extremely Low
Software Developers, Systems Software	3,940	5,040	1,100	$108,211	Above Moderate

Source: California Employment Development Department, 2014
[1] Based on a four-person households income

Based on the 2007-2011 ACS, a total of 9,466 Pinole residents were in the labor force, with an estimated unemployment rate of 9.3 percent. Current Employment Development Department data indicates that Pinole's actual rate of unemployment has improved to 4.4 percent as of December 2013. The unemployment rate in the City is less than the rate for Contra Costa County as a whole (6.4 percent) during the same time period.

As part of the newly adopted Three Corridors Specific Plan, the City established an Economic Development Strategy to take advantage of the flexible land use standards for the Specific Plan Area and to identify opportunity sites for catalytic development. Throughout the Specific Plan corridors, and particularly on identified opportunity sites, the City will promote projects that:

- Are economically viable (e.g., generate benefits that are adequate to offset costs);
- Have the potential to develop in the near term;
- Have the potential to stimulate other development;
- Provide diverse housing opportunities;

- Strengthen Old Town as a vibrant commercial center;
- Enhance both regional and livable community objectives of supporting transit, pedestrian, and bicycle travel to destinations within the City and connecting to regional alternative transportation options; and
- Take advantage of preferred commercial locations that are near, and have convenient access to, the highway, are located on arterial roads that experience high traffic volumes, and that benefit from other factors that will support successful commercial (both office and retail) development.

HOUSEHOLD CHARACTERISTICS

The distribution of household type, income level, and cost burden are key factors in determining the type of housing needed by residents of Pinole. This section details the various household characteristics determining housing needs.

Household Type

A "household" is defined by the U.S. Census as any person or group of people occupying a housing unit; for Census purposes, those not living in households are classified as living in group quarters (i.e., nursing homes, dormitories, and similar institutions). Accordingly, a household can be anything from a single person living alone, to a family related by marriage or blood, or a group of unrelated persons sharing living quarters. Households are further categorized as "family households" and "nonfamily households" depending on the relationship between the householder and the other individuals residing in the housing unit. Persons living in retirement or convalescent homes and other group living quarters are not considered households. Household characteristics are important indicators of the type and size of housing needed in a community.

According to the 2010 Census, 18,322 of Pinole's 18,390 residents are members of a household (68 persons reside in group quarters). Households in Pinole have an average of 2.70 persons, slightly less than the countywide average of 2.77 persons per household. As shown in **Table 6.9**, the majority of the 6,775 households in Pinole continue to be family households, despite a decrease from 75 percent in 2000 to 72 percent in 2010. The majority of these family households are married couples without children, followed by married couples with children under 18 years of age. However, the percentage of non-family households increased from 25 to 28 percent between 2000 and 2010.

Table 6.9
Household Composition: 1990 - 2010

Household Type	2000		2010		% Change
	Number	Percentage	Number	Percentage	
Total Households	**6,743**	**100%**	**6,775**	**100%**	**0%**
Family Households	**5,059**	**75%**	**4,875**	**72%**	**-4%**
Married Couple Households	3,819	75%	3,500	72%	-8%
Female Householder, with children <18	466	9%	448	9%	-4%
Male Householder, with children <18	165	3%	131	3%	-21%
Non-Family Household	**1,684**	**25%**	**1,900**	**28%**	13%

Sources: 2000 and 2010 U.S. Census

Household Income

For the purpose of evaluating housing affordability, housing need, and eligibility for housing assistance, income levels are defined by guidelines adopted each year by the California Department of Housing and Community Development (HCD). For Contra Costa County, the median income for a family of four in 2014 was $93,500. HCD has defined the following income categories for Contra Costa County based on the median income for a household of *four persons*:

Table 6.10
Contra Costa County Income Ranges: 2014

Income Category	% of Median Income Applicable Income Range (based on a four-person household)
Extremely low income	30% and below ($0 to $28,050)
Very low income	31% to 50% of median income ($26,051 to $46,750)
Low income	51% to 80% of median income ($46,751 to $67,600)
Moderate income	81% to 120% of median income ($67,601 to $93,500)
Above moderate income	120% or more of median income ($93,501 or more)

Source: California Department of Housing and Community Development, 2014

Table 6.11 shows the maximum annual income level for each income group adjusted for household size in Contra Costa County. The maximum annual income data is then utilized to calculate the maximum affordable housing payments for different households (varying by income level) and their eligibility for federal housing assistance.

Table 6.11
Maximum Household Income Level by Household Size: 2014

Household Size	Maximum Income Level				
	Median	Extremely Low	Very Low	Low	Moderate
1-Person	$65,450	$19,650	$32,750	$47,350	$78,550
2-Person	$74,800	$22,450	$37,400	$54,100	$89,750
3-Person	$84,150	$25,250	$42,100	$60,850	$101,000
4-Person	$93,500	$28,050	$46,750	$67,600	$112,200
5-Person	$101,000	$30,300	$50,500	$73,050	$121,200
6-Person	$108,450	$32,550	$54,250	$78,450	$130,150
7-Person	$115,950	$34,800	$58,000	$83,850	$139,150
8-Person	$123,400	$37,050	$61,750	$89,250	$148,100

Source: California Department of Housing and Community Development, 2014

Ability to Pay

Table 6.12 displays the monthly income limits by household size for each of the five income groups (based on HCD's annually set income limits). The monthly income limits are used to calculate maximum affordable monthly rents as well as the maximum affordable purchase prices for homes. For example, a 2-person household earning a combined annual income of $25,000 is considered an extremely low-income household. This household can afford a maximum monthly rent of $388 or purchase a home for a maximum of $57,718. The rental and sales price figures represent an affordable housing amount (30 percent of monthly income).

Table 6.12
Housing Affordability in Contra Costa County: 2014

Household	Annual Income[1]	Affordable Costs (All Costs)		Estimated Utility Allowance, Taxes & Insurance[2]		Affordable Rent	Affordable Home Price
		Rental Costs	Ownership Costs	Renters	Owners		
Extremely Low-Income (0-30% AMI)							
1-Person	$19,650	$491	$491	$144	$161	$347	$53,994
2-Person	$22,450	$561	$561	$173	$201	$388	$57,718
3-Person	$25,250	$631	$631	$205	$246	$426	$60,278
4-Person	$28,050	$701	$701	$236	$293	$465	$62,373
5-Person	$30,300	$758	$758	$268	$336	$490	$62,838
Very Low Income (31-50% AMI)							
1-Person	$32,750	$819	$819	$144	$161	$675	$114,971
2-Person	$37,400	$935	$935	$173	$201	$762	$127,306
3-Person	$42,100	$1,053	$1,053	$205	$246	$848	$138,710
4-Person	$46,750	$1,169	$1,169	$236	$293	$933	$149,416
5-Person	$50,500	$1,263	$1,263	$268	$336	$995	$156,863
Low Income (51-80% AMI)							
1-Person	$47,350	$1,184	$1,184	$144	$161	$1,040	$182,929
2-Person	$54,100	$1,353	$1,353	$173	$201	$1,180	$205,039
3-Person	$60,850	$1,521	$1,521	$205	$246	$1,316	$225,985
4-Person	$67,600	$1,690	$1,690	$236	$293	$1,454	$246,466
5-Person	$73,050	$1,826	$1,826	$268	$336	$1,558	$261,827
Median Income (100% AMI)							
1-Person	$65,450	$1,636	$1,909	$144	$161	$1,492	$317,954
2-Person	$74,800	$1,870	$2,182	$173	$201	$1,697	$359,420
3-Person	$84,150	$2,104	$2,454	$205	$246	$1,899	$399,722
4-Person	$93,500	$2,338	$2,727	$236	$293	$2,102	$439,558
5-Person	$101,000	$2,525	$2,946	$268	$336	$2,257	$470,279
Moderate Income (101-120% AMI)							
1-Person	$78,550	$1,964	$2,291	$144	$161	$1,820	$389,094
2-Person	$89,750	$2,244	$2,618	$173	$201	$2,071	$440,606
3-Person	$101,000	$2,525	$2,946	$205	$246	$2,320	$491,225
4-Person	$112,200	$2,805	$3,273	$236	$293	$2,569	$541,108
5-Person	$121,200	$3,030	$3,535	$268	$336	$2,762	$579,975

Assumptions: 2014 HCD income limits; 30.0% gross household income as affordable housing cost; 20.0% of monthly affordable cost for taxes and insurance; 10.0% downpayment; and 4.0% interest rate for a 30-year fixed-rate mortgage loan.
Sources:
1. *California Department of Housing and Community Development 2014 Income Limits*
2. *Housing Authority of the County of Contra Costa County, FY 2013 Utility Allowance Schedule*

Housing Cost and Affordability

The analysis of housing affordability requires consideration of trends in household income in comparison to trends in housing prices and rents in order to quantify the incidence of overpayment for housing costs—the "affordability gap"—between local wages and salaries and the cost of local housing.

The cost of housing is directly related to the extent of housing problems faced by lower- and moderate-income households in a community. If housing costs are high relative to household income, correspondingly the incidence of housing cost burden and overcrowding will be high. The following sections summarize the cost and affordability of housing to Pinole residents.

Sales Cost

According to DataQuick, a company that collects real estate data nationwide, median home prices in Pinole and the majority of nearby communities were well below the countywide median sales price of $392,500 (**Table 6.13**). The City's median home sales price for all of 2013 was $315,000, approximately 25 percent less than the County's median price.

Nevertheless, the City's median sales price in 2013 represented an increase of approximately 28 percent from the previous year, a much larger increase than the two percent that occurred between 2011 and 2012 (**Table 6.13**). Most neighboring communities experienced similar increases in home prices, with the largest change occurring in San Pablo (36 percent increase). Home prices in the County as a whole increased by approximately 33 percent between 2012 and 2013.

Table 6.13
Median Home Sales Prices: 2011 - 2013

Jurisdiction	2011	2012	2013	% Change 2011-2012	% Change 2012-2013
El Cerrito	$450,000	$439,000	$564,500	-2%	29%
Hercules	$270,000	$285,000	$350,000	6%	23%
Martinez	$255,000	$285,000	$351,000	12%	23%
Pinole	**$243,000**	**$247,000**	**$315,000**	**2%**	**28%**
Richmond	$135,000	$160,000	$210,000	19%	31%
San Pablo	$155,000	$166,000	$225,000	7%	36%
Contra Costa County	$255,000	$295,000	$392,500	16%	33%

Source: DQNews.com, accessed February 3, 2014

According to the online real estate database Zillow, during February 2014, the City of Pinole had 10 single-family homes listed for sale, ranging in price from $224,900 to $499,000. There were also two condominiums listed for sale ranging in price from $199,000 to $229,000. The majority of the units listed for sale were three- and two-bedroom units (**Table 6.14**).

Table 6.14
Residential Listing Prices: February 2014

Type	Number Available	Low	High
Single-family Homes	10	$139,000	$1,200,000
5 Bedrooms	1	$499,000	$499,000
4 Bedrooms	1	$399,900	$399,900
3 Bedrooms	6	$199,999	$429,000
2 Bedrooms	2	$224,900	$299,900
Condominiums	2	$199,000	$229,000

Source: Sales Survey on Zillow.com, February 2014

Based on the income limits established by HCD, a typical household with an income equivalent to that of the Area Median Income (AMI) for a family of four in Contra Costa County ($93,500) could afford a maximum purchase price of $439,558. This assumes the buyer is paying 10 percent down, has a four-percent interest rate, and has no other debt payments. It is assumed that a household of four would purchase a three-bedroom home in the City, the highest listed price of which was $429,000 in 2013, indicating that housing is currently affordable to median-income households.

Vacancy Rates

Vacancy rates are a useful indicator of the housing market's overall health and ability to accommodate new residents within the existing housing stock. A certain number of vacant units are needed to moderate the cost of housing, allow sufficient choice for residents, and provide an incentive for unit upkeep and repair. Specifically, vacancy rates of approximately two percent for ownership housing and five to six percent for rental housing are generally considered optimal by housing professionals to balance demand and supply for housing.

Table 6.15 summarizes vacancy rates by tenure for Pinole, according to the 2000 and 2010 Census. The overall vacancy rate in Pinole was 5.4 percent in 2010, a significant increase from an overall vacancy rate of 1.2 percent in 2000. Specifically, the vacancy rate for ownership housing was 1.5 percent in 2010, while the rental vacancy rate was 8.0 percent. In 2000, the vacancy rate for ownership housing was 0.4 percent and the rental vacancy rate was 1.6 percent.

Table 6.15
Vacancy Rates by Tenure: 2000 - 2010

Housing Type	2000 Total Units	2000 % of Total	2010 Total Units	2010 % of Total
Vacant Units				
For rent only	27	32%	168	44%
For sale only	19	22%	73	19%
Rental/Sold—not occupied	11	13%	28	7%
Seasonal/occasional use	8	9%	14	4%
Other	20	24%	100	26%
Total	**85**	**100%**	**383**	**100%**
Vacancy Rate				
Homeowner	0.4%		1.5%	
Rental	1.6%		8.0%	
Overall	**1.2%**		**5.4%**	

Sources: 2000 and 2010 U.S. Census

Rental Housing

According to the 2010 Census, 72 percent of housing units in Pinole are owner-occupied and 28 percent are renter-occupied. The City of Pinole has a rental vacancy rate of approximately eight percent, which is above the healthy range of five to six percent. The 2007-2011 ACS, however, reported a rental vacancy rate of 19.9 percent.

Table 6.16 shows the results of a rental survey completed from January to March 2014 to identify locally available rental units. The monthly median rent was $1,900 for single-family homes and $1,600 for units in multi-family structures. Although three-bedroom homes had the greatest number of listings for single-family home rentals, there was only one 3-bedroom apartment available for rent at the time of the survey. Two-bedroom apartments had the greatest availability among multi-family units available for rent. A total of 11 condominium/townhomes were listed, which overall had slightly higher average and median rental prices than apartment units and lower rates than single-family homes. Overall, rent in the City ranged in price from $850 for one-bedroom apartment unit to $2,500 for a single-family home. The overall median listed rental price for all units was $1,600.

This rental survey was completed over a two-month period and included information gathered through multiple online rental listings. This analysis is a "snapshot" in time, which gives a sample of housing rental costs and is not representative of the entire rental housing market.

Table 6.16
City of Pinole Rental Costs: January to March 2014

Unit Type	# of Units	Average Rent	Median Rent	Rent Range
Single Family				
2 Bed	1	-	-	$1,525
3 Bed	18	$1,915	$1,900	$1,600 to $2,350
4 Bed	2	$2,250	$2,250	$2,000 to $2,500
Subtotal	21	$1,928	$1,900	$1,525 to $2,500
Condominium/Townhomes				
2 Bed	7	$1,595	$1,600	$1,500 to $1,680
3 Bed	4	$1,751	$1,740	$1,625 to $1,900
Subtotal	11	$1,652	$1,635	$1,500 to $1,900
Apartments				
1 Bed	6	$1,092	$935	$850 to $1,684
2 Bed	19	$1,404	$1,445	$1,050 to $1,832
3 Bed	1	-	-	$1,620
Subtotal	26	$1,340	$1,400	$850 to $1,832
Total	**58**	**$1,612**	**$1,600**	**$850 to $2,500**

Sources: Survey of listings on Craigslist.org, Zillow.com, and Paslister.com, January 27 to March 31, 2014

Overpayment (Cost Burden)

A household is considered to be overpaying for housing or cost-burdened if it spends more than 30 percent of its gross income on housing, including utilities, taxes, and insurance. Because household incomes and sizes vary, the price that is considered "affordable" for each household also varies. For example, a large family with one income is able to afford a different type of housing than a dual-income household with no children.

The Comprehensive Housing Affordability Strategy (CHAS) was developed by the Department of Housing and Urban Development (HUD) to assist jurisdictions in preparing the Consolidated Plans for the use of housing and community development funds. CHAS has special tabulations based on the 2006-2010 ACS. According to this data (**Table 6.17**), there were 640 owner-households and 459 renter-households in Pinole earning less than 50 percent of the Area Median Income (AMI) in 2010. Of these, 235 owner-households and 330 renter-households fell into the extremely low income category (incomes less than 30 percent of AMI).

Table 6.17 displays the number of residents in Pinole overpaying for ownership units and rental units. The table demonstrates to what extent households are overpaying for housing cost by their income category and whether or not they were overpaying (housing cost burden exceeding 30 percent of household income) or severely cost-burdened (housing cost burden exceeding 50 percent of household income). About 41 percent of all households were overpaying for housing in 2010. Of those households overpaying for housing, 19 percent were severely cost-burdened.

In general, housing cost burden was more prevalent among renter-households than owner-households (46 percent versus 39 percent).

Table 6.17
Housing Assistance Needs of Lower Income Households: 2006 - 2010

Household by Type, Income, and Housing Problem	Renters				Owners			Total Households
	Elderly	Small Families	Large Families	Total Renters	Elderly	Large Families	Total Owners	
Extremely Low Income (0-30% AMI)	125	160	10	330	150	0	235	565
% with any housing problem	92%	84%	0%	86%	53%	--	70%	80%
% with cost burden >30%	92%	84%	0%	86%	53%	--	70%	80%
% with cost burden > 50%	84%	63%	0%	73%	40%	--	62%	68%
Very Low Income (31-50% AMI)	34	50	35	129	295	0	405	534
% with any housing problem	100%	100%	100%	100%	53%	--	60%	70%
% with cost burden >30%	100%	100%	100%	100%	53%	--	60%	70%
% with cost burden >50%	100%	100%	100%	100%	42%	--	53%	64%
Low Income (51-80% AMI)	55	130	0	235	310	125	625	860
% with any housing problem	82%	81%	--	64%	19%	96%	50%	53%
% with cost burden >30%	82%	81%	--	64%	19%	96%	50%	53%
% with cost burden > 50%	18%	0%	--	4%	19%	36%	29%	22%
Moderate Income (>81% AMI)	80	405	80	770	815	370	3,660	4,430
% with any housing problem	88%	2%	63%	21%	21%	57%	34%	32%
% with cost burden >30%	69%	2%	13%	14%	21%	49%	33%	30%
% with cost burden > 50%	69%	0%	0%	7%	5%	9%	7%	7%
Total Households	294	745	125	1,464	1,570	495	4,925	6,389
% with any housing problem	90%	40%	68%	50%	30%	67%	40%	42%
% with cost burden >30%	85%	40%	36%	46%	30%	61%	39%	41%
% with cost burden > 50%	69%	20%	28%	30%	18%	16%	16%	19%

Note: Data presented in this table are based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100% total due to the need to extrapolate sample data out to total households. Interpretations of these data should focus on the proportion of households in need of assistance rather than on precise numbers.
Source: HUD Comprehensive Housing Affordability Strategy (CHAS), 2006-2010 ACS data.

Overcrowding

As a result of unaffordable housing costs, many lower income households rent smaller apartments or live with friends or relatives to make housing more affordable. This may lead to overcrowding conditions in housing units, which are defined by the Department of Housing and Urban Development (HUD) as more than one person per room (excluding bathrooms, kitchens, and hallways). Units with more than 1.50 persons per room are considered severely overcrowded. Other factors leading to overcrowding may include very low rental vacancy rates, and increases in the average household size.

Overcrowding is a concern because it can lead to health and safety issues. According to the 2011 ACS, four percent of households in Pinole were living in overcrowded conditions, down from six percent of households in both 1990 and 2000 (**Table 6.18**). As with housing cost burden, overcrowding was also more prevalent among renter-occupied households than owner-households in 2011. However, severe overcrowding appeared to affect owner-households more than renter-households. Approximately one percent of owner-households were severely overcrowded, while no renter-occupied households were severely overcrowded in 2011.

Table 6.18
Household Tenure by Persons per Room: 1990 - 2011

	1990		2000		2011	
Overcrowding	Households	Percent	Households	Percent	Households	Percent
Owner-Households						
1.00 or less	4,636	96%	4,859	96%	4,796	97%
1.01 to 1.50	148	3%	178	4%	105	2%
1.51 or more	49	1%	39	1%	53	1%
Total	**4,833**	**100%**	**5,076**	**100%**	**4,954**	**100%**
Renter-Households						
1.00 or less	1,292	91%	1,555	90%	1,429	94%
1.01 to 1.50	82	6%	94	5%	85	6%
1.51 or more	52	4%	85	5%	0	0%
Total	**1,426**	**100%**	**1,734**	**100%**	**1,514**	**100%**

Sources:1990 and 2000 U.S. Census; and 2007-2011 American Community Survey (ACS)

SPECIAL NEEDS GROUPS

Due to special needs or circumstances related to income, family or household characteristics, age, and disability, certain groups have historically had greater difficulties finding quality affordable housing. They also often have a higher prevalence of special circumstances leading to housing problems such as lower incomes, higher housing cost burdens, and overcrowding. State law therefore requires that the housing needs of these groups, in particular senior households, single-parent households, persons with physical, mental and developmental disabilities, large families, farm workers, and homeless individuals, be evaluated.

To meet the community's special housing needs, Pinole must be creative and look to new ways of increasing the supply, diversity, and affordability of specialized housing stock. As there is a range of services and considerations for housing designed to meet special needs, beginning with independent living (owning or renting), to assisted living (licensed facilities), supportive housing, transitional housing, and finally emergency shelter, the City must encourage and balance these specialized housing types. In addition, the vast majority of special needs housing is service enriched with the goal of offering services to help individuals with special needs maintain independent living whenever possible. **Table 6.19** summarizes the special needs groups in the City.

Table 6.19
Special Needs Groups

Special Needs Group	Number of Households or Persons	Owners		Renters		Percent of Total Households/ Persons
		#	%	#	%	
Households that Include at Least One Senior (Age 65+)	2,107	--	--	--	--	31%
Senior-Headed Households	1,738	1,404	81%	334	19%	26%
Seniors Living Alone	676	436	64%	240	36%	10%
Single-Parent Households	579	--	--	--	--	9%
Female-Headed Households with Children	448	--	--	--	--	7%
Persons with Disabilities (Age 5+)**	2,523	--	--	--	--	14%
Large Households	833	595	71%	238	29%	12%
Agricultural Workers*	24	--	--	--	--	<1%
Residents Living Below Poverty*	1,520	--	--	--	--	8.3%
Homeless***	20	--	--	--	--	<1%

Sources: Census, 2010; American Community Survey (ACS), 2007-2011 and 2008-2012; and Contra Costa Inter-Jurisdictional Council on Homelessness, Homeless Count 2013.
Notes:
-- Data not available
** = 2010 Census data not available. Estimate is from the 2007-2011 ACS.*
*** = 2010 Census data not available. Estimate is from the 2008-2012 ACS. Estimate is for persons 5 years of age and over.*
**** = Contra Costa Inter-Jurisdictional Council on Homelessness, Homeless Count 2013.*

Seniors

In 2010, seniors ages 65 and older comprised approximately 15 percent of the population. In addition, there were 1,738 senior-headed households in the City. Of these senior-headed households, the majority were home owners (81 percent). Many senior households are considered lower income. As shown earlier in **Table 6.17**, nearly 73 percent of the seniors living in rental units and 26 percent of seniors living in owner-occupied units fell into the low income category. Senior households are also more likely to experience one or more housing problems. Nearly 90 percent of senior-headed renter-households experienced a housing cost burden, while 30 percent of senior homeowners overpaid for housing. This indicates that there is a high need in the community for affordable housing for seniors, particularly senior renters.

Senior households have special housing needs primarily due to three major concerns: physical disabilities/limitations, income, and health care. Various programs and specialized housing types can address the needs of seniors. These may include supportive services, rental subsidies, shared housing, and housing rehabilitation assistance.

Typical housing types that meet the needs of seniors include smaller attached or detached housing for independent living (both market rate and below market rate); second units; shared housing; age-restricted subsidized rental developments; congregate care facilities; licensed facilities; and skilled nursing homes.

The increased need for senior housing may have the following implications:

- Senior projects will compete with non-age-restricted family and worker housing for Pinole's limited supply of land;
- Many seniors can become "trapped" in large houses due to upkeep expenditures and house payment increases that would result from moving into a smaller housing unit;
- The housing stock may deteriorate, as senior households on fixed incomes have limited resources for home improvements to maintain or rehabilitate older housing; and

Resources

The Contra Costa County Advisory Council on Aging has adopted Best Practice Development Guidelines for Multi-Family Senior Housing projects. These guidelines provide a framework to help guide the planning, design, and review of new senior housing developments in the County, and serve as a tool for local community groups, architects, planners, and developers.

There are three senior housing projects in Pinole: Pinole Grove Senior Housing, a 70-unit senior facility offering residents one- and two-bedroom apartments; Bay Park Retirement Apartments offering studio, one- and two-bedroom independent living suites; and the Pinole Senior Village (also known as the Pinole Assisted Living Facility) with 41 assisted living apartments in The Terraces. The Gardens, which is a separate community within the Pinole Senior Village, is a secured community with 31 studio apartments designed especially for seniors with memory loss and Alzheimer's. Both Pinole Grove Senior Housing and Pinole Senior Village offer units affordable to moderate and lower income seniors secured by affordability covenants.

Social and supportive services for seniors are available in Contra Costa County through various agencies and organizations. These include the County Area Agency on Aging, Older Adults Clinics, the Alzheimer's Disease Research Center, Health Insurance Counseling and Advocacy Program, Meals-On-Wheels, and John Muir Senior Services Program. In addition, Pinole has an extremely active Senior Center dedicated to providing seniors with a full range of activities and services to support seniors' physical, emotional, and social growth and education. In addition (as shown later in **Table 6.21),** there are ten elderly residential care facilities available to serve seniors in the City. These facilities have a combined capacity of 218 beds.

Single Parent Households

As a result of their relatively lower incomes and higher living expenses, single-parent households are more likely to have difficulty finding affordable, decent, and safe housing. These households often require special consideration when seeking affordable housing that provides services to help balance the demands of work and home life. Female-headed single-parent households with children in particular tend to have lower incomes, thus limiting housing options availability to this group.

According to 2010 Census data, there were 579 single-parent households in Pinole (representing nine percent of all households), the majority of which were female-headed (448 households representing seven percent of all households). Between 2000 and 2010, the number of single-parent households in Pinole decreased slightly. The total number of single-

parent households in the City decreased by approximately eight percent and the number of female-headed single-parent households decreased by about four percent. According to ACS data, 27 percent of female-headed single-parent households and 16 percent of male-headed single-parent households were living below the poverty level in 2011. Single-parent households need affordable housing proximate to day care, recreation programs, schools, and services. Despite fair housing laws, discrimination against children may make it more difficult for this group to find adequate housing.

A 2012 Child Care Needs Assessment jointly commissioned by the Contra Costa County Office of Education and the Contra Costa County Local Planning Council for Child Care and Development found that a shortage of child care opportunities exists throughout the County as well as in Pinole. In recent years, child care supply in the County has increased overall. Currently, 88 percent of child care demand is being met in Contra County, an improvement from the 73 percent of demand being met in 2006. Despite these improvements, the County still has an unmet need of approximately 3,544 spaces for infant care, 525 spaces for preschool age child care, and 3,373 spaces for school age child care.

Resources

Limited household income constrains the ability of these households to afford adequate housing and provide for childcare, health care, and other necessities. While the City has no specific program targeted to assist single-parent households, the City's efforts in expanding affordable housing opportunities will help meet the needs of single-parent households.

Finding adequate and affordable childcare is a pressing issue for many families with children. The Pinole Youth Center offers a variety of classes and activities, including an after school care and transportation program. In addition, the County's Community Services Bureau offers an array of support and education services to support families. Among the services offered are comprehensive childcare services made available to eligible families at no cost. Single-parent households with limited incomes in Pinole can also benefit from rental, utility, and food assistance offered by various organizations, including Bay Area Rescue Mission, Season of Sharing, Shelter, Inc., Food Bank of Contra Costa and Solano, and The Salvation Army.

In addition, Zoning Ordinance includes provisions for home day care with the intent to make it easier for small day care providers to run businesses out of their home in order to increase the supply of quality, affordable day care services in proximity to where households live and work. In residential zoning districts, home day care centers of not more than 12 children are permitted by right. In addition, the Zoning Ordinance includes a provision that allows for a home day care of more than twelve but less than 20 children at one time through the Conditional Use Permit process.

Persons with Disabilities

Physical, mental, and/or developmental disabilities may prevent a person from working, restrict one's mobility, or make it difficult to care for oneself. Thus, disabled persons often have special housing needs related to potential earning capacity, the lack of accessible affordable housing, and higher than average health care costs associated with their disability. Some individuals

may also suffer from disabilities that require around the clock care or living in a supportive or institutional setting.

According to the 2008-2012 ACS, there were approximately 2,253 persons over the age of five in Pinole with disabilities, representing approximately 14 percent of all residents. The majority of residents with disabilities were between the ages of 18 and 64 (53 percent) and 45 percent were seniors. Within the senior disabled population, ambulatory and independent living difficulties were the most prevalent (**Table 6.20**).

Table 6.20
Disability Status of Persons Over Age 5: 2012

Disability Type	% of Disabilities Tallied			
	Age 5 to 17	Age 18 to 64	Age 65+	Total
With Hearing Difficulty	0%	15%	36%	25%
With Vision Difficulty	0%	7%	18%	12%
With Cognitive Difficulty	38%	56%	33%	45%
With Ambulatory Difficulty	0%	33%	65%	47%
With Self-Care Difficulty	100%	22%	37%	30%
With Independent Living Difficulty	--	57%	60%	57%
Total Persons with Disabilities	**26**	**1,207**	**1,020**	**2,253**

Note:
1. *Persons under 5 years of age are not included in this table.*
2. *Persons may have multiple disabilities.*

Source: U.S. Bureau of the Census, American Community Survey (ACS), 2008-2012.

Persons with Developmental Disabilities

A recent change in State law requires that the Housing Element discuss the housing needs of persons with developmental disabilities. As defined by the Section 4512 of the Welfare and Institutions Code, "developmental disability" means "a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include mental retardation, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but shall not include other handicapping conditions that are solely physical in nature." This definition also reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

The Census does not record developmental disabilities. However, according to the U.S. Administration on Developmental Disabilities, an accepted estimate of the percentage of the population that can be defined as developmentally disabled is 1.5 percent. This equates to 276

persons in the City of Pinole with developmental disabilities, based on the 2010 Census population.

According to the State's Department of Developmental Services, as of January 2014, approximately 123 Pinole residents with developmental disabilities were being assisted at the Regional Center of the East Bay. Most of these individuals were residing in a private home with their parent or guardian and 37 of these persons with developmental disabilities were under the age of 18.

Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

Resources

As the population ages, the provision of accessible housing will become increasingly necessary. Persons with disabilities typically live on fixed incomes and need a wide range of housing types, depending on the type and severity of their disability as well as personal preference and lifestyle. Housing designed "barrier-free," with accessibility modifications, on-site services, mixed income diversity, proximity to services and transit, and group living opportunities represents a range of considerations and accommodations that are important in serving this need group. Incorporating barrier-free design in all new multifamily housing is especially important to provide the widest range of choices. A number of community care facilities exist in Pinole to serve individuals with disabilities. **Table 6.21** summarizes the services available at licensed facilities in Pinole.

Additional considerations related to housing for physically disabled people should be considered in conjunction with infrastructure and public improvements. These include: (1) flat sites where curb cuts and building access can be provided (site design); and (2) handicapped dwelling conversion (or adaptability) in new construction.

Social and supportive services for persons with disabilities are available in Contra Costa County through various agencies and organizations, including the Contra Costa ARC, Asian Community Mental Health Services, Building Blocks for Kids, Down Syndrome Connection, East Bay Community Foundation, Families First, and We Care. For children with special needs, the County Community Services Bureau offers assistance services through its Head Start and Early Head Start programs. The County also has a Developmental Disabilities Council to promote the growth of available services to residents and also offers a resource listing to persons in need.

Table 6.21
Licensed Community Care Facilities: February 2014

Type of Facility	Number of Facilities in Pinole	Capacity (beds)
Small Family Home[1]	1	6
Group Home[2]	1	6
Adult Day Care[3]	2	105
Adult Residential[4]	3	18
Elderly Residential[5]	10	200
Total	**17**	**335**

Notes:
1. *Small family homes provide care to children in licensee's own home.*
2. *Group homes provide specialized treatment for persons under the age 18.*
3. *Adult day care facilities provide care for adults with various disabilities or disorders.*
4. *Adult Residential Facilities provide 24-hour non-medical care for adults ages 18 through 59.*
5. *Elderly residential facilities provide care for persons age 60 and above.*

Source: State of California Department of Social Services, Community Care Licensing Division, Facility Search Form, accessed February 2014.

Large Households

Large households are defined as those consisting of five or more members. Large households are considered a special needs group because it may be difficult for these households to secure adequately sized, affordable housing. In order to balance affordable housing along with other financial responsibilities, large households tend to reside in smaller dwelling units, which may lead to overcrowding.

In 2010, approximately 12 percent (833) of Pinole's 6,775 households were considered large households. Of those large households, 71 percent (595) lived in owner-occupied units, while 29 percent (238) lived in rental housing. Large households tend to have more difficulty purchasing housing due to the financial constraints of supporting a larger household and because adequately sized (large) housing units are rarely affordable. The situation is further complicated by the reality that rental units with three or more bedrooms are not common, and large affordable rental units are even less common. This can lead to overcrowded housing conditions.

Resources

The City continues to work towards ensuring that appropriate and affordable housing is available for large families. In 2008, the former Redevelopment Agency acquired two homes in the Maiden Lane development and recorded affordability covenants on the properties. At four and five bedrooms each, the units are appropriately sized for larger families and in 2009 were sold as affordable ownership housing units with restrictions that ensure they remain affordable for families at the moderate income level for at least the next 45 years. The Bayside Apartment community also has 14 three-bedroom units available for lower income families in the City. The Section 8 Housing Choice Vouchers program, managed by the Housing Authority of the County of Contra Costa, also extends assistance to large households with overcrowding and cost burden issues.

Agricultural (Farm) Workers

State law requires that housing elements evaluate the needs of agricultural (farm) worker housing in the local jurisdiction. Traditionally, agricultural workers are defined as persons whose primary incomes are earned through permanent or seasonal agricultural labor. Based on current ABAG projections, jobs in the agricultural and natural resources industries represent less than one percent of all jobs in the Bay Area. Furthermore, the number of available jobs in these industries is projected to decrease by approximately eight percent over the next 25 years.[3] The 2007-2011 ACS found that 24 Pinole residents were employed in the agriculture, forestry, fishing and hunting, and mining industry.

Resources

Very few Pinole residents are employed in the agricultural industry and many of these individuals are likely employed in specialized wholesale and horticulture businesses. In addition, the City does not permit agricultural uses in any of its zones. Therefore, there are no localized needs for seasonal or other types of farm worker housing in the City.

Residents Living Below the Poverty Level

Families with incomes below the poverty level, specifically those with extremely low and very low incomes, are at greatest risk of becoming homeless and often require assistance in meeting their rent and mortgage obligations so as to not become homeless. The 2007-2011 ACS found that approximately eight percent of all Pinole residents were living below the poverty level. In addition, about eight percent of families with children were living in poverty. These households could benefit greatly from assistance with housing subsidies, utility and other living expense subsidies, and other supportive services.

Resources

Persons living with incomes below the poverty level can benefit from programs and services that provide assistance to lower income households in general, such as the Housing Choice Voucher program, which offers rental assistance to residents. These households can also benefit from services offered by providers located in neighboring communities. Assistance is often provided in cases of financial emergencies by providing services such as food vouchers, gasoline vouchers, bus tokens, rental assistance, utility payments, and referrals to other services. Agencies offering such services include the Catholic Charities of the East Bay, Season of Sharing, Shelter, Inc., Food Bank of Contra Costa and Solano, and The Salvation Army. **Table 6.22** details a complete listing of providers and the services they offer, including providers of emergency and transitional housing.

Homeless Individuals and Families

Homeless individuals and families have perhaps the most immediate housing need of any special needs group. They also have one of the most difficult sets of housing needs to meet, due to both the diversity and complexity of the factors that lead to their homelessness, and the community opposition to the siting of housing that serves homeless clients.

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[3] OneBayArea, *Forecast of Jobs, Population, & Housing*, July 2013

The County Health Services Department develops plans and programs to assist homeless individuals throughout Contra Costa County. In 2004, the County adopted the "Ending Homelessness in Ten Years: A County-Wide Plan for the Communities of Contra Costa County" (Ten Year Plan) Through the Plan, the County adopted a strategy which works to immediately house homeless individuals and families as opposed to moving them through a series of temporary housing solutions. In addition, the County Homeless Continuum of Care Advisory Board (CoCB) developed a Five Year Plan, which is a good source of information on homelessness and available programs.

The Ten Year Plan estimated 15,000 people in Contra Costa County experience at least one night of homelessness annually, and that on any given night 4,800 people are living on the streets or in temporary accommodations, such as an emergency shelter. In addition, many others are at risk of becoming homeless, such as the nearly 17,000 extremely low-income households in the county who are overpaying for housing.

It is difficult to determine an exact count of homeless individuals in any one jurisdiction due to the sometimes transient nature of homeless people. A January 2013 Contra Costa Health Services Department homeless count found 20 unsheltered homeless people in Pinole. This number, however, understates the extent of homelessness in Pinole as it does not account for individuals in shelters or other temporary housing. Information from the Pinole Police Department in March 2014 indicates that officers have regular contact with less than a half dozen homeless individuals living in Pinole. Typically, officers who come in contact with homeless persons in the City offer referral assistance and periodically transport them to the Bay Area Rescue Mission in nearby Richmond.

As elsewhere in the nation, homelessness is usually the end result of multiple factors that converge in a person's life. The combination of loss of employment, inability to find a job because of the need for retraining, and the high housing costs in this county lead to some individuals and families losing their housing. For others, the loss of housing is due to chronic health problems, physical disabilities, mental health disabilities, or drug and alcohol addictions along with an inability to access the services and long-term support needed to address these conditions.

The CoCB Plan identified three primary causes of homelessness, including a shortage of affordable housing, lack of access to support services, and low incomes. Together with the Contra Costa Office of Homeless Programs, the CoCB held a series of community meetings between October and January 2001 to identify unmet service and housing needs and obtain feedback about ongoing programs. Many of the needs identified at that time are still relevant today. The needs for all segments of the homeless population included the following:

- *Affordable Housing*: Rental units in the County are not affordable to people with extremely low incomes, such as those who depend on General Assistance, Temporary Assistance to Needy Families, or Social Security income. Over 2,000 households are on the waiting list for Section 8 vouchers administered by the Contra Costa County Housing Authority. In addition, many households cannot save the money required to move into an apartment (i.e., first and last months' rent plus security deposit).

- *Employment at a Living Wage:* The high cost of housing makes it difficult to find housing that is affordable for those performing minimum wage jobs.
- *Dignity*: Participants expressed their desire to be treated with respect when accessing services.
- *Transportation:* Lack of transportation makes it difficult for people to get to jobs as well as services.
- *Early Intervention: Timely Prevention and Emergency Services:* Providers stressed the importance of identifying people at risk of homelessness early and then providing services to them immediately.
- *Community Education, Involvement and Advocacy*: Providers and community members felt that community education is an important way to increase the public's understanding of homelessness and build support for programs that prevent and alleviate homelessness.

Resources

Although homelessness exists in Pinole, in most cases, local homeless individuals rely on regional programs and services, which are available in close proximity to Pinole. The following **Table 6.22** includes facilities and services for a variety of homeless persons in west county jurisdictions with close proximity to Pinole.

To help meet the special needs of the homeless, the Contra Costa Crisis Center operates a 24-hour homeless hotline that connects homeless individuals and families to resources available in the County. Through the Center, homeless persons are given emergency motel vouchers, provided free voice mail boxes, and referred to local service programs, including housing assistance, job training, substance abuse treatment, counseling, and emergency food, health care, and other vital services.

In an effort to support homeless services despite limited funding availability, Pinole provides financial support to facilities and service providers in the area, particularly the Greater Richmond Interfaith Program (GRIP). The City will continue to prioritize its limited resources to support affordable housing solutions affordable to those with extremely-low, very-low, and low incomes, particularly those whom may experience homelessness or be at risk of losing access to permanent housing.

Emergency shelters are defined by the California Health and Safety Code Section 50801 as "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay." The City recently amended the Zoning Code to permit the development of emergency shelters by right in the Office Industrial Mixed Use (OIMU) zone.

Table 6.22
Homeless Facility Inventory

Facility Name	Location	Groups Served	Total Year-Round Beds
Interim Housing (Emergency Shelters)			
Bay Area Crisis Nursery	Richmond	Children	6
Calli House Youth Shelter	Richmond	Transition-age youth	6
Concord & Brookside Adult Interim Housing	Concord and Richmond	Single men & women	150
Greater Richmond Interfaith Program	Richmond	Families with children	75
Bay Area Rescue Mission	Richmond	Families with children	150
Love-A-Child Missions	Bay Point	Women with children	70
Transitional Housing			
Appian House: Youth	Richmond	Transition-age youth	6
Bissel Cottages	Richmond	Transition-age youth	7 to 9
Greater Richmond Interfaith Program	Richmond	Families with children	75
Project Independence	Richmond	Mixed	25
Rescue Mission	Richmond	Single men & women with children	22
Permanent Housing			
Alvarez Court	Pinole	HIV/AIDS	19
Garden Parks Apartments	Pleasant Hill	HIV/AIDS, Small families	27
Greater Richmond Interfaith Program	Richmond	HIV/AIDS	8
Barrett Apartments	Richmond	Single men & women	5
Idaho Apartments	Richmond	Single men & women	28
Mary McGovern House	Concord	Single men and women	6

Source: 2-1-1 Contra Costa County, http://cccc.bowmansystems.com, 2014.

HOUSING STOCK CHARACTERISTICS

As of 2013, the City of Pinole and Contra Costa County have housing stocks that are similar in composition, though the County does have a slightly higher proportion of multi-family units. As shown in **Table 6.23**, Department of Finance figures from January 1, 2013, show that 79 percent of homes in Pinole are single-family homes. This figure is slightly higher than the County, where 74 percent of all homes are single-family units.

Table 6.23
Number and Type of Housing Dwelling Units

Housing Type	City of Pinole		Contra Costa County	
	Number	Percentage	Number	Percentage
Detached	5,053	71%	268,864	67%
Attached	613	9%	31,652	8%
Total Single-Family	5,666	79%	300,516	74%
2-4 Units	497	7%	28,565	7%
5+ Units	962	13%	67,704	17%
Total Multi-Family	1,459	20%	96,269	24%
Mobile Homes/other*	36	1%	7,269	2%
Total Units	**7,161**	**100%**	**404,054**	**100%**
Vacancy Rate**	**5.4%**		**6.2%**	

Notes:
** = "Other" includes boat, RV, van, etc.*
*** = Vacancy rate estimates based on data from the 2010 U.S. Census*
Sources: 2010 Decennial U.S. Census; and State of California, Department of Finance, 2013.

Housing age is an important indicator of housing condition within a community as housing is subject to gradual deterioration over time. As a general rule in the housing industry, structures older than 30 years begin to show signs of deterioration and require reinvestment to maintain their quality. Unless properly maintained, homes older than 50 years often require major renovations to remain in good condition. If not properly and regularly maintained, housing can deteriorate and discourage reinvestment, thereby depressing neighboring property values and impacting the quality of life in a neighborhood. Maintaining and improving housing quality is an important goal for the City.

Table 6.24 displays the age of Pinole's occupied housing stock by tenure, as of 2011. Nearly three quarters of Pinole's housing stock (71 percent) was built prior to 1980 and is at least 30 years old. Housing rehabilitation needs in the community will, therefore, become increasingly important during the upcoming planning period.

Table 6.24
Age of Housing

Year Structure Built	Percentage of Total
Built 2000 or Later	3%
Built 1990 to 1999	7%
Built 1980 to 1989	19%
Built 1970 to 1979	21%
Built 1960 to 1969	26%
Built 1950 to 1959	15%
Built 1940 to 1949	4%
Built 1939 or earlier	5%
Total	**100%**

Source: U.S. Bureau of the Census, American Community Survey (ACS), 2007-2011.

Housing Conditions Survey

In order to better assess current housing conditions, the City undertook a windshield housing survey in August 2009, taking inventory of 6,186 of Pinole's 7,032 units. This 2009 survey assesses the conditions of housing within the incorporated area of the City of Pinole. According to the survey results, the majority of units were in either sound condition or in need of minor repairs.

City staff used the following set of definitions to categorize housing conditions:

- **Sound** – A unit that appears new or well maintained and structurally intact. The foundation should appear structurally undamaged and there should be straight roof lines. Siding, windows, and doors should be in good repair with good exterior paint condition. Minor problems such as small areas of peeling paint and/or other maintenance items are allowable under this category. Costs for necessary repairs to the structure are less than $10,000.
- **Minor** – A unit that shows signs of deferred maintenance or which needs repair or replacement of only one major component, such as a roof. Costs for necessary repairs to the structure range from $10,000 through $25,000.
- **Moderate** – A unit in need of replacement of one or more major components and other repairs, such as roof replacement, painting, and window repairs. Costs for necessary repairs to the structure range from $25,000 to $50,000.
- **Substantial** – A unit that requires replacement of several major systems and possibly other repairs (e.g., complete foundation work, roof structure replacement and re-roofing, as well as painting and window replacement). Costs for necessary repairs to the structure range from $50,000 to $75,000.
- **Dilapidated** – A unit suffering from excessive neglect, where the building appears structurally unsound and maintenance is non-existent, may not be fit for human habitation in its current condition and may be considered for demolition. For these units,

major rehabilitation will be required. Costs for necessary repairs to the structure are greater than $75,000.

Table 6.25
Pinole Housing Conditions

Condition	Percentage
Sound	68.6%
Minor	16.0%
Moderate	13.0%
Substantial	1.5%
Dilapidated	0.9%
Total	**100%**

Pinole Community Development Department 2009 Housing Conditions Survey

Table 6.25 summarizes the overall condition of all homes surveyed in the City. Approximately 85 percent of the homes were found to be in sound condition or in need of minor repairs. Roughly 13 percent of the homes surveyed were found to be in moderate condition. Approximately 1.5 percent of the homes surveyed fell into the substantial category. These homes require many repairs and replacements that often include structural needs (i.e., roofs or foundations). Less than one percent were found to be dilapidated properties.

Housing Tenure

According to the 2010 Census, and as shown in **Table 6.26**, about 72 percent of the occupied housing units in Pinole were owner-occupied and 28 percent were renter-occupied. Contra County as a whole had a slightly lower proportion of owner-occupied units (67 percent), while 33 percent of the County's homes were renter-occupied.

Table 6.26
Housing Tenure

Tenure of Units	City of Pinole		Contra Costa County	
	Number	Percentage	Number	Percentage
Owner-Occupied	4,861	72%	251,904	67%
Renter-Occupied	1,914	28%	123,460	33%
Total Occupied*	**6,775**	**100%**	**375,364**	**100%**

*Note: * = Units reflect total occupied units.*
Source: 2010 U.S. Census

Assisted Units at Risk of Conversion

Assisted housing developments at risk of conversion are affordable, multifamily rental housing projects receiving government assistance under federal, state, and/or local programs that are eligible to change to market-rate projects due to termination of rent subsidies or expiration of

other use restrictions. A list of all affordable units with covenanted affordability restrictions in place is included in **Table 6.27**. Due to the potential impact of the loss of these units on a community's ability to provide affordable housing, Housing Element law requires all jurisdictions to include an analysis of all low income housing units which may be lost as a result of the expiration of some type of affordability restrictions within the planning period (2015–2025). The law requires that the analysis cover a ten-year period.

According to HUD, there are no HUD-assisted rental properties in the City of Pinole that may be at risk of opting out of programs that keep them affordable to very low and low income households over the Housing Element at-risk analysis period. However, a number of affordability covenants and deed restrictions used by the former Pinole Redevelopment Agency to maintain the affordability of city-assisted affordable housing may be at risk of conversion. Redevelopment housing funds were used in the renovation of a number of multi-family housing complexes in Pinole. The affordability covenants recorded against the property in return for the subsidy work to ensure that these units are available to moderate and lower income households in the long term.

A number of the former Agency's affordability covenants recorded before the Legislature's 2001 revision of minimum thresholds for affordability were adopted are now nearing their expiration dates. **Table 6.27** summarizes the affordable units at risk of conversion over the 2015 to 2025 Housing Element at-risk analysis period. All of the assisted units identified as at risk of conversion are units which have received funding from the former Pinole Redevelopment Agency.

Table 6.27
Units at Risk of Conversion

Project Name	Total Units	Assisted Units at Risk	Funding Source	Expiration of Affordability
Not At-Risk:				
800 John Street (Pinole Grove Senior Housing)	70	36 moderate income; 34 very low income	RDA	2043
1813 Marlesta (East Bluff Apartments)	144	73 moderate income; 42 low income; 29 very low income	RDA	2053
2401 San Pablo Avenue	24	14 moderate income; 2 very low income	RDA	2056
2850 Estates Avenue (Pinole Assisted Living Center/ Pinole Senior Village / PALC)	91	55 moderate income; 10 very low income	RDA	2055
760 Alvarez Avenue (Alvarez Court Apartments)	19	11 moderate income; 8 very low income	RDA HUD Section 202/811	2058
312, 336, 360, 424, 448, 460 Felice Circle (DeNova Homes)	38	6 moderate income	RDA	2061
647 Tennent Avenue	3	1 very low income	RDA	2063
Subtotal	**389**	**321**		
At-Risk:				
885 Fifth Avenue	4	1 low income	RDA	2014
1965 San Pablo Avenue	5	1 low income	RDA	2014
1520 San Pablo Avenue	4	3 moderate income; 1 low income	RDA	2015
950 Appian Way	3	1 moderate income; 1 low income; 1 very low income	RDA	2015
2529 San Pablo Avenue	2	1 moderate income	RDA	2015
2548 San Pablo Avenue	4	4 moderate income	RDA	Life of Project Area (currently 2017)
815 San Pablo Avenue	4	2 moderate income	RDA	2017
2395 San Pablo Avenue (Pear Street Bistro)	4	3 moderate income; 1 very low income	RDA	2017
530 Sunnyview Drive (Bayside Apartments)	148	71 moderate income; 22 very low income	RDA	2017
Subtotal	**178**	**113**		
Total	**567**	**434**		

Source: City of Pinole, 2014.

At-Risk Affordable Rental Housing: 2015-2025

The following projects with affordable units are considered at risk of converting to market-rate housing between 2015 and 2025.

885 Fifth Avenue is a four-unit housing complex in Pinole. In exchange for assistance through the former Redevelopment Agency's Multi Family Residential Rehabilitation Program, the development has set aside one two-bedroom unit as affordable for a low income household. The affordability restriction on the unit is set to expire in 2014.

1965 San Pablo Avenue is a five-unit housing complex in Pinole. In exchange for assistance through the former Redevelopment Agency's Multi Family Residential Rehabilitation Program, the development has set aside one unit as affordable for a low income household. The affordability restriction on the unit is set to expire in 2014.

2548 San Pablo Avenue is a mixed-use project in a converted Queen Anne Victorian in Old Town Pinole with four apartment units. In exchange for assistance from the former Redevelopment Agency, the development has made all four units affordable to households at the moderate income level through the life of the Redevelopment Agency (currently 2017).

815 San Pablo Avenue is a mixed-use project featuring two studio apartments and two two-bedroom apartment units. In exchange for construction loan financing from the former Redevelopment Agency, two of the units are required to remain affordable for moderate income households through 2017.

1520 San Pablo Avenue is a fourplex with affordability restrictions in place that require one unit to be made affordable at the low income level and three units to be made affordable at the moderate income level. The affordability requirements, put in place in exchange for upgrades completed through the former Redevelopment Agency's Multiple Family Residential Rehabilitation Program, are set to expire in 2015.

950 Appian Way is a triplex with affordability requirements in place. In exchange for assistance through the former Redevelopment Agency's Multiple Family Residential Rehabilitation Program, covenants require one very low income unit, one low income unit, and one moderate income unit at the property. The affordability covenants are set to expire in 2015.

2529 San Pablo Avenue is a mixed-use development with two housing units. Affordability requirements are in place for one unit to remain affordable at the moderate income level through 2015, in exchange for assistance from the former Redevelopment Agency in the rehabilitation of the building to its current use.

2395 San Pablo Avenue is a mixed-use development featuring four units of housing above the Pear Street Bistro in Old Town Pinole. As a result assistance from the former Redevelopment Agency in the construction of the building, one unit is under covenant to remain affordable at the very low income level and three units are under covenant to remain affordable at the moderate income level. These affordability covenants are set to expire in 2017.

530 Sunnyview Drive is a 148-unit Bayside Apartment complex in Pinole. In exchange for a Redevelopment Agency loan for rehabilitation, affordability covenants are in place requiring 71

units be made affordable at the moderate income level and 22 units be made affordable at the very low income level. The affordability covenants are set to expire in 2017.

Preservation and Replacement Resources

To maintain the existing affordable housing stock, the City must either preserve the existing affordable units or replenish the affordable housing inventory with new units. Depending on the circumstances of at-risk projects, a number of options may be pursued to preserve or replace the units. Preservation options may include: 1) transfer the project to non-profit ownership; 2) provide rental assistance to tenants using non-federal funding sources; 3) purchase of affordability covenants, and 4) construct new replacement units. With regard to replacement, the most direct option is the development of new assisted multi-family housing units.

Transfer of Ownership

Transferring ownership of an at-risk project to a non-profit housing provider is generally one of the most cost effective means of ensuring that the at-risk units remain affordable for the long-term. By transferring property ownership to a non-profit, affordability restrictions can be secured for 55 years and the project would become eligible for a greater range of governmental assistance. A partial list of some potential non-profit entities with which the City might partner are listed below.

- ACLC Dewey Housing, Inc.
- Allied Housing
- BRIDGE Housing Corporation
- C. Sandidge and Associates
- Christian Church Homes (CCH)
- Community Housing Developers, Inc. (CHD)
- Community Housing Development Corporation (CHDC)
- Community Housing Opportunities Corporation (CHOC)
- Contra Costa Department of Conservation and Development
- East Bay Asian Local Development Corporation (EBALDC)
- Eden Housing, Inc.
- Eskaton Properties, Inc.
- Foundation for Affordable Housing, Inc. (FFAH)
- Northern California Land Trust, Inc. (NCLT)
- Oakland Community Housing, Inc. (OCHI)
- Pacific Community Services, Inc. (PCSI)
- Phoenix Programs Inc.
- Resources for Community Development (RCD)
- Neighborhood Housing Services of Richmond, Inc.
- Retirement Housing Foundation
- Rubicon Programs, Inc.
- Rural California Housing Corporation (RCHC)
- Satellite Affordable Housing Associates

Transferring property ownership to a non-profit housing organization to secure long-term low income restrictions is an option best suited for units in a complex of a certain size. As a whole, this is not a viable option for the replacement of many of these units which are part of small housing and mixed-use developments. In addition, this option is complicated by the fact that it is not possible to acquire only the affordable unit(s) in each project, thus all 178 units in the various developments would have to be acquired in whole. It is not likely that all property owners would agree to sell, nor is it likely that a qualified non-profit housing organization would be interested in taking on a number of separate, small housing projects. Thus, this is not the best strategy for preserving all at-risk units. However, it may be a viable option for preserving (and possibly expanding) affordability at 530 Sunnyside Drive (Bayside Apartments) in the event that the 148 unit complex could be acquired by a qualified non-profit. The estimated market value of both the for-profit units at risk and total units at Bayside Apartments is provided in **Table 6.28.**

Current market value for the at-risk and total units is estimated on the basis of the units' potential annual income, and operating and maintenance expenses. As indicated, the estimated market value of the stock of affordable housing at Bayside Apartments is $17.5 million. While the estimated value of all units at Bayside Apartments is estimated at $27.7 million. These estimates are provided for the purpose of comparison and understanding the magnitude of costs involved and does not represent the precise market value of this project. The actual market value at time of sale would depend on market and property conditions, lease-out/turnover rates, among other factors.

Table 6.28
Market Value of Units at 530 Sunnyside Drive (Bayside Apartments)

Unit Information	At-Risk Units	Total Units
Two-Bedroom Units	79	126
Three-Bedroom Units	14	22
Annual Operating Cost	$377,019	$606,879
Gross Annual Income	$1,772,905	$2,819,402
Net Annual Income	$1,395,886	$2,212,523
Market Value	**$17,448,578**	**$27,656,543**

Market value is estimated with the following assumptions:
1. *Average market rent based on Fair Market Rents (FY 2014) established by HUD two-bedroom unit = $1,578, and three-bedroom unit = $2,204).*
2. *Average size is assumed to be: 864 square feet for a two-bedroom/one-bathroom apartment, 964 square feet for a two-bedroom/two-bathroom apartment, and 1,109 square feet for a three-bedroom/two-bathroom apartment.*
3. *Annual income is calculated on a vacancy rate = 5%.*
4. *Annual operating expenses per square foot = $4.50.*
5. *Market value = Annual net project income*multiplication factor.*
6. *Multiplication factor for a building in good condition is 12.5.*

Source: Veronica Tam and Associates, 2014.

Rental Assistance

Rental subsidies using non-federal (State, local, or other) funding sources can be used to maintain affordability of at-risk units. These rent subsidies could be structured to mirror the federal Section 8 program through HUD, which pays the difference between what tenants can pay (30 percent of household income) and what HUD estimates to be the Fair Market Rent of the unit. The feasibility of this option is highly dependent on the availability of funding sources necessary to make subsidies available as well as the willingness of property owners to accept rental vouchers. Given the uncertainty of the current economic climate, there is no certainty that this type of funding would be available between 2015 and 2025.

An estimate of the total amount needed to subsidize the rent for the tenants to remain in the at-risk projects is shown in **Table 6.29**. Currently, market rate rents in Pinole are generally affordable at the moderate income level; therefore, the 85 at-risk moderate income units do not require additional subsidies to maintain their affordability. Given the unit mix of the 28 at-risk units affordable at the very low and low income levels, the total cost of subsidizing the rents for these units is estimated at $267,000 annually. For a ten-year affordability covenant, a total subsidy of more than $2.7 million would be needed.

Table 6.29
Rental Subsidies Required

Unit Size/Household Size	Number of Units	Fair Market Rent[1]	Household Annual Income	Affordable Housing Cost[5]	Monthly per Unit Subsidy[6]	Total Monthly Subsidy
Very Low Income (50% AMI)[2]						
0 Bedroom/ 1 person household	1	$1,035	$32,750	$491	$544	$544
1 Bedroom/ 2 person household	1	$1,255	$37,400	$561	$694	$694
2 Bedroom/ 3 person household	22	$1,578	$42,100	$631	$947	$20,834
Low Income (80% AMI)[3]						
2 Bedroom/ 3 person household	4	$1,578	$60,850	$1,521	$57	$228
Moderate Income (120% AMI)[4]						
0 Bedroom/ 1 person household	2	$1,035	$78,550	$1,964	$0	–
1 Bedroom/ 2 person household	7	$1,255	$89,750	$2,244	$0	–
2 Bedroom/ 3 person household	62	$1,578	$101,000	$2,525	$0	–
3 Bedroom/ 4 person household	14	$2,204	$112,200	$2,805	$0	–
Total Monthly	**28[7]**	**$22,300**				
Total Annual Subsidy		**$267,600**				

Notes:
1. Fair Market Rent (FMR) is determined by HUD. These calculations use the 2014 HUD FMR for Contra Costa County.
2. Rents are restricted to 50% AMI for these units, which puts residents in the Very Low Income Category, set by the California Department of Housing and Community Development (HCD), 2014.
3. Rents are restricted to 80% AMI for these units, which puts residents in the Low Income Category, set by the California Department of Housing and Community Development (HCD), 2014.
4. Rents are restricted to 120% AMI for these units, which puts residents in the Moderate Low Income Category, set by the California Department of Housing and Community Development (HCD), 2014.
5. The affordable housing cost is calculated based on 30% of the AMI, minus utilities for rentals.
6. The monthly subsidy covers the gap between the FMR and the affordable housing cost.
7. This total excludes the 85 at-risk units affordable at the moderate-income level.
Source: Veronica Tam and Associates, 2014.

Purchase Affordability Covenants

This option would be achieved by providing an incentive package to property owners to maintain a project as affordable housing. Incentives could include funding for improvements and writing down the interest rate on a remaining loan balance in exchange for securing guaranteed affordable units. The feasibility of this depends upon whether the complex is too highly leveraged as well as upon the availability of funds to invest large sums.

This option would require working with each property owner to determine necessary improvements to the site and other means through which the City could contribute to the health

of the project while securing long-term affordability. This option gives some flexibility for both parties to come to terms on a mutually beneficial agreement.

Construction of Replacement Units

The construction of new low-income housing units is a means of replacing the at-risk units should they be converted to market-rate units. The cost of developing housing depends on a variety of factors, including density, size of the units (i.e., number of bedrooms), location, land costs, and type of construction. There has been no recent construction of multi-family rental housing in Pinole from which to derive accurate construction costs for rental residential units. The feasibility of this option depends on having community support, adequately sized parcels for development and developers interested in producing affordable rental housing.

Based on general assumptions for average construction costs, it would cost approximately $14.7 million to construct 113 affordable replacement units, excluding land costs and other soft costs (such as architecture and engineering)(**Table 6.30**). Including these costs, the total costs to develop replacement units would be significantly higher. This analysis, however, likely understates the true cost of replacing the units, as it would be quite difficult to assemble an appropriate combination of subsidies to develop a similar project with the same mix of unit sizes and affordability levels. In addition to cost, the feasibility of this option would depend on finding a qualified developer to take on a project of this size as affordable housing developers tend to need to develop larger projects in order to make the project financially feasible.

Table 6.30
Estimated New Construction Costs

Unit Size	(A) Total Units	(B) Estimated Average Unit Size (sq. ft.)	(C) Estimated Gross Building Size	(D) Estimated Gross Building Costs
0 Bedroom	3	500	1,800	$218,858
1 Bedroom	8	625	6,000	$729,525
2 Bedroom	88	897	94,723	$11,517,157
3 Bedroom	14	1,109	18,631	$2,265,321
Total	**113**		**121,154**	**$14,730,861**
Average Per Unit Cost:				**$130,362**

Notes:
(C) = (A) x (B) x 1.20 (i.e. 20% inflation to account for hallways and other common areas).
(D) = (C) x $97.27 (per square foot construction costs) x 1.25 (i.e. 25% inflation to account for parking and landscaping costs).
Source: Veronica Tam and Associates, 2014.

Financial Resources for the Preservation of At-Risk Units

Federal Resources

Community Development Block Grant Program (CDBG). CDBG is the largest federal housing-related program for affordable housing. It is a "pass-through" program that allows local governments to use federal funds to alleviate poverty and blight. CDBG funds are used for a variety of housing efforts including activities aimed at reducing costs for private development (helping fund site acquisition, improvement, and other soft costs); housing acquisition and rehabilitation through short and long-term loans, grants or loan guarantees; direct payment of rent or mortgage and housing counseling services; and fair housing activities. CDBG funds are best used in combination with other subsidy sources or to provide pre-development funding to initiate housing development. The City of Pinole is under the jurisdiction of the Contra Costa Urban County and receives CDBG funds through the Urban County. Generally these funds are used to help support implementation of the Contra Costa Homeless Continuum of Care Plan, providing programs and services for homeless individuals and families, people at-risk of homelessness, and other special needs groups.

HOME Investment Partnership Act. HOME, like CDBG, is a formula-based block grant program. HOME funds must be spent only on housing and are intended to provide incentives for the acquisition, construction and rehabilitation of affordable rental and home ownership. HOME requires local governments to provide matching funds, though the matching ratio depends on the specific uses to which HOME funds are to be applied. The federal-to-local matching ratio for tenant assistance is currently four-to-one, while the match for rental construction is two-to-one. HOME funds in West Contra Costa are channeled through the Contra Costa County HOME Investment Partnership program.

Section 8 Assistance. Although this long-standing federal assistance program is not expected to increase in size or scope, it remains an important program for helping to fill the gap between household income and housing costs. Section 8 assistance in Pinole is administered by the Contra Costa County Housing Authority.

Low Income Housing Tax Credits (LIHTC). The LIHTC program is a large federal and state housing subsidy program that provides substantial financing for the development of affordable housing. It provides tax credits to the private sector for the construction or acquisition and rehabilitation of very affordable rental housing. These tax credits are crucial to the success of affordable housing developers, who sell credits directly to corporations and private investors or receive the equity from one of a number of investment entities now making tax credits available.

To be eligible for a tax credit, 20 percent of the units in a housing development must rent to very low income households earning less than 50 percent of area median incomes, or 40 percent of the units must rent for incomes under 60 percent of the median. California law also requires that developments retain these levels of affordability for at least 55 years.

Both federal and state tax credit programs are administered by the State Treasurer's Office through the California Tax Credit Allocation Committee (CTCAC), which allocates the available credits to projects statewide. TCAC administers two LIHTC programs: the nine percent (for projects with no federal subsidy) and the four percent credit programs (for projects with federal

subsidies and more than 50 percent of financing through tax-exempt bonds). The nine percent credit program, which has limited funds and is highly competitive, awards credits based on a combination of formula and competition so that those meeting the highest housing priorities have first access to credits. The four percent program has no funding limit but is available only with projects that have an allocation of Mortgage Revenue Bonds. It also has limited funds, but is less competitive than the nine percent program. Funds raised from the sale of four percent credits typically cover 20-30 percent of project costs. Generally the maximum credit allocation is the amount needed to fill the financing shortfall, and the amount needed is determined at least thrice: at the time of application, at the time of allocation, and when placed-in-service.

To be successful, tax credit projects require an additional subsidy which can include no or low-cost land, local government contributions, or density bonuses and other concessions. While the utilization of the tax credits depends primarily on the project's developer, local government must work with the developer to identify other strategies and subsidy sources that are appropriate with tax credits and provide the additional subsidies usually required to make them work. Collaboration between the developer and the local government often with the help of a professional specializing in tax credits and other financial tools is the key to a successful tax credits program.

Other Federal Funding Sources. Other programs that are offered through federal agencies include Housing for Persons with AIDS (HOPWA), the Emergency Shelter Grant (ESG), the Elderly Housing Program (Section 202), the Housing for the Disabled Program (Section 811), and a variety of FHA administered rental programs. Like Section 8, most of these programs are not projected to increase in size or scope in the foreseeable future.

State Resources

The California Debt Limit Allocation Committee (CDLAC). CDLAC, an agency within the Treasurer's Office, is responsible for overseeing private bond issuances.

The California Tax Credit Allocation Committee (CTCAC). CTCAC, also an agency within the Treasurer's Office, is responsible for allocating federal and state tax credits that are crucial to the construction and rehabilitation of affordable housing developments. See the discussion of Low Income Housing Tax Credits on the preceding page.

California Housing Finance Agency (CHFA). CHFA offers a variety of programs to fund new construction and resale of single-family housing for first-time homebuyers. The 501(c)(3) Preservation Mortgage Program, for example, allows the mortgage to be used as acquisition financing for projects that employ tax-exempt bonds and tax credits. CHFA also provides permanent financing for new apartments and subsidizes certain projects through its Housing Assistance Trust, a flexible source of state funds that can offer deferred loans to cover negative cash flows in projects where at least half of the units are for low-income households.

Department of California Housing and Community Development (HCD). HCD is responsible for administering federal funds for n-entitlement jurisdictions and for various State programs funded through housing bonds. In the past decade there have been no new housing bonds. However,

with passage of the Multifamily Housing Assistance Program, a substantial source of funds will be made available to assist in the construction of new rental housing.

HCD's Clearinghouse for Affordable Housing and Community Development Finance is an excellent source of information on over 200 housing programs offered by the federal and state government, private lenders and foundation grants. It can be accessed on-line at http://www.hcd.ca.gov/clearinghouse. The database specifies applicants and counties served by each program. It can be searched by types of assistance (which includes construction/ rehabilitation loans, down-payment assistance, rental subsidies or predevelopment/interim finance); and activities funded (which includes acquisition, preservation of affordable housing, new-for sale housing, purchase assistance, rehabilitation of apartments, group homes and transitional housing amongst others).

The City will continue to monitor rents of at-risk affordable units and be prepared to work with the owners to examine the options for preserving affordability outlined above. It is likely that for the two units at-risk of conversion in 2014 (885 Fifth Avenue and 1965 San Pablo Avenue), the best option for maintaining the same number of affordable units will be to capture replacement units through a new project, which can be structured to provide additional affordable units. For the units at-risk of conversion between 2015 and 2017, the preservation and replacement strategy should pursue both the purchase of affordability covenants and construction of replacement units. Where feasible, the City should aim to place affordable units under management familiar with affordable housing requirements.

In this new era of financial uncertainty, loss of affordable units through the foreclosure process is now a potential threat that previously seemed unlikely. The City continues to monitor housing units in various states of foreclosure as well as all units in the affordable housing portfolio, to ensure that existing affordability covenants are protected. As of January 2014, 27 properties were listed in various states of foreclosure. According to Zillow.com, the City has a foreclosure rate of 0.9 home per 10,000 homes as of June 2014, compared to 1.4 homes in the San Francisco/Bay Area region or 4.3 homes in the nation, and down from the peak of 38.5 homes in August 2008.

REGIONAL HOUSING NEEDS

Future Need

Future housing needs refer to Pinole's "fair share" of the projected future housing need in the region in which it is located. For Pinole and other Bay Area jurisdictions, the regional housing need is determined by the Association of Bay Area Governments (ABAG), based upon an overall regional housing need number established by the State. In accordance with state law, ABAG has determined the fair share of the regional housing need that must be planned for by each Bay Area jurisdiction during the 2014 to 2022 planning period, slightly off set from the timeframe of the Housing Element.

State law also requires that the allocation of regional housing needs consider the need for housing across all income levels and "seek to reduce the concentration of lower income households in cities or counties which already have disproportionately high proportions of low

income housing." That need is divided into the five income categories of housing affordability based on HCD's Area Median Income limits:

- Extremely Low Income: Below 30 percent AMI
- Very Low Income: 30-50 percent AMI
- Low Income: 50-80 percent AMI
- Moderate Income: 80-120 percent AMI
- Above Moderate Income: 120 percent AMI and above

Table 6.31 summarizes the regional housing needs by income level for Pinole. In addition, **Table 6.32** summarizes future regional needs for all jurisdictions in Contra Costa County. Pinole's allocation for the 2014-2022 period is 297 total units, including: 80 (27 percent) units affordable to very low income households; 48 (16 percent) units affordable to low income households; 43 (14 Percent) units affordable to moderate income households; and 126 (42 percent) units affordable to above moderate income households. Through this Housing Element, the City is required to demonstrate the availability of adequate sites to accommodate these projected new units. This requirement is further discussed in Section 4: Housing Opportunities.

Table 6.31
Pinole Regional Housing Needs (2014-2022)

Extremely Low[1]	Very Low	Low	Moderate	Above Moderate	Total
40	40	48	43	126	297
27%		**16%**	**14%**	**42%**	100%

Note: [1]Assumes 50 percent of unit allocation will be for extremely low income households.
Source: ABAG, 2014-2022

Table 6.32
Contra Costa County Regional Housing Needs Allocation (2014-2022)

Location	Very Low[1]	Low	Moderate	Above Moderate	Total
Antioch	349	205	214	680	1,448
Brentwood	234	124	123	279	760
Clayton	51	25	31	34	141
Concord	798	444	559	1,677	3,478
Danville	196	111	124	126	557
El Cerrito	100	63	69	166	398
Hercules	220	118	100	244	682
Lafayette	138	78	85	99	400
Martinez	124	72	78	195	469
Moraga	75	44	50	60	229
Oakley	317	174	175	502	1,168
Orinda	84	47	54	42	227
Pinole	**80**	**48**	**43**	**126**	**297**
Pittsburg	392	254	316	1,063	2,025
Pleasant Hill	118	69	84	177	448
Richmond	438	305	410	1,282	2,435
San Pablo	56	53	75	265	449
San Ramon	516	279	282	340	1,417
Walnut Creek	604	355	381	895	2,235
Unincorporated	374	218	243	532	1,367
County Total	5,264	3,086	3,496	8,784	20,630

Note: [1]Assumes 50 percent of unit allocation will be for extremely low income households.
Source: ABAG, 2014-2022.

HOUSING CONSTRAINTS

The provision of adequate and affordable housing opportunities is an important goal of the City. However, a variety of factors can constrain the development, maintenance, and improvement of housing. This section describes these constraints, including private market forces, governmental codes and regulations, as well as the physical and natural environment, and analyzes the impact on the production and preservation of housing.

MARKET CONSTRAINTS

Land costs, construction costs, and market financing contribute to the cost of housing development and can potentially hinder the production of new housing. Median home prices and the local and regional real estate market also influence the availability and affordability of housing. Although constraints such as these are largely driven by market forces, the local jurisdiction may have some leverage in instituting policies and programs that minimize the effects of these constraints. This section analyzes constraints brought about by market forces as well as the activities that the City may undertake to mitigate their effects.

Vacant Land

Vacant land within the City of Pinole is limited. The value of potential residential land has become a substantial factor in the cost of providing housing. There is only a small quantity of vacant land and much of it is burdened with development constraints and may not be well-suited for development. Redevelopment of existing underdeveloped land may be possible, but is also a costly undertaking. Other contributors to the cost of land are allowable densities, location, site constraints, availability of community services, attractiveness of the neighborhood and any restrictions on development.

Development Costs

Construction costs in Pinole currently range between $205 and $240 per square foot.[4] Actual construction costs will vary significantly based upon the quality of the materials used, the size of the unit and the lot, the location, as well the number and quality of amenities incorporated in the design. Construction costs for an average multiple family unit are generally about 20 to 25 percent less per square foot.

A reduction in the number of amenities and quality of building materials (above a minimum threshold to ensure compliance with building codes and health and safety regulations), could result in lower prices. In addition, options such as prefabricated factory-built housing could provide for lower priced housing through reduced construction and labor costs. Construction costs are also related to the number of units built at one time; as the number increases, costs generally decrease as builders benefit from economies of scale. Developments in Pinole will likely not benefit from economies of scale due to the generally small size of parcels available for development.

[4] Estimates based on International Code Council Building Valuation Data tables, using the rate of increase for residential construction between Feb 2009 and Feb 2014

Home Financing

The availability of financing directly impacts a person's ability to purchase or improve a home. During the early to mid-2000s, lenders provided an increasing number of subprime loans, and, in response to high housing costs, many lenders provided mortgages of up to 95 percent of the value of the home, rather than the traditionally allowed 80 percent. In 2006 and 2007, borrowers began to default on those loans. In 2008, lenders significantly tightened their lending standards. In 2014, lending standards remain tight. Underwriting criteria continue to be stringent and borrowers typically must have at least 20 percent of the purchase price for a down payment and must have a high credit score to obtain competitive financing. Although it is currently difficult for all but the most credit worthy borrowers to secure a mortgage loan, funds are available and mortgage rates remain low.

Table 6.33 shows the disposition of home loan applications for homes in Pinole in 2007 and 2012. As shown, 2007 had a significant larger number of loan applications for home purchase and refinancing, but with lower approval rates than in 2012. Use of government-backed financing in 2007 was limited. However, in 2012, government-backed financing (such as FHA) had almost the same level of success as conventional financing. Home improvement financing is limited. Only 61 households applied for home improvement loans in 2012, with less than half being approved.

Table 6.33
Disposition of Home Loans (2007 and 2012)

Loan Type	Total Applicants		Percent Approved		Percent Denied		Percent Other	
	2007	2012	2007	2012	2007	2012	2007	2012
Government-Backed Purchase	4	345	50.0%	73.0%	25.0%	15.1%	25.0%	11.9%
Conventional Purchase	1,265	428	60.6%	68.9%	27.8%	17.3%	11.6%	13.8%
Refinance	3,983	2,251	51.9%	64.8%	31.3%	17.9%	16.8%	17.2%
Home Improvement	559	61	55.5%	44.3%	29.2%	41.0%	15.4%	14.8%
Total	**5,811**	**3,085**	**54.1%**	**65.9%**	**30.4%**	**18.0%**	**15.5%**	**16.1%**

Source: wwww.lendingpatterns.com, 2014.

Federal, state, and local housing programs, particularly first-time homebuyer programs and similar mortgage assistance programs, can be a useful tool for providing help with down payment and closing costs, which can be significant obstacles to home ownership for lower income and minority groups. In 2008, Pinole revised the down payment assistance program offered through the former Redevelopment Agency and contracted with a consultant specializing in affordable housing to administer the program. Additionally, the consultant provided prospective buyers with information about assistance outside the Agency's program and educated buyers about the home purchase and ownership process. The Program had some success in helping eligible households achieve homeownership, until the Agency was dissolved and the funding was eliminated by State law in 2012.

Construction of a number of entitled developments in Pinole was delayed during the economic downturn, including mixed-use projects in Old Town Pinole and in the Specific Plan corridors. This was due in part to increased difficulty in obtaining construction financing as well as developers' desire to wait until both the housing and commercial markets had begun to recover.

GOVERNMENTAL CONSTRAINTS

The City of Pinole is empowered with the authority to regulate the location, timing, density, and type of residential development that occurs within the City. This authority is asserted in several ways, including land use controls, site improvement requirements, fees and exactions, permit processing procedures, and other factors that may influence the development, maintenance, and improvement of housing. While intended to protect the interests of residents, property owners and businesses, local regulations can result in potential barriers to the production of housing. Like all local jurisdictions, the City of Pinole has a number of procedures, fees, and regulations it requires any developer to follow. Additionally, like any agency, the City is also constrained by resource availability and other factors beyond its control. Below is a summary of key issues:

Resource Availability

The City of Pinole receives funding for its operations and special projects from a variety of sources, a number of which took hard hits during the recession beginning in 2007. Funding continues to be scarce. Revenue from sales tax decreased dramatically after the 2007-2008 fiscal year and had increased to 99 percent of the 2007-2008 level during the 2012-2013 fiscal year, a five-year period that saw an increase of 8 percent in the Consumer Price Index[5]. State law dissolution of the Redevelopment Agency removed tax increment as a source of funding for affordable housing. Collectively, the reduction in revenues, along with takeaways during the previous years in order to help balance the State budget, have hampered the City's ability to complete anticipated projects. As a result, the City's ability to fund housing projects is severely limited and will continue to be until other levels of government cease utilizing local government as a funding source for their financial shortfalls.

Land Use Controls

The City of Pinole sets forth policies to guide new development and the use of land within the city limits through its General Plan. These policies, in conjunction with the Three Corridors Specific Plan and Zoning Ordinance, control the amount and distribution of land allocated for different uses with the City and how this land can be developed.

The General Plan specifically identifies four residential land use designations, two single family and two multiple family, that are summarized in **Table 6.34**. Together these designations provide for a range of development densities from less than one dwelling unit per acre up to 50 dwelling units per acre. Mixed Use and Planned Development zoning have also been used to accommodate residential use throughout Pinole.

[5] City of Pinole Comprehensive Financial Report for the Fiscal Year Ended June 30, 2013, p. 97

In 2010, the City completed a comprehensive Zoning Ordinance Update along with a Specific Plan for its commercial corridors, including San Pablo Avenue, Pinole Valley Road, and Appian Way. Wherever possible, these documents aim to improve the clarity with which land use regulations are conveyed. Additionally, these planning documents include a revised set of land use categories with altered permitted densities. These adopted densities are included in the analysis of Opportunity Sites discussed in Section 4 of this Element.

Table 6.34
Adopted Residential Land Use Categories

General Plan Land Use	Zoning Consistent	Density (du/acre)	Residential Types
Low Density	LDR	0.21-1/acre	Single family dwellings in areas adjacent to open space or rural area
Suburban	R-1	1.1-10/ acre	Single family dwellings in typical subdivided areas
Medium Density	R-2	10.1-20/ acre	Two and three-story family dwellings with on-site open space areas
High Density	R-3	20.1-35/acre	Two and three-story dwellings near arterials, transit or commercial areas
Very High Density	R-4	35.1-50/acre	Higher density housing and apartments and condominiums

Source: City of Pinole General Plan, Three Corridors Specific Plan, and Zoning Ordinance

Development Standards

The City's Zoning Ordinance implements the development policies set forth in the General Plan by providing greater specificity on development standards such as densities, height, parking and setbacks. As with other cities, Pinole's development standards and requirements are intended to protect the long-term health, safety and welfare of the community while implementing the goals and policies of the General Plan. **Table 6.35** summarizes the most pertinent of these standards for single and multiple family residential zoning districts.

The Zoning Ordinance also dictates what types of housing may be located in the City, and in what locations. As shown in **Table 6.35**, Pinole's zoning standards for the residential zoning districts provide for a diversity of housing types to meet the needs of all economic and special need segments of the community. The Pinole Zoning Ordinance (Section 17.48) also establishes parking standards for various types of housing and other uses in the community. These standards, shown in **Table 6.35**, are typical of other communities in the Bay Area, but can pose a problem in areas where there is the opportunity for infill development. An attempt was made to reduce this constraint on mixed-use office/commercial residential projects through the introduction of reduced parking requirements for such projects. Parking requirements for mixed-use development projects (i.e., commercial/residential) are calculated using a formula that acknowledges the parking overlap between the two uses. These types of projects typically require 25 percent less parking than single use developments. In addition, for any infill project, the City can allow shared parking so long as the parking is within 300 feet of the project. Furthermore, to encourage the development of second units, the City allows uncovered or tandem parking for all second units.

Table 6.35
Residential Development Standards

	Low Density Residential LDR	Suburban Residential R-1	Medium and High Density R-2	Medium and High Density R-3	Very High Density R-4
Lot Area (sq ft) Per Unit	43,560	6,000	3,000	1,500	N/A
Improved Open Space on Lot (sq ft)	--	--	30% Minimum	30% Minimum	30% Minimum
Front Setback (ft)	20	20	0	0	0
Side Setback (ft)	10	5	5	5	5
Rear Setback (ft)	20	20	15	15	15
Maximum Height (ft)	35	35	35	35	50
On-site Parking (spaces per unit)*	Studio:1 1-4 beds:2 5+ beds:3	Studio:1 1-4 beds:2 5+ beds:3	Studio:1 1 bed:1 2+ beds:2	Studio:1 1 bed:1 2+ beds:2	Studio:1 1 bed:1 2+ beds:2

**Mixed use developments (i.e. developments combining residential land uses with commercial or industrial land uses) have a reduced parking requirement due to parking use overlaps. Additionally, R-2, R-3, and R-4 zones additionally require 0.3 spaces per dwelling unit for visitor parking.*
Source: City of Pinole General Plan and Zoning Ordinance.

Table 6.36 describes housing types by permitted uses in the residential zoning districts. The City has also adopted Residential Design Guidelines to aid in development review process by communicating City expectations prior to application submission.

Table 6.36
Housing Types Permitted by Residential Zoning District

	Low Density Residential LDR	Suburban Residential R-1	Medium Density Residential R-2	High Density Residential R-3	Very High Density Residential R-4
Single Family Detached	P	P	P	P	N
Single family Attached	N	N	P	P	N
Multiple Family (3+)	N	N	P	P	P
Second Units	P	P	P	N	N
Mobile Homes	CP	CP	CP	CP	CP
Manufactured Homes	P	P	P	P	P
Transitional Housing	N	P	CP	CP	P
Emergency Shelter	N	N	CP	CP	CP
Residential Care Facility (<7 beds)	P	P	P	P	P

Note: P = Permitted; CP = Conditionally Permitted; N=Not Allowed
Source: City of Pinole Zoning Ordinance

Various housing types are also allowed in zones that are not primarily residential, including zoning districts in the Three Corridors Specific Plan. **Table 6.37** shows housing types by permitted uses in the zoning districts that are not primarily residential. The Three Corridors Specific Plan includes: Residential Mixed Use (RMA), Commercial Mixed Use (CMU, and Office Industrial Mixed Use (OIMU), among other zoning districts. **Table 6.37** also describes housing types that are allowed in the Rural (R) zoning district.

Table 6.37
Housing Types Permitted in Other Zoning Districts

	Rural R	Residential Mixed Use RMU	Commercial Mixed Use CMU	Office Professional Mixed Use OPMU	Office Industrial Mixed Use OIMU
Single Family Detached	P	P	N	N	N
Single family Attached	N	P	P	P	N
Multiple Family (3+)	N	P	P	N	N
Second Units	P	P	N	N	N
Mobile Homes	CP	N	N	N	N
Manufactured Homes	P	N	N	N	N
Transitional Housing	N	CP	CP	N	N
Emergency Shelter	N	CP	CP	N	P
Residential Care Facility (<7 beds)	P	P	P	N	N
Residential Care Facility (7+ beds)	N	N	N	N	N

Note: P = Permitted; CP = Conditionally Permitted; N=Not Allowed
Source: City of Pinole Zoning Code

The California Health and Safety Code (Section 17021.5(b)) specifies that any employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation. No conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing that serves six or fewer employees that is not required of a family dwelling of the same type in the same zone. Currently, the Pinole Zoning Ordinance does not specifically address employee housing. The City will amend the Zoning Ordinance to comply with State law (see Action 4.4.10).

As with many suburban communities, Pinole provides additional flexibility in density, unit size, parking, and open space requirements through its Specific Plan zoning. Specifically, Specific Plan zoning (Section 17.26 of the Pinole Municipal Code) allows flexibility to modify development standards for: (1) siting; (2) mixed land use; (3) mixed housing types; (4) minimum building setbacks and lot size; and (5) maximum building height.

Traffic capacity has become a limiting factor throughout Contra Costa County and in many other parts of the Bay Area. However, Pinole, as part of the Measure J initiative and West County

Traffic Model, has developed specific standards for traffic level of service and standards for the provision of other facilities and services.

In general, Pinole's zoning and development standards are comparable to many other communities in the Bay Area and, therefore, do not pose an unnecessary constraint to housing or burden to developers.

Site Improvements

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. For an average project, 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 special environmental resources, mitigation of slide hazards, inadequate downstream drainage, or other special conditions.

Specific standards are set forth in Chapter 16.20, General Regulations and Design, and Chapter 16.24, Improvements, in 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 6.38** summarizes these roadway design standards.

Table 6.38
Roadway Design Standards

Roadway Type	Right-of-Way	Curb to Curb	Sidewalk Area
Major Streets	80'	64'	8'
Secondary Streets	60'	40'	8'
Minor Streets	50'	38'	8'
One-Way Streets	32'	20'	8'

Source: Pinole Public Works Department, City of Pinole Municipal Code Chapters 16.20-16.24

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 and utility system connections.

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 determining 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.

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 6.39** outlines the typical processing time for 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.

City staff conducts preliminary reviews in order to assist project sponsors at no cost to the applicant 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 two weeks. A small residential construction project consistent with the General Plan and zoning designation involving a design review request is normally processed between six to eight 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 cost for both the City and the developer.

Currently, every new residential project within the City is required to complete the Design Review process, either by staff administrative review or by review with a Planning Commission hearing. **Table 6.39** shows the typical permit process for multi-family and single-family development that is consistent with the City's General Plan and Zoning Ordinance and Residential Design Guidelines. The major differences between the two are the Design Review process and 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.

The average length of time for discretionary approvals is four months for a multi-family development and five to six months for a single family subdivision. A General Plan Amendment or Rezoning could add another 30 to 60 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 6.39
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
	Ministerial Approval (home addition)	Up to 30 days				
	Environmental Review	1 week	Environmental Review	1-12 months	Environmental Review	1-12 months
	Administrative Design Review	1 week				
Planning Commission Noticing & Hearing						
			Design Review	20-30 days	Preliminary Development Plan	6-8 weeks
			Use Permit (only if necessary)		Design Review	
					Subdivision Map	
					Final Development Plan	
City Council Hearing						
					Final Subdivision Map (consent)	20-30 days
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**	

** 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. Time may also be saved when a residential project is proposed so as to be consistent with an already adopted Specific Plan.*

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 advisory to the Planning Commission and focused on architectural character and design review, was disbanded in 2008 and this function became part of the Planning Commission responsibilities. The Planning Commission is now 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 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.

The City continues to expedite the process for developers while ensuring a thorough review process. The 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 provides developers with a better idea about the types of development the City is seeking and identifies opportunity sites where development is strongly encouraged. The environmental review for the Specific Plan (Program EIR) adopted in 2010 serves to streamline future site specific environmental reviews for many of the infill development areas included in the Specific Plan. The City also adopted a Green Building Ordinance in 2012 to promote the use of renewable energy, improve air and water quality, and to conserve water and other natural resources.

Development Fees

Costs associated with the permit process may act as a constraint to the development of affordable housing. Line item permit costs are related to City-controlled fees such as processing, inspection and installation services, as well as non-City fees such as school impact fees and utility connection fees. Fees can vary depending on site conditions, location and the type and design of development, the need for environmental review, the quality of project submittals, and local resident review. **Table 6.40** and

Table 6.41 demonstrate typical charges for development of new multiple and single-family residential developments.

Table 6.40
Estimate of Development Fees for 10-Unit Multi-Family Development

Planning Fees		Per Development	Fee Amount
Design Review Fees (New Commercial, > 5,000 sf)	Flat		$4,217.00
		Subtotal	**$4,217.00**
Plan Check, Permit & Inspection Fees		**Per Unit**	**Fee Amount**
Building Permit Fee	Based on valuation of$184,226/unit.	$4,403.00	$44,030.00
Building Plan Check Fee	65% of bldng permit fee	2,861.95.	28,621.90
Title 24 Energy Compliance Plan Check Fee	10% of bldng permit fee	440.30	4,403.00
Strong Motion Instrumentation Fee (SMIP)	.00021 x valuation	38.85	388.50
State Fees (CA Building Standards)		7.00	70.00
Copying and Imaging Fees	$10.00/page	170.00	1,700.00
		Subtotal	**$79,213.40**
Impact and Infrastructure Fees		**Per Unit**	**Fee Amount**
General Plan Update Fee	0.5% of Total Building Valuation	$925.00	$9,250.00
Transportation (Measure J)	Flat per unit	294.53	2,945.30
Police	Flat per unit	870.42	8,704.20
Fire Protection	Flat per unit	1,112.31	11,123.10
Public Facilities & Equipment	Flat per unit	1,500.98	15,009.80
Wastewater	Flat per unit	1,480.95	14,809.50
Drainage	Flat per unit	66.29	662.90
Parks and Recreation	Flat per unit	6,071.05	60,710.50
Administration Fee	3% City Development Impact Fees	341.90	3,419.00
Sub regional Transportation Mitigation Program	Per unit	1,648.00	16,480.00
GIS Data Update Fee (County)	Flat fee per unit	25.00	250.00
		Subtotal	**$143,364.30**
		Total Fees	**$226,794.00**
		Total/Unit	**$22,679.40**

Assumptions: Each unit has 1100 square feet of living space, and 200 square feet of carport space, for a total square footage of 1300 square feet. The valuation for each unit is $185,000 or $142 per square foot. PG&E, Water (EBMUD), and School Fees (WCCUSD) paid directly to the Agencies.
Source: City of Pinole Development Services Department, March 2014
** Fee based on valuation incorporated in Building Permit Fee.*

Table 6.41
Estimate of Development Fees for 10-Unit Single Family Subdivision

Planning Fees		Per Unit	Fee Amount
Tentative Map	Deposit		5,500.00
Final Map	Deposit		5,000.00
Use Permit Design Review	Flat		4,217.00
		Subtotal	**$14,717**
Plan Check, Permit & Inspection Fees		**Per Unit**	**Fee Amount**
Building Permit Fee	Based on valuation of $380,405	$9,091.68	$90,916.80
Building Plan Check Fee	65% of bldng permit fee	5,909.59	59,095.92
Title 24 Energy Compliance Plan Check Fee	10% of bldng permit fee	909.80	9,091.60
Strong Motion Instrumentation Fee	.00021 x valuation	1.91	19.09
State Fees (CA Building Standards)		14.00	140.00
Copying and Imaging Fees	$10.00/page	170.00	1,700.00
		Subtotal	**$160,963.41**
Impact and Infrastructure Fees		**Per Unit**	**Fee Amount**
General Plan Update Fee	0.5% of valuation	$1,902.25	$19,020.25
Transportation (Measure J)	flat per unit	414.83	4,148.30
Police	flat per unit	1,148.95	11,489.50
Fire Protection	flat per unit	1,468.25	14,682.50
Public Facilities & Equipment	flat per unit	1,981.29	19,812.90
Wastewater	flat per unit	1,954.85	19,548.50
Drainage	flat per unit	1,104.82	11,048.20
Parks and Recreation	flat per unit	8,013.78	80,137.80
Administration Fee	flat per unit	482.60	4,826.00
Subregional Transportation Mitigation Program	flat per unit	2,595.00	25,950.00
GIS Data Update Fee (County)	flat per unit	25.00	250.00
		Subtotal	**$210,913.95**
		Total Fees	**$376,094.36**
		Total/Unit	**$37,609.49**

Assumptions: Each unit has 1800 square feet of living space, and 500 square feet of carport space, for a total square footage of 2300 square feet. The valuation for each unit is $380,405 or $165.39 per square foot. PG&E, Water (EBMUD), and School Fees (WCCUSD) paid directly to the Agencies.
Source: City of Pinole Development Services Department, March 2014

Open Space Contributions

Open space contributions are standard conditions of approval for larger projects to assure the long-term livability, health, safety and welfare of the project and neighborhood. Planned Development (PD) zoning has been used to preserve open space while allowing increased density on the developed portion of the property. As implemented in past approvals, this requirement does not usually pose a constraint to housing and often acts as a way for a project to gain neighborhood acceptance.

Inclusionary Housing Requirements

Pinole's Zoning Ordinance (Chapter 17.32) stipulates that, for all rental or ownership developments of four or more units, 15 percent of the total units must be constructed and offered for sale or rent as affordable housing units. Of those units, no less than 40 percent (or 6 percent of the total) must be made available to very low-income households.

This requirement is effective in increasing the supply of affordable housing but can act as a constraint in the development of market rate housing projects and in particular smaller, infill projects. Without redevelopment funds, inclusionary housing is one of the few mechanisms for the City to provide affordable housing opportunities. The City will continue to explore incentives such as lower cost financing, construction of off-site units and other improvements, or housing in-lieu fees to facilitate affordable housing development in the community.

Uniform Building Code and Enforcement

Pinole uses several uniform codes, including the 2013 California Building Code (CBC), the 2013 California Electrical Code (CEC), the 2013 California Plumbing Code (CPC), the 2013 California Mechanical Code (CMC), and the 2013 California Fire Code, as the basis for its building standards and code enforcement procedures. Each of these codes establishes standards and requires inspections at various stages of construction to ensure code compliance. In 2014, the City adopted local amendments to the Building, Fire, Plumbing, Mechanical, and Electrical codes to reflect local climatic, geolocical, or topographical conditions.

Enforcement of these building codes and standards (including local modifications) does not constrain the production or improvement of housing in the City. Rather, code enforcement efforts help protect public safety, maintain the condition of the City's current housing stock and remove blight throughout the City.

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 specialized housing needs. These may be related to accessibility of dwelling units; access to transportation, employment, and commercial services; and alternative living arrangements that include on-site or nearby supportive services. This section analyzes potential and actual governmental constraints on the development of housing for persons with disabilities, including developmental disabilities, and demonstrates the City's effort to remove such constraints.

Pinole's Zoning Code now includes specific provisions (17.12.050) to facilitate reasonable accommodation for individuals with disabilities. Section 17.12.050 specifies that "in order to make specific housing available to an individual with a disability, a disabled person or representative may requiest reasonable accommodation relating to the various land use, zoning, or rules, policies, practices, and/or procedures of the City." When a request for reasonable accommodation is filed with the Community Development Director, it will be reviewed and considered as a ministerial action unless determined otherwise by the Community Development Director. A request for reasonable accommodation shall be considered ministerial in nature when it is related to a physical improvement that cannot be constructed to conform to

the city's setbacks or design standards. Typical improvements considered to be "ministerial" in nature would include ramps, walls, handrails, or other physical improvements necessary to accommodate a person's disability. The Community Development Director shall issue a written determination of his or her action within thirty days of the date of receipt. If the Community Development Director determines that the request is non-ministerial, he or she will refer it to the Planning Commission, which will hold a public hearing to consider the request.

In making a determination regarding the reasonableness of a requested accommodation, the approving authority must make all of the following findings:

1. The housing which is the subject of the request for reasonable accommodation will be used for an individual protected under the Fair Housing Act.

2. The request for reasonable accommodation is necessary to make specific housing available to an individual protected under the Fair Housing Act.

3. The requested reasonable accommodation does not impose an undue financial or administrative burden on the city and does not fundamentally alter city zoning, development standards, policies, or procedures.

Efforts to Remove Regulatory Constraints for Persons with Disabilities

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.

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.

Zoning and Other Land Use Regulations

As defined in 17.98 of the Municipal Code, the City's Zoning Ordinance provides a broadened definition of family as a household 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. This definition is intended to be inclusive and accommodating, not to restrict occupancy by persons with disabilities or other household types.

In addition, the Zoning Ordinance allows for reduced parking requirements for housing for persons with disabilities (17.48.060). With the exception of monitoring compliance with building code requirements, which are also governed by the state, the City has no authority to approve or deny group homes of six or fewer people. The City 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.

Governmental Constraints on Emergency Shelters and Transitional Housing

California Health and Safety Code Section 50801 defines emergency shelters as "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay."

Pursuant to recent changes in State law (SB 2), jurisdictions with an unmet need for emergency shelters are now required to identify a zone(s) where emergency shelters will be allowed as a permitted use without a conditional use permit. The identified zone must have sufficient capacity to accommodate the shelter need, and, at a minimum, provide capacity for at least one year-round shelter. Permit processing, development, and management standards for emergency shelters must be objective and facilitate their development.

As discussed in the homeless section of the Housing Element Needs Assessment (Section 2), the City of Pinole Police Department estimates the City's visible homeless population at around six individuals. However, a homeless count conducted by the Contra Costa Health Services Department on January 30, 2013 found 20 unsheltered homeless people in Pinole. While there are a number of homeless shelters and services proximate to the City (see **Table 6.22** for a complete listing), there is currently no emergency shelter in Pinole to address the needs of homeless adults and families.

Pursuant to SB 2, the City of Pinole permits emergency shelters by right without discretionary review in the Three Corridors Specific Plan Office Industrial Mixed Use Zone. The zone encompasses Pinole's primary manufacturing and light industrial uses, which tend not to be "heavy" in nature. This area allows for the following types of uses: 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. Overall, 43.4 acres of land (22 parcels) are designated in the Specific Plan as Office Industrial Mixed Use. Adequate capacity exists in this zone to accommodate a shelter should one be proposed.

The Office Industrial Mixed Use Zone 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.

The Zoning Ordinance permits emergency shelters by right in the Office Industrial Mixed Use Zone subject to the same development and management standards as other permitted uses in the zone. In addition, the following requirements regulate future emergency shelters to enhance compatibility (Chapter 17.62):

- Shelter programs shall be situated more than 200 feet from any other similar program, a public park, a public or private K-12 school, or an indoor or outdoor recreational facility primarily designed to serve persons under eighteen years of age. A shelter with more

than ten persons shall be situated within one-half mile of a transit corridor or existing bus route;

- A maximum of 30 beds shall be available in the facility, unless a conditional use permit is approved for a greater number;
- The size of an emergency shelter shall be in character with the surrounding neighborhood;
- Off-street parking shall be provided at the rate of one space per three beds plus one space per employee, and may only be required based on demonstrated need, provided that the same parking requirements are applied for other residential or commercial uses in the same zone;
- The emergency shelter shall have an interior, onsite waiting and client intake area that is a minimum of 200 square feet. The emergency shelter shall include a landscaped exterior waiting area that is a minimum of 100 square feet;
- Emergency shelters shall provide on-site management and support staff at all times during shelter use;
- Emergency shelters must have on-site security during the hours that the shelter is in operation;
- The program shall provide accommodations appropriate for a minimum stay of 28 days and a maximum of 180 days per client/family;
- Exterior lighting shall be consistent with Zoning Code requirements;
- Appropriate state and/or federal licensing shall be required for a drug or alcohol abuse counseling program;
- The program shall identify a transportation system that will provide clients with a reasonable level of mobility.

However, the City's zoning provisions for emergency shelters are not consistent with State law (SB 2). The only distance requirement permissible under State law is a 300-foot separation from an existing emergency shelter facility. The City will amend the Zoning Ordinance to be consistent with State law (see Action 4.4.9).

Transitional housing facilities for ten or fewer residents may be located in any portion of the city zoned for residential development, subject to the same development and management standards as other permitted uses in the zone. Facilities for more than ten residents are not allowed in the Low Density Residential (LDR) or Rural (R) Zoning Districts. In the Medium Density (R-2), High Density (R-3), Residential Mixed Use (RMU) and Commercial Mixed Use (CMU) Zoning Districts, a conditional use permit is required for facilities having more than ten (residents (Zoning Code Chapter 17.20). The maximum number of beds in zones that allow transitional housing shall be thirty, unless a conditional use permit is approved. In addition, the following requirements regulate future transitional housing facilities to enhance compatibility (Zoning Code Chapter17.62):

- Transitional housing facilities of more than ten persons shall be situated within one-half mile of a transit corridor or existing bus route;
- The size of a transitional housing facility shall be in character with the surrounding neighborhood;
- The transitional housing facility shall have on-site parking provided at the rate of one space per three beds plus one place per employee, based on demonstrated need, provided that the same requirements applied are those for residential or commercial uses within the same zone;
- Exterior lighting shall be consistent with Zoning Code requirements;
- If a transitional facility is proposed for location in an area either zoned or developed as a residential area, all intake and screening shall be conducted off-site;
- If a program includes a drug or alcohol abuse counseling component, appropriate state and/or federal licensing shall be required;
- The program shall provide accommodations appropriate for a minimum of 28 days and a maximum of 180 days per client/family;
- The program shall identify a transportation system that will provide its clients with a reasonable level of mobility;
- Transitional housing facilities shall provide on-site management and support staff at all times during shelter use.

The City's zoning provisions for transitional housing are not consistent with State law and supportive housing is not addressed in the Zoning Ordinance. Transitional and supportive housing under SB 2 must be treated as a residential use to be subject to the same requirements as similar uses in the same zones. The City will amend the Zoning Ordinance to address transitional and supportive housing consistent with State law (see Action 4.4.9).

HOUSING OPPORTUNITIES

ABILITY TO MEET THE REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

The RHNA planning period for the fifth Housing Element cycle is from 2014 through 2022. The RHNA for Pinole for this cycle includes 297 housing units. Housing units with building permits that were issued after January 1, 2014, may be counted towards satisfying Pinole's current regional housing need numbers.

To show the development capacity to meet the RHNA of 297 units, a detailed analysis of sites suitable for residential development was conducted. This section provides information about the sites identified in this Housing Element. In addition to credits from units that have been built and approved and existing vacant sites currently zoned for residential development, the City has identified housing opportunity sites located within the districts covered by the Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way, which was adopted in 2010. These sites are located along the City's main commercial and transportation corridors and are good candidates for higher density mixed use and residential infill development. Together, the identified vacant and housing opportunity sites can yield nearly 500 new housing units, meeting and exceeding the City's RHNA.

HOUSING UNITS CONSTRUCTED OR APPROVED

As shown in **Table 6.42**, no units have been built in the City since January 2014. Three market rate units are proposed.

Table 6.42
RHNA by Income Level

Project	Extremely Low/ Very Low	Low	Moderate	Above Moderate	Total
RHNA	**80**	**48**	**43**	**126**	**297**

Note: Pursuant to State law, the very low income category can be split equally into very low income and extremely low income.
Source: Pinole Development Services Department, 2014

AVAILABILITY OF SITES FOR HOUSING

The City has developed an inventory of vacant and non-vacant sites that are suitable for future residential development. This land inventory was developed using a number of sources, including the City's GIS database, Assessor's data, and field surveys completed by City Staff. The analysis includes a listing of individual sites by general plan designation and zone as well as site size, infrastructure capacity, constraints, and a conservative estimate of development capacity. Vacant land available for residential development is primarily located on individual parcels designated for single family development throughout the City; housing opportunity sites are located along the City's commercial corridors of San Pablo Avenue, Pinole Valley Road, and Appian Way.

Currently in Pinole there are a total of 31.84 vacant acres zoned for residential use with an estimated dwelling unit potential of 71 units (**Table 6.43**). The majority of the vacant sites are designated Single Family Suburban Rural or Single Family Low Density in the Land Use Element and are infill lots of one acre or less. Pinole's supply of residentially zoned sites is not adequate to meet the remaining Regional Housing Needs Allocation (RHNA) of 297 units: 80 units for extremely low/very low households, 48 units for low households, 43 units for moderate households, and 126 units for above moderate households. Although housing starts are down in the Bay Area, and projections indicate that they will remain depressed into the near future, the City does need to continue to plan for housing development to meet its RHNA targets.

Due to the City's small supply developable vacant land zoned for residential use, the primary opportunities are sites designated for mixed and multiple family use in the Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way. These sites will accommodate a greater number of units per acre and are generally better suited for affordable housing. Pinole's past mixed-use projects, having met with great success and community wide acceptance, create a favorable environment that would encourage future development of similar type projects. Mixed-use development is further encouraged in the draft Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way. This planning document, adopted in 2010, identifies opportunity sites for infill mixed use development along the City's commercial corridors in close proximity to transit and other amenities.

To minimize any potential barriers that may have existed due to Zoning Ordinance standards for parcels on which densities of at least 25 units per acre were allowed, the City completed a comprehensive General Plan update and Zoning Ordinance Update in 2010. These efforts ensured consistency between the General Plan and Zoning designations.

Adoption in 2010 of the Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way increased densities on sites to comply with the standards set forth in Government Code Section 65583.2(c)(3)(B) that designate a minimum density of 20 units per acre for housing for lower income households in a suburban jurisdiction such as Pinole. Potential actions to allocate sites to meet State requirements for lower income sites are also addressed in this section.

Sites designated for potential housing development in the Housing Sites Inventory (**Table 6.44**), are analyzed based on their development potential. Along with site size, location, General Plan designation, zoning, and current use, the analysis includes an additional constraints category. Site constraints range from little or none to major constraints that may severely reduce development potential at a site. The constraints categories consider the following in their analysis:

> **Site Constraints:** A severely constrained subject site may feature extensive constraints that must be addressed in order to develop housing. These may include topographic issues such as steep hillsides, sensitive environmental or biological resources, slope stability concerns, Brownfield contamination concerns, and/or requiring consolidation of more than two parcels under different ownership to assemble the site as proposed. A less constrained site may display many of the same issues to a lesser degree. Typical

minor constraints that must be addressed in order to develop or redevelop site for housing may include demolition of existing underutilized or deteriorating structures, and/or consolidation of two or less parcels under different ownership to assemble the site.

Little or No Constraints: A site that features little or no constraints generally has few issues impeding its development. Such sites are typically vacant and relatively flat with no known contamination, ready utility and roadway access, and single site ownership.

The following Housing Sites Inventory includes a site identification number which corresponds to the maps in Figures 1A and 1B, with APN, size, zoning and general plan designation, existing use, potential housing capacity, and potential site constraints.

Table 6.43
Housing Sites Inventory: Vacant Sites

Site Identifier	Parcel Number	Acres	General Plan Capacity GP	General Plan Capacity Allowable Density (DUAC)	Zoning Capacity Existing Zoning	Zoning Capacity Zoning Allowable Density	Conservative Site Capacity Estimate	Current Use	Lot Consolidation Opportunity	Site Constraints
Vacant Sites										
1	430-260-001	0.24	SR	1-10	R1	Min lot size[6]	1	Vacant	No	Little/No
2	430-260-012	0.34	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
3	430-260-013	0.26	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
4	430-260-015	2.92	SR	1-10	R1	Min lot size	3	Vacant	No	Little/No
5	430-260-022	0.58	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
6	430-260-026	0.23	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
7	430-260-028	0.24	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
8	430-260-031	0.27	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
9	401-135-003	0.24	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
10	401-100-046	0.23	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
11	401-193-003	0.17	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
12	402-166-030	0.60	MU (High Density)	20.1-35	CMU	20-35	9	Vacant	No	Little/No
13	360-540-001	0.62	LDR	<1	LDR		1	Vacant	No	Little/No
14	360-540-004	7.54	LDR	<1	LDR		7	Vacant	No	Little/No
15	360-540-005	2.77	LDR	<1	LDR		2	Vacant	No	Little/No
16	360-663-030	0.79	LDR	<1	LDR		1	Vacant	No	Little/No
17	360-442-019	0.34	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
18	360-382-030	1.32	SR	1-10	R1	Min lot size	2	Vacant	No	Little/No
19	402-090-002	0.14	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
20	402-090-001	0.29	SR	1-10	R1	Min lot size	1	Vacant	No	Little/No
21	402-040-029 402-040-044 402-040-045	0.10 0.23 0.25	MU HDR	20.1-35	MU RMU	20-35	11	Vacant	No	Little/No
22	403-500-020	0.14	LDR	1-10	R1	Min lot size	1	Vacant	No	Little/No
23	403-500-021	0.14	LDR	1-10	R1	Min lot size	1	Vacant	No	Little/No
24	402-021-012	5.85	LDR	1-10	R1	Min lot size	6	Vacant	No	Little/No

[6] Note: Density for R1, LDR vacant sites is based on minimum lot size. The minimum site area is 6,000 square feet for a single-family dwelling on a Suburban Residential R-1 Zoned lot. The minimum lot area is 43,560 square feet for Low Density Residential (LDR). Sites 29, 30, and 31 are smaller than the min. lot size, but are typical of the neighborhoods in which they are located and, with Planning approval, could accommodate a single family residence.

Site Identifier	Parcel Number	Acres	General Plan Capacity GP	Allowable Density (DUAC)	Zoning Capacity Existing Zoning	Zoning Allowable Density	Conservative Site Capacity Estimate	Current Use	Lot Consolidation Opportunity	Site Constraints
25	401-080-055	0.29	SR	1-10	R1	Min lot size	1	Vacant	Yes	Site Constraints: Access and utility easements on site
	401-080-056	0.29					2			Little/No
	401-080-057	0.29					2			Little/No
27	402-013-060	0.58	LDR	1-7	R1	Min lot size	1	Vacant	Yes	Little/No
	402-013-061	0.18								
28	401-094-016	0.66	MDR	8-15	R-4		5	Vacant	No	Little/No
29	360-231-001	2.50	LDR	1-7	R1	Min lot size	3	Vacant	No	Little/No
30	401-193-006	0.11	LDR	1-7	R1	Min lot size	1	Vacant	No	Little/No
31	401-192-014	0.11	LDR	1-7	R1	Min lot size	1	Vacant	Yes	Little/No
32	401-192-015	0.11	LDR	1-7	R1	Min lot size	1	Vacant	Yes	Little/No
TOTAL		31.96					74			

Table 6.44
Housing Sites Inventory: Corridor Specific Plan Housing Opportunity Sites

Site Identifier	Parcel Number	Acres			Zoning Capacity *Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way*[7] Zoning	Zoning Allowable Density	Zoning Realistic Capacity	Current Use	Lot Consolidation Opportunity	Site Constraints
Appian Way Corridor Specific Plan Housing Opportunity Sites										
33	402-282-001	0.46			CMU and HDR *Zone at least 2.5 acres HDR at 20.1 to 30.0 DUAC. Zone remainder CMU at 20.1 to 30 DUAC (with limit of 49% of CMU for residential).*	CMU: 20.1-30 DUAC (up to 49% of site) HDR: 20.1-30 DUAC	5	Aging strip commercial shopping center with national grocery and pharmacy tenants, banking, and neighborhood serving retail. Some vacancies at site. Current site coverage approximately 18%. Substantial portion of the site is surface parking; opportunities for infill or rebuild.	Yes	**Site Constraints:** Lot consolidation
	402-282-002	0.431					4			
	402-282-020	0.67					6			
	402-282-019	0.29					3			
	402-282-017	1.00					10			
	402-282-018	2.07					20			
	402-282-005	1.84					18			
	402-282-006	0.33					3			
	402-282-007	0.05					0			
	402-282-008	0.03					0			
	402-282-009	0.23					2			
	402-282-010	0.41					4			
	402-282-013	4.93					48			
	402-282-014	0.18					2			
	402-282-016	0.02					0			
		12.981					***Total***			

[7] Zoning designations and dwelling unit capacities under Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way.
Very High Density Residential (VHDR) zones allow up to 100% of site acreage to be developed as residential with 35.1 dwelling units per acre (DUAC). Site Unit Potential for VHDR computed as 35 DUAC for 100% of site area.
Commercial Mixed Use (CMU) zones allow up to 50% of site acreage to be developed as residential with 20.1 to 35 dwelling units per acre (DUAC Site Unit Potential for CMU computed as 20.1 DUAC for 50% of site area.
Residential Mixed Use (RMU) zones allow up to 100% of site acreage to be developed as residential with 20.1 to 35 dwelling units per acre (DUAC). Site Unit Potential for RMU computed as 20.1 DUAC for 100% of site area. RMU unit potential does not count towards meeting RHNA at the very low- and low-income levels.
High Density Residential (HDR) zones allow up to 100% of site acreage to be developed as residential with 20.1 to 35 dwelling units per acre (DUAC). Site Unit Potential for HDR computed as 20.1 DUAC for 100% of site area.
Office Professional Mixed Use (OPMU) allow up to 50% of site acreage to be developed as residential with 20.1 to 30 dwelling units per acre (DUAC). Site Unit Potential for OPMU computed as 20 DUAC for 50% of site area.

Site Identifier	Parcel Number	Acres			Zoning Capacity *Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way*[7] Zoning	Zoning Allowable Density	Zoning Realistic Capacity	Current Use	Lot Consolidation Opportunity	Site Constraints
							Units: 125[8]	Close proximity to Interstate 80.		
34	401-240-017	4.17	CMU		CMU and RMU	20.1-35 DUAC	41	Medical Office Building (currently vacant) built in 1962. Both parcels under same ownership.	Yes	Little/No
	401-240-018	3.60	RMU				72			
		7.77					***Total Units: 113***			
Pinole Valley Road Corridor Specific Plan Housing Opportunity Sites										
35	360-010-021	1.77	High Density Residential (HDR)		HDR	20.1-35 DUAC	***35***	Underdeveloped site on Pinole Valley Road currently used as a church and parking lot. Two buildings in average repair. Backs to three-story multi-family housing.	No.	Little/No
							Total Units: 35			
San Pablo Avenue Corridor Specific Plan Housing Opportunity Sites										
38	402-023-007	1.05	MU High Density Residential - Neighborhood Comm	15-25 /0	VHDR (Very High Density Residential)	35.1-50.0 DUAC	37	5,710 sq. ft. office building built in 1984. Two-story building with surface parking. Condition is average for building of this	Yes	Site Constraints: Lot consolidation

[8] Individual parcel unit count and resulting total unit count for site 33 based on calculation at dwelling unit potential for 100% of the site as CMU. Zoning calls for 2.5 acres HDR at site, which would allow for additional residential capacity at the site.

Zoning Capacity *Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way*

Site Identifier	Parcel Number	Acres			Zoning	Zoning Allowable Density	Zoning Realistic Capacity	Current Use	Lot Consolidation Opportunity	Site Constraints
								age.		
	402-023-002	0.34	ercial / C2 Central Busine ss				12	14,810 sq. ft. vacant commercial lot.		
	402-023-008	0.65					23	1,176 sq. ft. single family house on 6,804 square foot lot built in 1934. There may be slope stability issues affecting the home's foundation.		
	402-023-006	0.17					6	2,211 sq. ft. single family house on 7,560 square foot lot built in 1957. There may be slope stability issues affecting the home's foundation.		
	402-023-009	0.25					9	10,836 sq. ft. bank-owned vacant residential lot.		
	402-022-001	1.45					51	972 sq. ft. single family house in poor condition built in 1901 on a 31,625 square foot (largely) vacant residential lot. The lot is		

Site Identifier	Parcel Number	Acres			Zoning	Zoning Allowable Density	Zoning Realistic Capacity	Current Use	Lot Consolidation Opportunity	Site Constraints
								currently used for storage on non-operable cars and debris.		
	NA (Madrona Ave. between Encina Ave and San Pablo Ave.)	0.23					8			
		4.14					***Total Units: 146***			
Total							***419***			

Zoning Capacity *Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way*

Additional Sites Analysis

In addition to vacant sites that are designated for residential development, the inventory identifies a number of sites included in the Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way. To show the potential for residential development to meet the remaining RHNA, a site by site inventory and analysis of the most suitable sites for development in Pinole was conducted (**Table 6.44** above). This section provides detailed information about the Corridor Specific Plan Housing Opportunity sites identified in this Housing Element (**Table 6.44**).

Consistent with the goals and policies identified in this Housing Element, the Corridor Specific Plan is tailored to foster livable pedestrian and transit-oriented corridors. These sites were identified as suitable based on location, expressed interest in redevelopment by property owners and developers, intensity of existing development, access to utilities, and public services as well as the condition of the existing buildings and uses. The density of the identified sites is designed to facilitate the development of housing affordable to lower-income households.

Corridor Specific Plan Opportunity Sites

All of the sites identified in the inventory of sites are located within one of the City's three commercial corridors and are included in the Corridor Specific Plan. The Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way, which was adopted in 2010, provides for the expansion of housing options in Pinole by encouraging compact, pedestrian and transit-oriented mixed use and high density residential development along the commercial corridors.

Appian Way Proposed Corridor Specific Plan Opportunity Sites

- ***Site 33:*** Site 33 is located within the Appian Way Corridor at the intersection of Appian Way and Tara Hills Drive near the Appian Way interchange along Interstate 80. The site is home to a commercial shopping center featuring grocery and pharmacy anchor tenants as well as a number of neighborhood serving commercial uses, including banking, retail, and food establishments. The center was developed in the 1960s and consistent with development patterns popular at that time, features extensive surface parking, and some of the buildings onsite are beginning to show signs of age. A few portions of the site remain undeveloped. Given the location and the current development intensity at the site, the City estimates a potential for at least 125 new residential units at this site. Although the site is comprised of fifteen separate parcels, the majority of the property is under a single ownership.
- ***Site 34:*** Site 34 is located within the Appian Way Corridor at Canyon Drive. The site was developed for medical use in 1962 and is the former home of Doctors Hospital. The site is currently without a tenant. Surface parking covers approximately one third of the site. The Corridor Specific Plan anticipates the site for commercial and residential mixed use development with an estimated capacity for at least 113 new residential units at the site.

Pinole Valley Road Proposed Corridor Specific Plan Opportunity Sites

- ***Site 35:*** Site 35 is located within the Pinole Valley Road Corridor along Pinole Valley Road near the Pinole Valley High School. The site is just south of the recently revitalized Pinole Valley Shopping Center and directly across from a small commercial center. The site is currently home to a church. With only two small structures on the parcel, site coverage is approximately five percent. The site backs to three story attached residential development, making this a good candidate site for higher density mixed use development. The City estimates a conservative residential development capacity of at least 35 new housing units at the site.

San Pablo Avenue Proposed Corridor Specific Plan Opportunity Sites

- ***Site 38:*** Site 38 is located along the San Pablo Avenue Corridor, just west of Old Town Pinole. The site is designated for Very High Density Residential development in the Corridor Specific Plan. Each of the six parcels that make up the site is currently under separate ownership and the site features a wide range of uses. These uses are detailed by parcel in Table 38 and include an office building, vacant and storage lots, and single family homes in various states of repair. The site's location along San Pablo Avenue makes it a prime candidate for redevelopment, and the lot consolidation incentives described in this Housing Element may be utilized to assist in the process. The site provides development opportunity for at least 146 new residential units.

Table 6.45 summarizes the combined development potential of the vacant land zoned for residential development alongside the development potential of the Specific Plan sites proposed to be rezoned for high density residential and mixed use with the adoption of the draft Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way. Taken together, these sites have more than adequate development potential to accommodate housing to meet the RHNA needs. The 196-unit development capacity surplus further demonstrates the City's commitment to provide adequate sites for residential development, and a commitment to plan for future residential development; allocating a surplus of sites will help encourage development should market or private developer conditions make development of one or more of the identified sites infeasible by 2022.

Table 6.45
Land Available for Development: Vacant Residential and Corridor Specific Plan Sites

	Extremely Low/ Very Low	Low	Moderate	Above Moderate	Total
RHNA	80	48	43	126	297
Vacant Residential Capacity					
R1/LDR (up to 10 du/ac)	--		--	49	49
MDR (8-15 du/ac)	--		5	--	5
MU (20.1-35 du/ac)	20		--	--	20
Specific Plan Residential Capacity[1]	108		38	273	419
Surplus Capacity					196

1. *All Corridor Specific Plan Housing Opportunity Sites are zoned to allow densities of 20 or more dwelling units per acre, and, therefore, can meet the needs of all affordability groups as prescribed by State law. Therefore, the units are distributed across the income levels based on the remaining need, with the excess allocated to "above moderate."*

Figure 1A (map of Pinole north of Interstate 80) **and 1B** (map of Pinole south of Interstate 80) map the locations of the Vacant Residential and proposed Residential Opportunity Sites; specific sites may be referenced via the number in the "Site Identifier" for each site.

Figure 1A:
Housing Sites North of Interstate-80

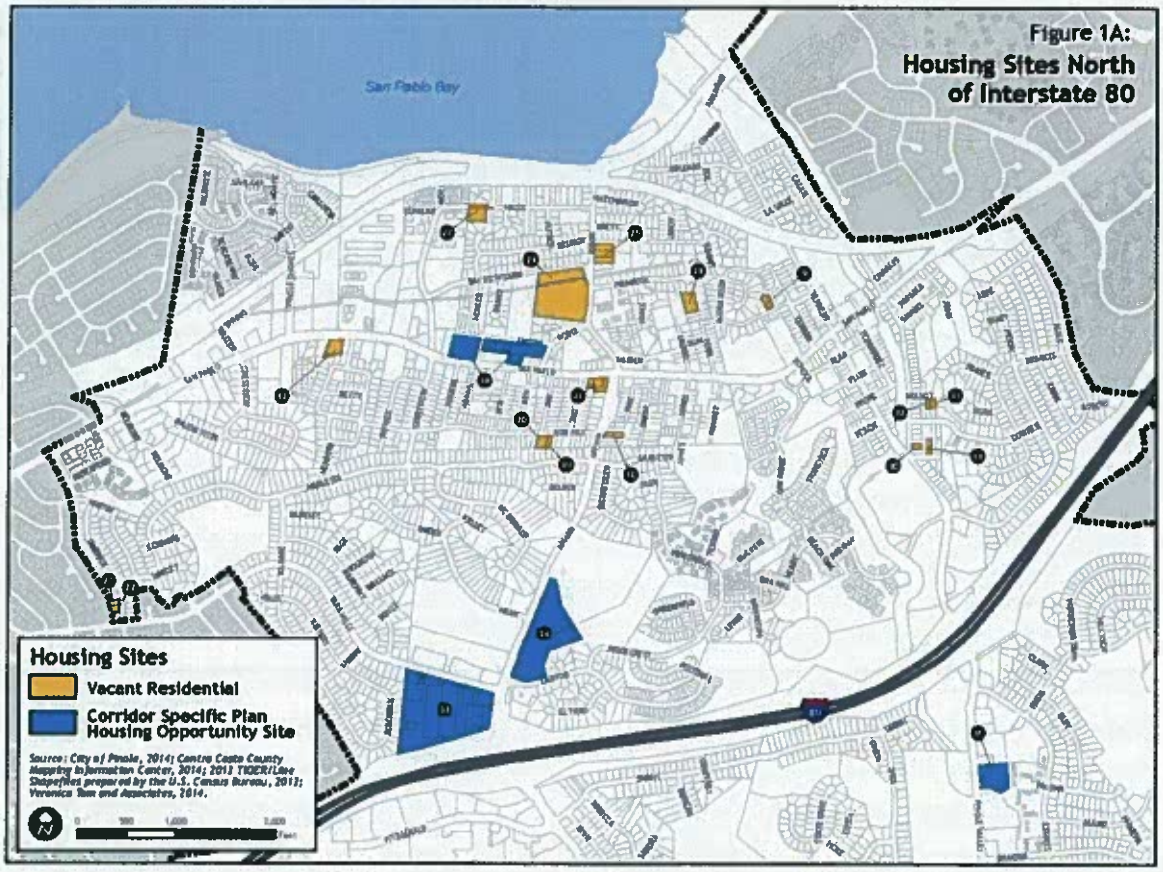
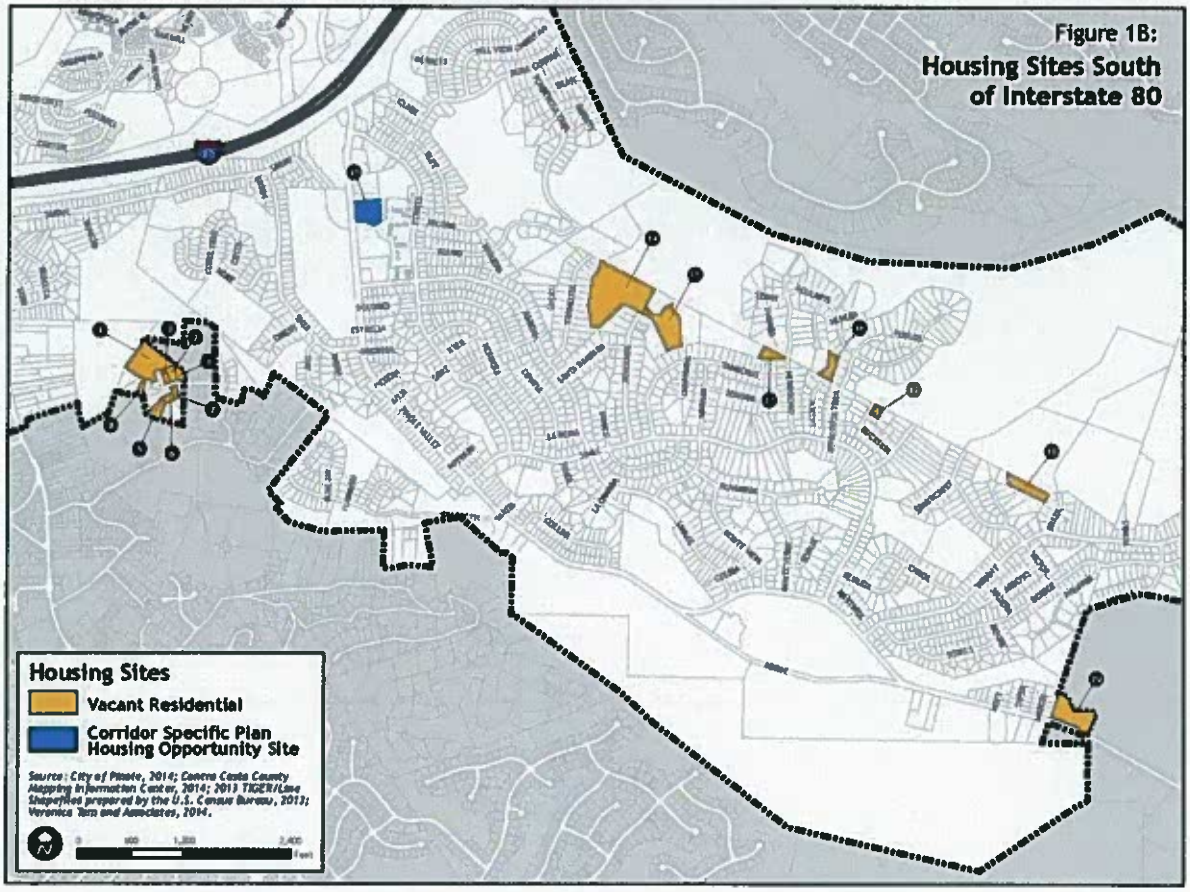


Figure 1B:
Housing Sites South of Interstate-80



CURRENT HOUSING PROJECTS

The City currently has two active planning applications for new residential development yet to be approved. As mentioned elsewhere in this Element, the economic downturn and credit crisis has significantly impacted housing development projects.

INFRASTRUCTURE

All vacant or underutilized land currently available for development in the City of Pinole has the infrastructure necessary for development.

Water Sewer Gas Electric & Phone Service

East Bay Municipal Utility District (EBMUD) provides water service and the Pinole Sewer District and West County Wastewater Sewer District provide sewage services to the City. Currently there is adequate capacity available within EBMUD and both sewer districts to handle all future development within the Pinole Planning Area. The installed lines that provide gas distribution, electric circuit and telephone service are also adequate to handle all future development within the Pinole Planning Area. The City will comply with SB 1087 to adopt a policy for water and sewer priority allocation to affordable housing in the event that a rationing system is implemented. As needed, the City will coordinate with the East Bay Municipal Utility District (EBMUD) and the Pinole/Hercules Water Pollution Control Plant (WPCP) Joint Powers Agreement to facilitate adoption of similar policies or to ensure that the State Public Utility Commission policies on water/sewer priority for affordable housing are adhered to.

Solid Waste

Richmond Sanitary Service provides solid waste disposal. Although West Contra Costa County landfill recently reached its capacity level, the Keller Canyon landfill will continue to meet the needs of the current residents of Pinole as well as any anticipated future growth during the current planning period.

Public Schools

Schools within the Pinole Planning Area previously served part of the Hercules' school population, and thus Pinole schools were operating above capacity for all grade levels. To help alleviate this situation, an elementary and combined middle and high school were constructed in Hercules. The opening of these schools provided for additional capacity in the Pinole schools that will allow for growth resulting from future development in the Pinole Planning Area.

Fire Protection

The City of Pinole provides fire protection for all but a small portion of the Pinole Planning Area located in the vicinity of EBMUD's reservoir off Rancho Road. The City's two fire stations currently allow for a 5-minute response time to any location in the City.

Police Protection

The number of sworn personnel is 27 and is within the accepted 1 per 1,000 population. With the development of the remaining land within the City, the demand for personnel will increase. The cost of providing additional personnel could affect the cost of new housing in the form of increased fees or special assessments.

FINANCIAL RESOURCES

There are a wide variety of resources provided through federal, state and local programs to support affordable housing development and related programs and services. While the number and variety of programs is considerable, it is essential to note that *the availability of funding through these programs is inadequate compared to the need that exists.* As a result, there is considerable competition for the program funds that are available, and development projects will need to draw upon multiple resources to be financially feasible. Local government resources, which have historically played a less important role in supporting housing development, now play a fairly significant role by making local developments more competitive for federal and state financing.

When developments are able to demonstrate a financial commitment and contribution from local sources—especially if coupled with regulatory support through policies such as fast track processing, fee subsidies, and/or density bonuses—they are better able to leverage funding from other "outside" sources. Additionally, all funding sources require separate reporting and data collection. When multiple funding sources are used, as is most often the case, additional burdens are placed on developers to track the information required and report on a timely basis.

Federal Resources

Federal housing assistance takes many forms. The single largest (and often least recognized) federal program is the mortgage interest tax deduction. This federal assistance was primarily used to maintain and operate the existing supply of affordable housing. Outlays for new construction were considerably lower.

California localities receive federal subsidies for affordable housing through a number of programs. Federal programs often change in terms of program details, application procedures, and amount of subsidy dollars available. For detailed descriptions, current subsidy levels, and up-to-date application procedures, refer to program literature available on-line from the US Department of Housing and Urban Development (http://www.hud.gov).

State Resources

State agencies play an important role in providing housing assistance by allocating federal housing funds and/or making loans available to affordable housing developments. The three principal agencies involved are the State Treasurer's Office, the California Housing Finance Agency (CalHFA), and the California Department of Housing and Community Development (HCD).

Programs for housing assistance change frequently and detailed descriptions of programs, application procedures and amounts of subsidy available are provided by the concerned agencies.

Local Resources

As noted in the introduction to this section, local government resources have historically played a less important role in supporting housing development, but local funding has become more crucial if projects are to be competitive for limited federal and state financing. When

developments are able to demonstrate a financial commitment and contribution from local sources, they are better able to leverage funding from other outside sources.

Prior to the dissolution of Redevelopment in California in 2012, redevelopment tax increment financing generated a significant local resource for affordable housing. Pursuant to then State law, at least 20 percent of the tax increment funds must be used to expand affordable housing opportunities for low and moderate income households (commonly known as the Low/Mod Housing Fund). In 2009, the Governor signed into law (AB X4 26) modifications to the Community Redevelopment Law, shifting revenues from then redevelopment agencies to the Supplemental Educational Revenue Augmentation Fund (SERAF). Many redevelopment agencies, including the Pinole Redevelopment Agencies, borrowed from the Low/Mod Housing Fund to make SERAF payments to the State. These loans from the Low/Mod Housing Funds are required to be repaid.

With the dissolution of redevelopment, the City has elected to become the Successor Agency to the Pinole Redevelopment Agency, with the responsibility of oversee all approved housing assets and any residual funds, including the SERAF repayments. However, the amount of funding available to the Successor Agency cannot be determined at this time.

OPPORTUNITIES FOR ENERGY CONSERVATION

Since the deregulation of energy companies in 1998, the price of energy has skyrocketed, making energy costs an often substantial portion of housing costs. Effective energy conservation measures built into or added to existing housing can help residents manage their housing costs over time and keep lower income households affordably housed.

Homes built after 1975 use about half as much energy as homes built before then as a result of stricter California energy conservation standards. Minimizing energy used for space and water heating as well as air conditioning can significantly increase the affordability of housing. Most residential structures can be retrofitted with conservation measures that provide nearly the energy savings achieved in recent new construction. Many can also be retrofitted with passive design measures, such as the addition of a solarium or south-facing windows in conjunction with a heat storage mass.

Conservation can also be achieved through a number of cost-effective energy saving programs offered through local energy providers (PG&E), the State of California, and the federal government. For example, PG&E offers the "Energy Partners" program that provides income-qualified customers an energy audit and free energy education, weatherization measures and energy-efficient appliances to reduce gas and electric usage. In addition, State and federal appliance standards now require manufacturers to produce and sell appliances according to specified energy-consumption performance criteria, and the Energy Crisis Intervention Program, funded by the State Department of Economic Opportunity, helps low income residents pay delinquent energy bills to avoid interruption of service.

The City itself has promoted energy conservation by making information regarding energy conservation available to the public. In addition, the guidelines for the Agency's Residential Rehabilitation Program were changed to allow funding to be used for energy conservation

improvements. The City is also exploring and encouraging energy efficiency through goal 5 of this Housing Element, Energy-Efficiency, Conservation, and Sustainable Residential Development and related Housing Implementation Programs HIA-25 through HIP-26. Finally, the City is already encouraging energy conservation in new and existing buildings through:

(1) Application of State residential building standards that establish energy performance criteria for new residential buildings (Title 24 of the California Administrative Code); and

(2) Appropriate land use policies and development standards that reduce energy consumption, such as promoting more compact, walkable neighborhoods with housing close to transit, jobs, community facilities and shopping; encouraging infill development; planning and zoning for multi-use and higher density development; permitting common walls and cluster development; and promoting passive and active solar design elements and systems in new and rehabilitated housing.

Through these and other conservation measures the City seeks to help minimize the percentage of household income that must be dedicated to energy costs as well as the use of nonrenewable resources.

Section 5: Housing Accomplishments

The City of Pinole's current Housing Element was adopted in 2010. The 2009-2014 Housing Element goals were identified as follows:

- **MONITOR HOUSING NEEDS:** Work together with interested parties to achieve the City's housing goals and monitor accomplishments in order to respond to housing needs effectively over time.

- **PROTECT EXISTING CHARACTER AND HERITAGE:** Protect and enhance the integrity and distinctive character and heritage of Pinole by encouraging the development of high quality, well-designed housing and conserving existing housing.

- **PROVIDE ADEQUATE SERVICES AND FACILITIES:** Provide adequate services and facilities to meet the needs of the City's current and future population.

- **HOUSING NEED:** Within the context of retaining existing community character and providing adequate services and facilities, maintain the current social diversity that exists in Pinole by providing a mix of housing types and prices that meet the City's fair share of regional housing needs and its specific housing needs as identified in the Housing Element.

- **ENERGY-EFFICIENCY, CONSERVATION, AND SUSTAINABLE RESIDENTIAL DEVELOPMENT:** Support energy-efficient design and building practices in order to reduce housing utility expenses, minimize adverse environmental impacts, and provide for sustainability.

Each of these goals featured a series of policies and identified implementation plans that outlined how the goals would be accomplished. The progress achieved through the implementation programs provides evidence that the goals and policies of the element have

been effective in addressing Pinole's housing needs and have provided a foundation for several community-based housing activities. In addition, having the housing element in place provided the City additional leverage to capture funding from outside sources to further its housing goals.

PROGRAM ACCOMPLISHMENTS: PRODUCTION OF HOUSING & AFFORDABLE HOUSING

A total of 72 housing units were created in Pinole between 2007 and 2014. Of these, 13 units were sold or covenanted and rented as affordable to very low, low, or moderate income households. These units represent the City's commitment to ensuring that at least 15 percent of the units in each development of four or more units are affordable with covenants restricting and ensuring their affordability.

Until February 2012, the City's Redevelopment Agency played a critical role in the production of Pinole's affordable units, providing various financial incentives to both private and non-profit developers. These incentives included loans, grants, short-term financing, public-private partnerships and land write-downs.

EVALUATION & EFFECTIVENESS OF ELEMENT

The review and evaluation of the previous Housing Element found that the 2009-2014 goals continue to remain appropriate. These goals carry forward in this Housing Element. **Appendix B** includes a complete evaluation of the 2009-2014 Housing Element Implementation Programs. As outlined in **Appendix B**, the progress made through the 2009-2014 Housing Element Implementation Programs was found to be effective to the extent possible with tightly constrained funding resources, and remaining tasks continue to be relevant goals that the City will continue to work toward meeting. In addition, the evaluation identifies areas that could be better addressed through new policies and programs, which are incorporated in Section 6, Quantified Housing Objectives and Housing Plan, of this Element. Therefore, the majority of policies and implementation programs are carried forward in the updated Housing Element.

QUANTIFIED HOUSING OBJECTIVES & HOUSING PLAN

QUANTIFIED HOUSING OBJECTIVES

This Housing Element includes quantified objectives for the number of units that can reasonably be expected to be rehabilitated, conserved or constructed during the next eight years. The quantified objectives expected to be met through Housing Element programs are estimated based on past program performance, construction trends, land availability and anticipated future program funding. These objectives reflect current economic conditions and funding constraints. Assumptions for specific programs are summarized in the Housing Programs section under each program.

Table 6.46
Summary of Quantified Objectives (2015-2023)

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
Units to be Constructed[1]	2	5	5	20	48	80
Units to be Rehabilitated	10	10	10	20	–	50
Units to be Conserved	–	24	4	85	–	113

1. Estimated new construction objectives are based on past trends.

HOUSING PLAN

The primary challenge of the Housing Element is to properly manage local housing needs while ensuring that new housing will "fit-in" with the character, quality, environmental constraints, and resources of the community. Questions to help with this assessment include:

- **What Kind of Housing Do We Need?** What types of housing fit with our workforce housing needs, household characteristics, and ability to pay for housing?
- **Where Can We Appropriately Put New Housing?** Where in our city can additional residential units be accommodated, especially for lower and moderate income households, housing for persons with special needs?
- **How Can We Effectively Work Together?** What can local governments do – in collaboration with community organizations, other agencies, non-profits, and for-profit developers – to encourage the construction of needed workforce and special needs housing?
- **How Can We Effectively Help Special Needs Groups?** What can be done to assist those households with special needs such as the elderly, homeless, persons with disabilities, and others?

This section sets forth a framework for implementing the Housing Element. There are many external factors affecting housing needs in Pinole and the City's ability to meet that need. Balanced with these housing needs is the challenge of (1) meeting our allocation of regional housing needs; (2) finding appropriate sites for housing when there is a limited amount of developable land in Pinole that is suitable for housing, especially for multiple family housing; (3) ensuring a "fit" of new housing with our long-standing commitment to maintain community

character and environmental quality; and, (4) working with limited funding resources to facilitate the provision of affordable housing.

In recognition of the aforementioned conditions and challenges, this Housing Element includes goals, polices, and implementing programs that identify the housing goals the City will try to achieve, both alone and in partnership with other agencies, and how the City will work to achieve them.

GOALS, POLICIES, AND ACTIONS

GOAL H.1 MONITOR HOUSING NEEDS.

Work together with interested parties to achieve the City's housing goals and monitor accomplishments in order to respond to housing needs effectively over time.

POLICY H.1.1 **MAINTAIN ACTIVE CITY LEADERSHIP.** Provide an active leadership role in helping attain the objectives of the City's Housing Element by following through on the actions prescribed in the Housing Element in a timely manner and monitoring progress annually.

POLICY H.1.2 **ASSURE PUBLIC PARTICIPATION.** Encourage and support early public participation in the development and review of City housing policy from all economic segments of the community, including encouraging neighborhood level planning and working with community group and other interest groups. Encourage developers of any major project to have neighborhood meetings with residents early in the process to undertake early problem solving and facilitate more informed, faster and constructive development review.

POLICY H.1.3 **COORDINATE WITH WEST COUNTY JURISDICTIONS.** Work cooperatively to plan for the satisfaction of regional housing needs, including the development of affordable housing units for all economic segments.

ACTION H.1.1 **CONDUCT AN ANNUAL HOUSING ELEMENT REVIEW.** 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 April 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.

TARGET: Ongoing (annually)
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING: Departmental budget

ACTION H.1.2 **EXPLORE HOUSING DEVELOPMENT PARTNERSHIPS.** The City shall seek out opportunities to work with other public agencies by identifying housing grant funding opportunities to encourage and implement improvements

and expansion of housing supply, and work with developers by creating a developer interest list and periodically assessing development needs to encourage new residential development to provide affordable housing.

TARGET: Contact other public agencies such as the Contra Costa County Housing Authority or Contra Costa County Department of Conservation and Development at least once a year for funding and partnering opportunities
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING: Departmental budget

ACTION H.1.3. **PERIODICALLY REVIEW RESIDENTIAL DEVELOPMENT REQUIREMENTS.** Monitor development standards to ensure their appropriateness in fostering residential and mixed use development.

- For key housing opportunity sites, provide development standards and design objectives to streamline the development review process for projects that are consistent with applicable Specific Plans and the General Plan.
- Provision of clear guidelines and incentives for the development of housing in conformance with current state laws and to identify specific ways to streamline processing for subsequent development proposals.

TARGET: Ongoing (as necessary)
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING: Departmental budget

GOAL H.2 PROTECT EXISTING CHARACTER AND HERITAGE.

Protect and enhance the integrity and distinctive character and heritage of Pinole encouraging the development of high-quality, well-designed housing and conserving existing housing.

POLICY H.2.1 **PROTECT NEIGHBORHOOD INTEGRITY THROUGH DESIGN.** Enhance neighborhood identity and sense of community by designing new housing to have a sensitive transition of scale and compatibility in form with the surrounding neighborhood.

POLICY H.2.2 **ENCOURAGE SENSITIVITY TO NATURAL FEATURES.** Define and implement design controls for development which respond to the community's preservation, image, and open space goals. Continue review of residential development, especially in areas of seismic, geologic, slope stability, flooding concern or proximity to underground pipelines, to address safety concerns related to natural features.

POLICY H.2.3 **PROMOTE HIGH QUALITY DESIGN.** Provide stable, safe, and attractive neighborhoods through high quality architecture, site planning, and amenities that: (1) reduce the perception of bulk; (2) recognize existing street patterns;

(3) enhance the sense of place; (4) minimize the visual impact of parking and garages; and (5) use quality building materials.

POLICY H.2.4 **MAINTAIN EXISTING HOUSING AND NEIGHBORHOOD AMENITIES.** Maintain Pinole's lifestyle characteristics by encouraging the maintenance of existing housing stock, and in particular housing with historic value, and preserving the amenities of existing neighborhoods.

POLICY H.2.5 **SUPPORT SENIORS AND INDIVIDUALS WITH SPECIAL NEEDS.** Develop programs to assist lower income seniors and disabled individuals to live independently, age in place, and maintain their homes.

ACTION H.2.1 **APPLY DESIGN REVIEW GUIDELINES.** Apply the Zoning Ordinance Residential Design Guidelines to new residential projects in order to evaluate projects in the context of existing neighborhoods and continue to maintain an objective process that clearly communicates community expectations in the Design Review process.

TARGET: Ongoing
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING: Departmental budget

ACTION H.2.2 **ADEQUATE SITES TO MEET REGIONAL FAIR SHARE OF HOUSING GROWTH.** The City shall provide for a variety of housing types with densities ranging from one to seven units per acre in low-density residential areas and up to fifty dwelling units per acre in very high density residential and mixed use areas along portions of the City's transportation corridors included in the proposed Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way, with the incorporation of density bonuses available consistent with State law.

In support of this Housing Element, the City developed a parcel-specific inventory of sites suitable for future residential development, including vacant sites currently designated under the City's General Plan and housing opportunity sites designated in the City's Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way (Section 4: Housing Opportunities, **Table 6.44**).

The sites designated in the Corridor Specific Plan areas are for higher-density residential and mixed-use development, located along transit routes, and are proximate to key commercial and transportation centers. The residential sites analysis included in this Housing Element demonstrates the City's ability to meet its RHNA allocation. The combination of these sites identified in **Table 6.44** as suitable for future residential development provide the following number of acres per zoning district:

Zoning	Acres	Sites Included
Suburban Rural (SR)	11.72	13, 14, 15, 16
R1	18.4	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 17, 18, 19, 20, 22, 23, 24, 25, 27, 29, 30, 31, 32
Mixed Use (MU)	0.7	12, 21
High Density Residential (HDR)	4.27	33, 35
Very High Density Residential (VHDR)	4.14	38
Residential Mixed Use (RMU)	3.6	34
Commercial Mixed Use (CMU)	16.84	33, 34

These zoning categories have been identified as suitable for future residential development based on the development standards in place or proposed for the district and their ability to facilitate the development of housing to meet the needs of Pinole's current and future residents. This mix of single-family and high density residential as well as mixed use along the City's main commercial and transportation corridors will encourage the development of housing to for households at all income levels. The zoning designations identified here permit residential uses by right at the densities described in **Table 6.44**. Development standards for the RMU, CMU, and OPMU zones require a minimum of 20 dwelling units per acre, and the VHDR zone requires a minimum of 35 units per acre. As demonstrated in **Table 6.44**, more than half of the regional housing need for lower income households can be accommodated on sites designated for residential use only.

The City will undertake the following to ensure adequate sites are identified and utilized to provide opportunities for future housing development:

- Continue to provide appropriate land use designations consistent with regional housing needs for mixed use and infill development near transit and other amenities.
- Monitor development and other changes on sites in the inventory to ensure the City has remaining capacity consistent with its share of the regional housing need.
- Maintain an updated inventory of available sites for housing development to provide for developers in conjunction with information about other development incentives for affordable units.

TARGET: Ongoing. Consistent with past trends and considering the funding constraints, the City's overall construction target is 80 units (2 extremely low, 5 very low, 5 low, 20 moderate, and 48 above moderate).
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING: Departmental budget

ACTION H.2.3

REHABILITATION ASSISTANCE. The City will improve public awareness of rehabilitation loan subsidy programs offered by the County and other agencies. Specific actions should include: (a) pamphlets on the programs available at City Hall; and (b) providing public information through articles in the local newspaper and with cable TV public service announcements. In addition, the City will annually explore funding availability at the local, State, and federal levels and pursue funding programs as appropriate with the goal of reinstating the City's Rehabilitation Program.

TARGET: Ongoing, with annual assessment of funding opportunities to reinstate the City's Rehabilitation Program. The City's overall target for rehabilitation assistance is 50 units (10 extremely low, 10 very low, 10 low, and 20 moderate), inclusive of the target for Action H.2.4 below.
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING: Successor Housing Funds; Contra Costa County; State and Federal funding programs as available

ACTION H.2.4

ACQUISITION/REHABILITATION OF BLIGHTED OR DISTRESSED PROPERTIES. As in other parts of the State, many households in Pinole have been impacted by the recession and depressed housing market, resulting in increases in distressed properties and foreclosure activities. Furthermore, with the dissolution of redevelopment, the City no longer has the funding available to address blighted properties in the community. The City will continue to pursue opportunities to partner with nonprofit housing developers to acquire and rehabilitate blighted or distressed properties, with the objective of making these units available to low income households as affordable housing.

TARGET: Ongoing, with annual assessment of funding/partnering opportunities. The City's overall target for rehabilitation assistance is 50 units (10 extremely low, 10 very low, 10 low, and 20 moderate), inclusive of the target for Action H.2.3 above.
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING: Successor Housing Funds; Contra Costa County; State and Federal funding programs as available

GOAL H.3 PROVIDE ADEQUATE SERVICES AND FACILITIES.

Provide adequate services and facilities to meet the needs of the City's current and future population.

POLICY H.3.1 **PLAN FOR PUBLIC FACILITY AND SERVICE NEEDS.** Future development shall be planned based on public facility and service capacity, community-wide needs, sound citywide and neighborhood planning and public improvement programming.

POLICY H.3.2 **IDENTIFY ECONOMIC IMPACTS.** Promote the development of new housing that is in harmony with the natural environment and justified economically from the standpoint of the City's ability to provide services.

POLICY H.3.3 **ENCOURAGE SELF-SUPPORTING DEVELOPMENT.** Define and implement a strategy that encourages future development to be self-supporting in the services, capital improvements and amenities it requires.

POLICY H.3.4 **ENCOURAGE NEW PEDESTRIAN-ORIENTED DEVELOPMENT.** Encourage new development and redevelopment that place residences in close proximity to a variety of services and facilities.

POLICY H.3.4 **PROVIDE ADEQUATE TRANSPORTATION FACILITIES AND SERVICES.** Provide adequate transportation alternatives which improve accessibility of residential neighborhoods to the community and beyond, while maintaining neighborhood integrity. The following are specific policies to reduce traffic on residential streets and improve available transportation alternatives:

- Encourage a variety of transportation modes to serve existing neighborhoods.
- Plan new commercial development around the use of certain arterial corridors and in close proximity to new residential development.
- Foster pedestrian oriented neighborhoods.
- Maintain and improve AC Transit and WestCat services, including the implementation of BART Express Service.

POLICY H.3.5 **PROVIDE OTHER NEEDED SERVICES.** Provide convenient recreational, civic, and commercial facilities to support the residential qualities of Pinole, including:

- Maintain the existing code enforcement program.
- Ensure that all new residential development contributes its fair share for the ongoing provision of required public services and amenities, including public safety and community facilities.

- Use redevelopment to stimulate additional commercial development in order to strengthen the City's ability to provide public services.
- The City should continue to operate in the most efficient and cost-effective ways to provide services.
- Provide specific residential recreational and park standards in an updated Open Space Element.
- The City shall support and encourage the development of adequate childcare facilities to serve the needs of working families.

ACTION H.3.1 **FEE STRUCTURE EVALUATION.** Periodically review the City's current development impact fees to ensure that new development contributes its fair share of the costs for the provision of services and facilities.

TARGET: Ongoing
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING: Department budget

GOAL H.4 HOUSING NEED.

Within the context of retaining existing community character and providing adequate services and facilities, maintain the current social diversity that exists in Pinole by providing a mix of housing types and prices that meet the City's Fair Share of Regional Housing Need and its specific housing needs as identified in the Housing element.

POLICY H.4.1 **PROVIDE A CHOICE OF HOUSING.** Provide a mix of sizes and housing types to meet the needs of Pinole's diverse population. Specific examples include traditional single family homes, second units, mixed use developments, infill development, accessible housing, and transitional and emergency housing. Opportunities must be available for lower, moderate, and above-moderate income households reflecting available job opportunities in close proximity to Pinole. Available housing choices should also strive to minimize transportation needs.

POLICY H.4.2 **PROVIDE EQUAL HOUSING OPPORTUNITIES.** Encourage the provision of adequate housing for all persons regardless of income, age, sex, race, or ethnic background, consistent with the Fair Housing Act.

POLICY H.4.3 **PRESERVE EXISTING AFFORDABLE HOUSING.** Monitor and maintain the supply of existing affordable housing to ensure that it remains affordable.

POLICY H.4.4 **SUPPORT THE DEVELOPMENT OF AFFORDABLE HOUSING.** Maintain appropriate land use regulations and other development tools to encourage development of affordable housing opportunities throughout the City.

ACTION H.4.1 **GENERAL PLAN LAND USES.** Evaluate General Plan land use designations and plan programs annually to ensure they are consistent with the City's overall goals and review the entire General Plan within eight years.

TARGET: Annually
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING: Department budget

ACTION H.4.2 **HOUSING CONSTRUCTION.** Construct or encourage the construction of housing units throughout the City through use of the following mechanisms:

- **Mixed Use Housing Incentives.** Encourage mixed residential-commercial uses in areas consistent with the Land Use Plan, and in particular along portions of the San Pablo Avenue, Pinole Valley Road, and Appian War corridors to increase housing opportunities through the following and other means, if appropriate: (1) increased densities; (2) prioritized development project review and processing; and (3) flexibility in parking and development standards.
- **Rental Housing Site Assembly and Development.** City shall contact affordable housing builders annually and provide information about sites to facilitate development of affordable rental housing. Based on development interest, the City shall explore possible assistance including priority processing.
- **Affordable Housing Incentives.** Support the use of the following incentives for well-designed rental and ownership projects that provide a minimum of 15 percent of total units affordable to low and moderate income households for 45 and 55 years respectively:
    a. *Density bonuses.* Provide density bonuses consistent with the State Density Bonus Law (Government Code Section 65915).
    b. *Flexibility in development standards.* Allow flexibility in applying development standards (e.g., parking, floor area, setback, height standards).
    c. *Prioritized Development Review.* Affordable housing development should receive the highest priority and efforts should be made by staff and decision-makers to: 1) provide technical assistance to potential affordable housing developers; 2) consider project funding and timing needs in the processing of applications; and 3) provide the fastest turnaround time possible in determining application completeness.
- **Require Affordable Housing in Market Rate Residential Projects.** Require 15 percent of the units located in new residential developments be affordable, and of those units, 40 percent must be affordable to very low income households. The City's intent is the

construction of units on-site. If this is not practical, the City will consider other alternatives of equal value, such as in-lieu fees, construction of units off-site, donation of a portion of the property for future non-profit housing development, etc.

- **Housing for Extremely Low Income Households and Persons with Disabilities.** Based on funding availability, the City shall explore, at least once a year, development assistance for multifamily and supportive housing to meet the needs of extremely low income households and persons with disabilities (including persons with developmental disabilities). The City shall continue to contact housing service providers within West Contra Costa County to determine the best way to facilitate development of housing for extremely low income households and persons with disabilities. The City will annually contact developers to assist in development where feasible by prioritizing available funding, assisting and supporting new applications, providing priority processing, considering fee deferrals or subsidies and design modifications, and facilitating site acquisition.

TARGET: Ongoing to provide for the construction or approval of at least 279 units between 2014 and 2023
RESPONSIBLE AGENCY: Pinole Development Services Department, and for-profit housing developers
FUNDING SOURCE: Local, State, and Federal funds as available

ACTION 4.4.3 **PARCEL CONSOLIDATION.** The City will play an active role in facilitating lot consolidation, particularly as it relates to parcels listed in the Sites Inventory in this Housing Element. The lot consolidation procedure is included in the City's Municipal Code and made available to the public and discussed with developers during the preliminary review process. Lot consolidation requests made in order to facilitate development of affordable housing is processed administratively. Incentives offered for lot consolidation include allowing higher densities for larger parcels once consolidated, flexibility in development standards, and expedited processing.

TARGET: Ongoing implementation of lot consolidation procedure.
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING SOURCE: Departmental budget

ACTION 4.4.4 **SECOND UNIT ORDINANCE.** The City will provide information to the public on the ordinance at City Hall and on its website. In addition, the City will review the Second Dwelling Unit Ordinance in regard to development requirements to encourage the development of well-designed secondary housing units in established residential areas.

TARGET: Construction of 16 new second units between 2014 and 2023
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING SOURCE: Departmental budget

ACTION 4.4.5 **HOMEBUYER PROGRAMS.** Continue to promote homebuyer assistance programs available through the County and State, such as the Mortgage Credit Certificate (MCC) program and California Housing Finance Agency's Downpayment Assistance Program. Specific actions should include: (a) pamphlets on the programs available at City Hall; and (b) providing public information through articles in the local newspaper and with cable TV public service announcements. The City will continue to explore funding opportunities to reinstate the City's Homebuyer Program.

TARGET: Annual evaluation of funding available and pursue funding opportunities as available
RESPONSIBLE ENTITY: Pinole Development Services Department; Lending Institutions
FUNDING SOURCE: Local, State, and Federal funding programs as available

ACTION 4.4.6 **Below Market Rate (BMR) Regulations.** Implement and monitor rental (55 years) and resale (45 years) restrictions for low and moderate income units assisted or constructed by the former Redevelopment Agency to assure that these units remain at an affordable price level as they are occupied, and transferred.

TARGET: Ongoing.
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING SOURCE: Departmental budget

ACTION 4.4.7 **TECHNICAL ASSISTANCE TO HOUSING DEVELOPERS.** The City will provide technical assistance to developers to encourage provision of affordable housing that are consistent with City goals. Assistance could include provision of information about available funding sources, pre-application planning meetings, expedited development review and processing, and facilitation of neighborhood meetings.

TARGET: Ongoing
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING SOURCE: Departmental budget

ACTION 4.4.8 **ACCESSIBLE UNITS FOR THE PHYSICALLY DISABLED.** The City will facilitate programs and projects that meet Federal, State and local requirements to provide accessibility for the physically disabled in residential units and will promote affordable accessible housing for the physically disabled. The City will encourage accessible units in all new projects; additionally, where outside funding is involved, the City will ensure compliance with funding agency requirements for units accessible to the physically disabled. The City will provide technical assistance to assure proposed units meet Building Code requirements. The City will implement the adopted ordinance establishing Reasonable Accommodation procedures to accommodate the needs of persons with disabilities.

TARGET: Five percent of the units built or approved between 2014 and 2023 should be adaptable for the physically disabled
RESPONSIBLE ENTITY: Pinole Development Services Department; Building Division
FUNDING SOURCE: Departmental budget

ACTION 4.4.9

HOUSING FOR THE HOMELESS. The City amended the Zoning Ordinance to provide emergency shelters and transitional housing for the homeless; however, additional revisions to the Zoning Ordinance are required to be consistent with State law. Specifically, the Zoning Ordinance will be revised to address the provision of supportive and transitional housing as a residential use to be subjected to requirements for similar uses in the same zones. The Zoning Ordinance will also be revised to remove the emergency shelter distance requirements (other than from another shelter). State law (SB2) allows the emergency shelter ordinance to set distance requirement only from another shelter. The City's ordinance currently includes distance requirements from a public park and a school, transit route, etc. Within 12 months of adopting the 2015-2023 Housing Element, the City will amend the Zoning Ordinance to address the provisions for transitional housing, supportive housing, and emergency shelters consistent with SB 2. The City will continue to monitor the effectiveness and appropriateness of the adopted provisions in facilitating housing for the homeless.

TARGET: Amend Zoning Ordinance to address the provision of emergency shelters, transitional housing, and supportive housing consistent with State law, within one year of Housing Element adoption. Annually review effectiveness and appropriateness of zoning provisions for housing for the homeless.
RESPONSIBLE ENTITY: Development Services Department
FUNDING SOURCE: Departmental budget

ACTION 4.4.10

EMPLOYEE HOUSING. Currently the Zoning Ordinance does not address the provision of employee housing. The City will amend the Zoning Ordinance within one year of the Housing Element adoption to identify employee housing meeting Health and Safety Code definitions will be considered as a residential use and to be permitted in the same manner as similar uses in the same zones.

TARGET: Amend Zoning Ordinance to address employee housing within one year of Housing Element adoption
RESPONSIBLE ENTITY: Development Services Department
FUNDING SOURCE: Departmental budget

ACTION 4.4.11

PREVENTION OF HOUSING DISCRIMINATION. The City will take actions to prevent discrimination in the housing market and provide information on fair housing laws. Staff will distribute fair housing pamphlets provided by fair housing organizations at the public information counter at City Hall,

Pinole Library, 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. The City will also participate in the Regional Analysis of Impediments to Fair Housing Choice, which is updated every five years. The City will work with the County to publicize the outreach program for the update.

TARGET: Ongoing.
RESPONSIBLE ENTITY: Pinole Development Services Department.
FUNDING SOURCE: Departmental budget

ACTION 4.4.12 **CONSERVATION OF AFFORDABLE HOUSING UNITS.** Pinole's supply of affordable housing units is largely made of multi-family units with affordability covenants in place that ensure affordability at a specific income level for a set period of time following the provision of financial assistance to the project, generally through the former Pinole Redevelopment Agency. A number of the covenants were recorded prior to changes in State law that took effect in 2001 requiring minimum thresholds for affordability and are now nearing their expiration dates. The City will take appropriate steps to ensure that the units with covenants close to expiration are conserved or replaced and will remain affordable to moderate and lower income households. Units at risk are detailed in Table 6.27. Specifically, the City will:

- Contact the property owners to assess their interest and incentives required in extending the affordability covenant for the at-risk units.
- Work with property owners to notify tenants of potential conversion to market rate at least one year prior to conversion, pursuant to State law.
- Contact affordable housing developers/providers to solicit their interest and financial capacity in acquiring the at-risk units,
- Work with interested property owners/affordable housing developers/providers to pursue funding for the preservation and improvement of at-risk units.

TARGET: Through 2017: 24 very low income units; 4 low income units; and 85 moderate income units.
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING SOURCE: Successor Housing Funds; CDBG; HOME; State and Federal funds as available

ACTION 4.4.13 **EXPLORE OPTIONS FOR SENIOR ASSISTANCE PROGRAMS.** Explore program revisions and potential new programs aimed at providing assistance to seniors that would allow them to live independently and age in their homes. The potential assistance program(s) may be an offshoot of or include revisions to the existing Residential Rehabilitation Loan Program, which provides grants and low-interest loans to qualifying households. Specifically, identify funding and initiate a program to provide grants to senior homeowners for home improvements to increase accessibility for daily activities.

TARGET: Pursue funding in 2015 with the goal of initiating program in 2016.
RESPONSIBLE ENTITY: Pinole Development Services Department
FUNDING SOURCE: CDBG; HOME; State and Federal funds as available

GOAL H.5 ENERGY-EFFICIENCY, CONSERVATION, AND SUSTAINABLE RESIDENTIAL DEVELOPMENT.

Support energy-efficient design and building practices in order to reduce housing utility expenses, minimize adverse environmental impacts, and provide for sustainability.

POLICY H.5.1 **REDUCE ENERGY CONSUMPTION.** Reduce energy and water consumption in residential buildings by balancing energy-efficient design and water conservation features with cost-effective construction.

ACTION H.5.1.1 **ENERGY & WATER CONSERVATION.** Support and publicize energy and water conservation programs, such as PG&E's SmartAC, ClimateSmart, and Energy Partners Program, which provide assistance for energy conservation improvements as well as EBMUD Residential Conservation Rebates and Programs. In cooperation with PG&E, EBMUD, and other utility providers, the City will promote citizen awareness of energy conservation programs in concert with rehabilitation loan programs. Further, the City will continue to implement water efficient landscaping requirements for new residential development.

TARGET: Ongoing
RESPONSIBLE ENTITY: Pinole Development Services Department; PG&E; Building Division
FUNDING SOURCE: Department budget; PG&E

ACTION H.5.1.2 **WATER AND SEWER SERVICE PRIORITY ALLOCATION FOR AFFORDABLE HOUSING.** In compliance with SB 1087, the City will adopt a policy for water and sewer services to provide priority allocation to affordable housing in the event that a rationing system is implemented. The City will coordinate with the East Bay Municipal Utility District and the Pinole/Hercules Water Pollution Control Plant (WPCP) Joint Powers

Agreement as needed to facilitate adoption of similar policies or to ensure that the State Public Utility Commission policies are adhered to.

TARGET: Adopt policy within one year of Housing Element adoption
RESPONSIBLE ENTITY: Pinole Development Services Department; EBMUD; WPCP Joint Powers Agreement
FUNDING SOURCE: Department budget

GLOSSARY

ABOVE MODERATE INCOME HOUSEHOLDS: Households earning over 120 percent of the median household income for the County as published annually by the State Department of Housing and Community Development. As of February 2014, a family of four in Contra Costa County earning more than $112,200 per year was considered above moderate income.

ACCESSIBLE HOUSING: Units accessible and adaptable to the needs of the physically disabled.

AFFORDABLE HOUSING: Housing capable of being purchased or rented by a household with extremely low, very low, low, or moderate income, based on a household's ability to make monthly payments necessary to obtain housing. Housing is considered affordable when a household pays less than 30 percent of its gross monthly income (GMI) for housing including utilities. Although housing may be affordable to households earning moderate or lower income, affordable housing as referred to in this Housing Element must have covenants or other restrictions in place to ensure its continued affordability.

EMERGENCY SHELTER: Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

EXTREMELY LOW INCOME: Households earning less than 30 percent of the median household income for the County as published annually by the State Department of Housing and Community Development. As of February 2014, a family of four in Contra Costa County earning less than $28,050 was considered extremely low income.

FAMILY HOUSEHOLD: For Census purposes, a family household includes a householder and one or more other people living in the same household who are related to the householder by birth, marriage, or adoption. All people in a household who are related to the householder are regarded as members of his or her family. A family household may contain people not related to the householder, but those individuals are not included as part of the householder's family in census tabulations. Not all households contain families since a household may be comprised of a group of unrelated people or of one person living alone.

GROUP QUARTERS: For Census purposes, the group quarters population includes all people not living in households. Two general categories of people in group quarters are recognized: (1) the institutionalized population, which includes people under formally authorized, supervised care or custody in institutions such as correctional facilities, nursing homes, and juvenile institutions and (2) the non-institutionalized population, which includes all people who live in group quarters other than institutions, such as college dormitories, military quarters, and group homes.

HOUSEHOLD: For Census purposes, a household includes all the persons who occupy a housing unit. People not living in households are classified as living in group quarters.

HOUSING UNIT: A house, an apartment, a mobile home or trailer, a group of rooms, or a single room occupied as separate living quarters, or if vacant, intended for occupancy as separate

living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building and which have direct access from outside the building or through a common hall. For vacant units, the criteria of separateness and direct access are applied to the intended occupants whenever possible.

HOUSEHOLDER: For Census purposes, one person in each household is designated as the householder. In most cases, the householder is the person, or one of the people, in whose name the home is owned or rented. Households are classified by type according to the sex of the householder and the presence of relatives. Two types of householders are distinguished: family householders and nonfamily householders. A family householder is a householder living with one or more individuals related to him or her by birth, marriage, or adoption. The householder and all of the people in the household related to him or her are family members. A nonfamily householder is a household living alone or with nonrelatives only.

HOUSEHOLD INCOME: Income is defined as wages, salaries, pensions, social security benefits, and other forms of cash received by a household. Non-cash items, such as Medicare and other medical insurance benefits, are not included as income.

HOUSEHOLD SIZE: For Census purposes, household size is based on the number of people in occupied housing units. All people occupying the housing unit are counted, including the householder, and lodgers, roomers, boarders, and so forth.

HOUSING AFFORDABILITY: The generally accepted measure for determining whether a person can afford housing means spending no more than 30 to 35 percent of one's gross household income on housing costs, which includes utilities, principal and interest.

LOW INCOME HOUSEHOLDS: Households earning 50 to 80 percent of the median household income for the County as published annually by the State Department of Housing and Community Development. As of February 2014, a family of four in Contra Costa County earning between $46,751 and $67,600 per year was considered low income.

MEDIAN HOUSEHOLD INCOME: The middle point at which half of the households earn more and half earn less. Income limits are updated annually by the U.S. Department of Housing and Urban Development (HUD) for Contra Costa County. For many State and local programs, State Department of Housing and Community Development income regulations must be used. HCD income regulations are similar to those used by HUD. As of February 2014, the median household income for a family of four in Contra Costa County was $93,500.

MODERATE INCOME HOUSEHOLDS: Households earning 80 to 120 percent of the median household income for the County as published annually by the State Department of Housing and Community Development. As of February 2014 a family of four in Contra Costa County earning between $67,601and $112,200 per year was considered moderate income.

NONFAMILY HOUSEHOLD: Householder living alone or with nonrelatives only.

PERSONS PER HOUSEHOLD: The statistical average number of persons in a household.

REGIONAL HOUSING NEEDS: A quantification by a Council of Government (COG), such as the Association of Bay Area Governments (ABAG), or by HCD of existing and projected housing need, by household income group, for all localities within a region.

SENIOR HOUSING: Defined by California Housing Element law as projects developed for, and put to use as, housing for senior citizens. This Housing Element defines senior citizens as persons at least 55 years of age.

SUPPORTIVE HOUSING: Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (Government Code Section 65582 (f)). "Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people (Government Code Section 65582 (g)).

TRANSITIONAL HOUSING: Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance (Government Code Section 65582 (h)).

VERY LOW INCOME HOUSEHOLDS: Households earning less than 50 percent of the median household income for the County as published annually by the State Department of Housing and Community Development. As of February 2014, a family of four in Contra Costa County earning less than $46,750 per year was considered very low income.

APPENDIX A. SUMMARY OF PUBLIC PARTICIPATION

HOUSING SURVEY

The City conducted a housing survey to solicit input on housing needs and program options. A total of 67 persons responded to the survey – 10 renters; 55 homeowners; and two rental property owners. A summary of the survey results is provided below.

How long have you lived in Pinole?		
Answer Options	**Response Percent**	**Response Count**
Less than 5 years.	55.6%	5
5 -10 years	33.3%	3
More than 10 years	11.1%	1
Answered Question		**9**

Please check all that apply to you:		
Answer Options	**Response Percent**	**Response Count**
I am a Senior (65 years or over)	22.2%	2
I am disabled	0.0%	0
I live in a large household (five or more persons living in your home)	11.1%	1
Not applicable to me.	66.7%	6
Answered Question		**9**

How well is the property you rent being maintained?		
Answer Options	**Response Percent**	**Response Count**
Very well maintained. Property maintenance and repair needs are addressed quickly.	0.0%	0
Well maintained. Property maintenance and repair needs are addressed.	55.6%	5
Not well maintained. Property maintenance and repair needs sometimes are not performed.	44.4%	4
Poorly maintained. Property maintenance and repair needs usually are not performed.	0.0%	0
Answered Question		**9**

About how much do you spend annually on property maintenance, repair, or improvement work?		
Answer Options	**Response Percent**	**Response Count**
Under $1,000	10.2%	5
$1,000 - $5,000	61.2%	30
$5,001 – $10,000	26.5%	13
Over $10,000	2.0%	1
Answered Question		**49**

What, if any, major housing repair or improvement work is planned over the next five years (check all that apply)?		
Answer Options	**Response Percent**	**Response Count**
Roof Replacement	41.0%	16
Water Heater / Furnace Replacement	25.6%	10
Interior Remodel (e.g. bathroom or kitchen remodel)	48.7%	19
Exterior Remodel (e.g. window or siding replacement)	20.5%	8
Solar Panel Installation	25.6%	10
Home Expansion	10.3%	4
Other (please list)		9
Answered Question		**39**

Within the last three years, have you tried obtaining a home equity loan to pay for housing repairs?		
Answer Options	**Response Percent**	**Response Count**
Yes	4.1%	2
No	95.9%	47
Answered Question		**49**

If "Yes" you did attempt to acquire a loan, were you successful?		
Answer Options	Response Percent	Response Count
Yes	33.3%	2
No	66.7%	4
Answered Question		6

What type of rental properties do you own (check all that apply)?		
Answer Options	**Response Percent**	**Response Count**
Single-family home(s)	100.0%	1
Duplex, tri-plex, or condominium(s)	0.0%	0
Apartment complex with fewer than 5 units	0.0%	0
Apartment complex with 5 to 20 units	0.0%	0
Apartment complex with more than 20 units	0.0%	0
Answered Question		**1**

On average, about how much do you spend annually on property maintenance, repair, or improvement work per unit?		
Answer Options	**Response Percent**	**Response Count**
Under $1,000	0.0%	0
$1,000 - $5,000	100.0%	1
$5,001 – $10,000	0.0%	0
Over $10,000	0.0%	0
Answered Question		**1**

Within the last three years, have you tried obtaining financing to pay for repairs or improvements?		
Answer Options	**Response Percent**	**Response Count**
Yes	100.0%	1
No	0.0%	0
Answered Question		**1**

If "Yes" you did attempt to acquire financing, were you successful?		
Answer Options	**Response Percent**	**Response Count**
Yes	100.0%	1
No	0.0%	0
Answered Question		**1**

Please rank the following housing challenges in Pinole:		
Answer Options	**Response Count**	**Ranking**
Housing Condition and Property Maintenance	35	1
Neighborhood Physical Condition (such as streetlights, sidewalks, etc.)	37	2
High Housing Cost	37	3
Supply of New Housing For Sale	35	4
Other (please specify)	13	5
Supply of New Housing to Rent	35	6
If you indicated Other, please list:	9	
Answered Question	**51**	

Please rank the following groups by order of their need for housing and related services in the community:		
Answer Options	**Response Count**	**Ranking**
Seniors	44	1
Young adults	43	2
Persons with Disabilities	44	3
Large Households (five or more members)	39	4
Other (please specify)	4	5
If you indicated Other, please list:	2	
Answered Question	**50**	

How adequate is Pinole's supply of the following housing types (Yes = Adequate Supply; No = Not Adequate Supply):			
Answer Options	Yes	No	Response Count
Single family homes	42	3	45
Townhomes and condominiums	31	15	46
Rental apartments	30	13	43
Senior housing	26	22	48
Housing for persons with disabilities	25	17	42
Housing for the homeless	15	24	39
Other (please specify)	1	0	1
If you indicated Other, please list:			1
		Answered Question	49

What types of housing programs and activities do you feel the City should concentrate on over the next eight years? Please rank by order of importance:		
Answer Options	**Response Count**	**Ranking**
Housing Rehabilitation Assistance for Homeowners	36	1
Housing for Seniors	35	2
First Time Homebuyer Assistance	30	3
Code Enforcement	38	4
Rental Housing Rehabilitation	33	5
Affordable Housing Development	32	6
Accessible Units for Persons with Disabilities	34	7
Other (please specify)	4	8
Housing for the Homeless	35	9
Housing Discrimination and Tenant / Landlord Dispute Resolution	34	10
If you indicated Other, please list:	2	
answered question	**50**	

TELEPHONE INTERVIEWS

A variety of professionals who are involved either directly with housing or indirectly as service providers participated in telephone interviews that inform this report. All of them have responsibilities in Pinole specifically or within the East Bay area.

Serving Seniors and Persons with Disabilities

- Eden Council for Hope and Opportunity (ECHO Housing)
- Disabled People's Recreation Center
- Cole Vocational Services
- Pinole Senior Center

Real Estate Professionals

- Coldwell Banker Real Estate, Pinole Branch
- Security Pacific Real Estate Brokerage, Richmond Branch

Developers of Affordable Housing

- Domus Development
- EAH Housing

Comments received during these interviews are summarized in the Housing Issues Report (Appendix D).

PUBLIC MEETINGS

The City conducted a number of public meetings to discuss housing needs and funding priorities as part of the Housing Element development process:

- **May 28, 2014 - Finance Subcommittee:** The City conducted a meeting before the Finance Subcommittee, comprising of City Council members, City Manager, Finance Director and Community Development Director. The Subcommittee reviewed the Housing Issues Report and discussed housing funding priorities. The Subcommittee recommended prioritizing funding, if available, for the preservation of affordable units at-risk of converting to market rate units and housing rehabilitation assistance.
- **July 15, 2014 – City Council:** The City conducted a City Council meeting to review housing funding priorities as recommended by the City Council Finance Subcommittee. The City Council identified three housing funding priorities when or if funds become available for the preservation of affordable units at risk of conversion to market rate units, housing rehabilitation assistance to seniors and disabled households, and rehabilitation of distressed properties.

PUBLIC COMMENTS RECEIVED

The City received a letter from the Building Industry Association (BIA) of Bay Area regarding Housing Element updates in the Bay Area. The letter is not specific to the City of Pinole. It contains a general overview of the Housing Element statutory provisions and requests specific areas of focus. This letter is provided on the following pages and the City's response is provided below.

City Response: The City's previous Housing Element was certified by the State Department of Housing and Community Development (HCD) for compliance with State law. This 2015-2023 update is technical in nature given that no significant changes to State law has occurred. In preparing this update, the City reviewed the BIA letter for comments and suggestions that may be relevant to Pinole. Specifically, the City has reviewed its development policies and regulations, including density bonus, inclusionary housing policy, planning and development fees, and provisions for special needs housing.

The City adopted its General Plan and Three Corridors Specific Plan in 2010, providing an increased potential for mixed use and residential development in the community. The General Plan and Specific Plan ensures the City with adequate sites to accommodate the City's Regional Housing Needs Allocation (RHNA).

The Draft Housing Element has been sent to the State HCD for review. Staff has been working diligently with HCD to address their comments and fully expects "certification" of the Housing Element by HCD.

November 26, 2013

Housing/Planning Director
Jurisdiction
Via email

Re: Housing Element Update

The undersigned members of the Bay Area Business Coalition advocate for a vibrant regional economy and outstanding quality of life for existing and future residents of the San Francisco Bay Area. A necessary—though by no means sufficient—condition to achieve these goals is for the region to provide an adequate supply of housing within the region. State housing element law generally—and the governmental constraints component in particular—can be important tools to advance these goals. With Bay Area cities and counties currently updating their housing elements, our organizations respectfully request that your jurisdiction consider and address the following comments as part of the public review process.

We recognize that the housing element process can be resource intensive and sometimes difficult. We hope that by identifying certain priority issues and questions, this letter will assist in focusing resources on policies and practices that are of significant and recurring interest to the regulated community. We also would support incorporating these standardized issues into the framework for local jurisdictions to be able to take advantage of the housing element certification streamlining developed by the California Department of Housing and Community Development (HCD).

I. Overview of the statutory provisions.
The California Department of Housing and Community Development (HCD) has prepared formal guidance interpreting the constraints analysis portion of housing element law (http://www.hcd.ca.gov/hpd/housing_element2/CON_home.php.

HCD's overview of the requirements and their purpose provides: *The element must identify and analyze potential and actual governmental constraints to the maintenance, improvement, or development of housing for all income levels, including housing for persons with disabilities. The analysis should identify the specific standards and processes and evaluate their impact, including cumulatively, on the supply and affordability of housing. The analysis should determine whether local regulatory standards pose an actual constraint and must also demonstrate local efforts*

to remove constraints that hinder a jurisdiction from meeting its housing needs.... The analysis of potential governmental constraints should describe past or current efforts to remove governmental constraints. Where the analyses identifies that constraints exist, the element should include program responses to mitigate the effects of the constraint. Each analysis should use specific objective data, quantified where possible. A determination should be made for each potential constraint as to whether it poses as an actual constraint. The analysis should identify the specific standards and processes and evaluate their impact, including cumulatively, on the supply and affordability of housing.

II. Requested specific areas of focus

We have identified certain policies that generally represent significant potential constraints in the Bay Area and we request that as you conduct the constraints portion of your housing element review, these issues in particular be addressed:

- **Did your jurisdiction commit to addressing specific constraints as a condition of HCD certification of the existing housing element?** If so, what was the constraint and what has been done to address it?

- **Does your jurisdiction have a mandatory inclusionary zoning policy?** If so, has an analysis been done that measures the economic impact? Does it contain meaningful and regularly available incentives, and is its implementation flexible so that there are alternatives to a "like for like must build requirement" such as payment of reasonable in lieu fees, land dedication, or acquisition and rehabilitation of existing units with provision affordability covenants? Are such alternatives available at the developer's option or with staff approval—but without need for Council or Board approval on a project-by-project basis?

- **Has your jurisdiction adopted a density bonus ordinance consistent with governing state law (Gov't Code Section 65915)?** Does the density bonus ordinance count mandatory inclusionary zoning units toward the density bonus threshold as required by the recent court of appeal decision in *Latinos Unidos del Valle de Napa y Solano v. County of Napa*, 217 Cal. App. 4th 1160 (2013)?

- **What is the cumulative fee and exaction burden on new housing in your jurisdiction?** This analysis should include not only development fees that are "formally" reflected in published fee schedules, but also include exactions imposed via housing allocation program/ "beauty contests," community benefits/amenities agreements, CFD annexation requirements, and the like. The analysis should also include fees imposed by other agencies, for example school fees, sewer and water fees, and fees imposed pursuant to an applicable regional Habitat Conservation Plan. The analysis should determine the % of the sales of price of new housing in the jurisdiction is represented by the cumulative fee/exaction burden, as well as the % of costs for rental housing units represented by the cumulative fee/exaction burden.

- **Does your jurisdiction have any recently adopted, proposed, or under consideration new or increased fee or exaction, such as an affordable housing impact fee?**

- **Has your jurisdiction required new housing projects, including multifamily/attached projects, to pay a fee or special tax for ongoing general governmental services?**

- **Does your jurisdiction have a designated Priority Development Area (PDA)? Is it a "planned" or "potential" PDA?** Have the number of residential units and densities shown in the PDA application been incorporated into the General Plan? Has the CEQA process been completed for the PDA so that no additional CEQA review is necessary for a proposed project consistent with the PDA? Have development restrictions and processes been streamlined in the area covered by the PDA?

- **What were the sites relied on for the adequate sites compliance of the existing housing element?** What has been the entitlement/development activity for these sites during the prior planning period? Were any of the sites subject to "by right" development procedures?

- **Does your jurisdiction have any type of cap or limitation on the number or type of housing units that may be permitted or constructed jurisdiction wide or in specific areas of the jurisdiction—including a cap or limitation tied to a specified level of new job creation in the jurisdiction?**

- **Has your jurisdiction provided for "by right" housing development in any areas?**

- **Are there zoning or other development restrictions (such as voter approval requirements, density limits or building height restrictions) that have impeded infill and/or transit oriented development?**

- **Has your jurisdiction consistently demonstrated compliance with both the letter and spirit of the Permit Streamlining Act?**

- **What are your jurisdiction's historic preservation policies and review procedures and have they had a significant impact on the permit and entitlement processes for new development projects?**

- **Has your jurisdiction adopted an ordinance pursuant to the Quimby Act that gives developers credit for private open space?**

- **In implementing the Quimby Act, does your jurisdiction provide for consistency between the calculation of the existing neighborhood and community park inventory, and the criteria and procedures for determining whether to accept land offered for parkland dedication or to give credit for private open space?** For example, has your jurisdiction refused to accept an area in whole or in partial satisfaction of the parkland dedication ordinance on the basis that it is unsuitable for park and recreational uses even though the area is substantially similar to areas included in the overall parkland inventory used to calculate the parkland dedication requirement and fee?

- **In the project review process, has your jurisdiction required developers to use the Bay Area Air Quality Management District's CEQA Thresholds of Significance for Toxic Air Contaminants (TAC Receptor Thresholds)?** Has your jurisdiction explored alternative procedures for addressing project siting and air quality concerns, such as in the general plan or zoning code?

- **Has your jurisdiction adopted a Climate Adaptation Plan that is more stringent with respect to the per capita GHG reductions for the land use sector/transportation sector than the equivalent per capita targets established for the region by CARB pursuant to SB 375?**

Our organizations intend to monitor housing element updates throughout the region, and we respectfully request that your jurisdiction formally respond to these questions early in the update process. We also ask that you send a paper or electronic copy of the responses to:

BIA of the Bay Area
Attn: Paul Campos
101 Ygnacio Valley Road, Suite 210
Walnut Creek, CA 94596
pcampos@biabayarea.org
415-223-3775

Yours very truly,

John Coleman
Bay Planning Coalition
Council

Paul Campos
BIA Bay Area

Tom Terrill
East Bay Leadership

Gregory McConnell
Jobs & Housing Coalition

Cynthia Murray
North Bay Leadership Council

Rosanne Foust
SAMCEDA

Jim Wunderman
Bay Area Council

Joshua Howard
California Apartment Association

APPENDIX B. REVIEW OF PAST ACCOMPLISHMENTS

The fourth cycle of the Housing Element update for the City of Pinole covers a planning period from July 1, 2009 through June 30, 2014. SB 375 however, extended this planning timeframe for the Housing Element through January 31, 2015 in order to align regional housing planning with the regional transportation plan. The Regional Housing Needs Allocation (RHNA) planning period differs slightly from the Housing Element planning period and began on January 1, 2007. Therefore, when evaluating progress in implementing the Housing Element, most programs are evaluated for the duration of the Housing Element (since July 1, 2009) or since adoption of the Housing Element on July 9, 2010. When assessing the City's progress toward meeting its RHNA, units constructed since January 1, 2007 are credited.

Table App B-1
Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
GOAL H.1 MONITOR HOUSING NEEDS **Work together with interested parties to achieve the City's housing goals and monitor accomplishments in order to respond to housing needs effectively over time.**		
Action H.1.1 **Conduct an Annual Housing Element Review** 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 April 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. *Target: Ongoing (annually).*	The City adopted the 2007-2014 Housing Element on July 9, 2010. The Annual Element Progress Report was filed with the Department of Housing and Community Development and the State Department of Finance each year as required by State law.	This action will continue in the updated Housing Element.
Action H.1.2 **Explore Housing Development Partnerships** The City will seek out opportunities to work with other public agencies by identifying housing grant funding opportunities to encourage and implement improvements and expansion of housing supply and work with developers by creating a developer interest list and periodically assessing development needs to encourage new residential development to provide affordable housing. *Target: Ongoing.*	Due to the depressed housing market, few development proposals were received during the planning timeframe of this Housing Element. However the City met with several developers during the period regarding future housing development submittals. The City received an application for the conversion of an existing vacant commercial building to six (6) multi-family units and worked with the property owner on the development of a mixed income project requiring a design review request.	This continued to be an appropriate action. As part of the 2015-2023 Housing Element update, the City outreached to developers to gain an understanding of opportunities and constraints relating to housing development in Pinole.

Table App B-1
Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
Action H.1.3 **Periodically Review Residential Development Requirements** Consider designating sites meeting appropriate criteria for higher density housing. Planning should utilize the following when monitoring the effectiveness of established development standards to help address housing needs: • Use of Specific Plans to expedite processing for infill and affordable housing developments. • For key housing opportunity sites, provide development standards and design objectives to streamline the development review process for projects that are consistent with applicable Specific Plan and the General Plan. • Identify the mix of uses, minimum density standards, density bonuses, or a percentage of affordable units. • Provision of clear guidelines and incentives for the development of housing in conformance with current state laws and to identify specific ways to streamline process for subsequent development proposals. *Target Ongoing (as necessary).*	New residential development standards were adopted in 2010 through the Comprehensive General Plan Update, Zoning Code Update, and Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way. Existing Residential Design Criteria and Guidelines, adopted in 2007, remain in place with the updates. The City adjusted development review requirements for additions and new single-family home projects. The City amended the requirements to allow administrative review of projects that are consistent with adopted design review guidelines. The Corridor Specific Plan includes land use designations for new housing sites as well as higher residential densities, up to 35 units per acre in the Residential Mixed Use (RMU) District. It also provides for Expedited Design Review for projects that are consistent with the Specific Plan and are identified as Priority Projects or projects that demonstrate a high level of sustainability. The 2010 General Plan Community Character Element includes Action 1.2.1 for an enhanced, expedited staff level design review process for development projects within primary circulation corridors.	This action is modified to monitor development standards to ensure their continued appropriateness in fostering residential and mixed use development in the community.
Action H.1.4 **Zoning Ordinance Update** Update the Pinole Zoning Ordinance to be consistent with the General Plan to ensure consistency with the elements of the updated General Plan, including this Housing Element. *Target: Within one year of adoption of this Housing Element.*	The City adopted the updated General Plan and Zoning Code in October 2010 and November 2010 respectively.	This action is completed and removed from the Housing Element as a separate action. HIA-3 affirms the City's continued commitment to monitor its development standards.

Table App B-1
Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
GOAL H.2 PROTECT EXISTING CHARACTER AND HERITAGE **Protect and enhance the integrity and distinctive character and heritage of Pinole by encouraging the development of high-quality, well-designed housing and conserving existing housing.**		
Action H.2.1 **Apply Design Review Guidelines** Apply the Zoning Ordinance Residential Design Guidelines to new residential projects in order to evaluate projects in the context of existing neighborhoods and continue to maintain an objective process that clearly communicates community expectations in the Design Review process. *Target: Ongoing.*	The City continues to implement the Residential Design Guidelines that were adopted originally in 2007 and are now included in the updated Zoning Code. The City received two applications for development of single-family homes during 2010-2012. Both applications were reviewed under the Guidelines. The City received no other applications for residential development.	Providing quality housing is important to the community. This action is continued in the 2015-2023 Housing Element.
Action H.2.2 **Adequate Sites to Meet Regional Fair Share of Housing Growth** The City shall provide for a variety of housing types with densities ranging from one to seven units in low-density residential areas and up to fifty dwelling units per acre in very high-density residential and mixed-use areas along portions of the City's transportation corridors included in the proposed Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way, with the incorporation of density bonuses available consistent with State law. In support of this Housing Element, the City developed a parcel-specific inventory of sites suitable for future residential development, including vacant sites currently designated under the City's General Plan and housing opportunity sites designated in the City's proposed Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way. The sites designated in the Corridor Specific Plan areas are for higher-density residential and mixed-use development, located along transit routes, and are proximate to key commercial and transportation centers. The residential	The City adopted the Three Corridors Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way in November 2010. Adoption in November 2010 of the updated General Plan, Zoning Code and Three Corridors Specific Plan completed the rezoning as designated in Table 37 (Vacant Sites) of the 2007-2014 Housing Element. The Three Corridor Specific Plan was adopted in November 2010. The City continues to utilize this and other planning documents to encourage, facilitate, and process housing development requests. Adoption of the General Plan Update, Three Corridors Specific Plan, and Zoning Ordinance Update in November 2010 refined land use designations and included provisions to align them with regional housing needs for mixed use and infill development. This effort included the rezoning of a number of Specific Plan sites also identified in the Housing Element to accommodate high density residential and mixed use development. The City will continue to monitor local and regional housing needs and provide appropriate land designations to meet current needs.	This action is modified in the 2015-2023 Housing Element to focus on maintenance of adequate inventory of sites.

Table App B-1
Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
sites analysis included in Section 4 of this Housing Element demonstrates the City's ability to meet its RHNA allocation. The combination of these sites provides the following number of acres per zoning district: • Suburban Rural (SR) – 11.72 acres • Mixed Use (MU) – 20.6 acres • High Density Residential (HDR) – 0.7 acres • Very High Density Residential (VHDR) – 4.14 acres • Residential Mixed Use (RMU) – 3.6 acres • Commercial Mixed Use (CMU) – 19.07 acres • Office Professional Mixed Use (OPMU) – 2.23 acres Proposed standards for the RMU, CMU, and OPMU zones require a minimum of 20 dwelling units per acre, and the VHDR zone requires a minimum of 35 units per acre. The City will undertake the following to ensure adequate sites are identified and utilized to provide opportunities for future housing development. • Adopt the proposed Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way within one year following the adoption of the Housing Element. • Rezone at least the minimum number of acres necessary to accommodate the remaining Regional Housing Needs Allocation. This is anticipated to be accomplished through the adoption of the Corridor Specific Plan and will be completed within one year of adopting this Housing Element. The sites that will be utilized to meet the RHNA are identified and analyzed in Table 38. • Implement the Corridor Specific	The City continues to compile and update a detailed site-specific inventory of housing sites to facilitate future development.	

Table App B-1
Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
Plan and other Planning and Land Use documents that further the City's ability to encourage the development of housing at all levels of affordability. • Continue to provide appropriate land use designations consistent with regional housing needs for mixed use and infill development near transit and other amenities. • Maintain an updated inventory of available sites for housing development to provide for developers in conjunction with information about other development incentives for affordable units. *Target: Ongoing; see specific actions outline above.*		
Action H.2.3 **Rehabilitation Loan Programs** Continue to support rehabilitation loan subsidy programs. The City will improve citizen awareness of rehabilitation loan subsidy programs offered by the Agency and the County. Specific actions should include: (a) housing pamphlets on the programs available at City Hall; (b) contact with neighborhood groups and associations; (c) posting of notices in specific neighborhoods, as needed; (d) providing special presentations to community groups periodically; and (e) providing public information through articles in the local newspaper and with cable TV public rehabilitation loans for specific areas. The Program Administrator should work closely with Contra Costa County to promote similar residential rehabilitation assistance programs such as the Neighborhood Preservation Program. Targets for these programs include: • Residential Rehabilitation Loan Program: 5 extremely low income units, 10 very low income units, 10 low income units, and 10 moderate income units rehabilitated between	The City historically has offered both ownership and rental/multifamily rehabilitation loans for improvements to the existing housing stock utilizing the City's redevelopment housing set-aside funds. Residential Rehabilitation Loan Program: Between July 1, 2009 and December 31, 2013, this program provided more than $19,500 in loans and grants for rehabilitation of four homes in the City. Rental Rehabilitation Program: The City assisted Bridge Housing to refinance the existing Pinole Grove apartment development at 800 John Street by forgiving $500,000 in interest due. This assistance helped make it possible for the property owner to refinance the project and rehabilitate the units. The City issued a building permit for the rehabilitation of 69 units including 34 very low-income and 35 moderate-income units in 2011. The rehabilitation work was completed in 2012. Staff continues to publicize the Rehabilitation Loan Programs and currently provides information about the Program as prescribed in Action H.2.3.	Due to the State's elimination of redevelopment and the City's current financial circumstances, local funding for these programs is no longer available. As demand and financial resources allow, the City is committed to continuing to support the rehabilitation of rental and ownership housing, particularly as those opportunities can be utilized to secure affordable housing units. This action is modified in the 2015-2023 Housing Element to reflect the elimination of redevelopment and the need to utilize/ pursue alternative funding sources.

Table App B-1
Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
2007 and 2014; • Rental Rehabilitation Program: 5 very low income, 5 low income, and 5 moderate income rental units rehabilitated between 2007 and 2014. In addition, the City will annually review the Five-Year Capital Improvement Program (CIP) to ensure funds are allocated to help the City make progress on quantified objectives. *Target: Ongoing, with annual review commencing in 2010.*	In 2013 the City issued and conducted final building permit inspections to rehabilitate approximately 300 housing units including 70 roof replacement projects and 65 new solar panel installation projects, and two home addition projects. The City prepared a CIP in 2013. No funding was available to provide for a rehabilitation loan program due to the loss of the former Redevelopment Agency funds that were used to fund this effort.	
GOAL H.3 PROVIDE ADEQUATE SERVICES AND FACILITIES **Provide adequate services to meet the needs of the City's current and future population.**		
Action H.3.1 **Open Space Contributions** Require open space contributions for all housing subdivisions. *Target: Ongoing.*	No residential subdivisions were approved during 2010-2013. Open Space Contributions are not currently required for housing subdivisions. However, Development Impact Fees, including a fee for parks and recreation, were adopted in 2008 and are charged for new housing development. The City has adopted zoning requirements to provide minimum yard space in conjunction with new residential development. The City has minimum open space requirements for multi-family housing codified in Section 1724.030 of the Municipal Code. Additionally, open space easements are sometimes required based on site-specific conditions to protect natural resources. Goal OS.7 of the 2010 General Plan Natural Resources and Open Space Element addresses funding for ongoing open space preservation and stewardship but does not include an action involving contributions for housing subdivisions.	This action is removed from the Housing Element.
Action H.3.2 **Fee Structure Evaluation** Periodically review the City's current development impact fees to ensure that	The revised Master Fee Schedule became effective during 2013. Development Impact Fees were adopted by resolution in 2008. Development fees were unchanged.	This action is continued in the 2015-2023 Housing Element.

Table App B-1
Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
new development contributes its fair share of the costs for the provision of services and facilities. *Target: Ongoing.*		
GOAL H.4 HOUSING NEED **Within the context of retaining existing community character and providing adequate services and facilities, maintain the current social diversity that exists in Pinole by providing a mix of housing types and prices that meet the City's Fair Share of Regional Housing Need and its specific housing needs as identified in the Housing Element.**		
Action H.4.1 **General Plan Land Uses** Incorporate the policies of the Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way into the General Plan. Evaluate General Plan land use designations and plan programs annually to ensure they are consistent with the City's overall goals and review the entire General Plan within five years. *Target: Within one year following the adoption of the Housing Element and at least every five years following.*	The General Plan and Three Corridors Specific Plan were adopted in October 2010 and November 2010, respectively. The policies contained in each are consistent. Staff implemented the updated policies and completed actions within the Housing Element, which was adopted before the other General Plan Elements and the Specific Plan. Staff regularly evaluates the policies to ensure ongoing internal consistency.	This action is included in the 2015-2023 Housing Element as part of Action H.1.1 and Action H.2.2. As General Plan elements are updated, the City will review the overall General Plan for internal consistency.
Action H.4.2 **Housing Construction** Construct or encourage the construction of housing units throughout the City through use of the following mechanisms: • Mixed Use Housing Incentives. • Redevelopment Agency Powers. • Rental Housing Site Assembly and Development. • Affordable Housing Incentives. • Require Affordable Housing in Market Rate Residential Projects Located in the Redevelopment Area. • Housing for Extremely Low Income Households. *Target: Ongoing to provide for the construction or approval of at least 323 units between 2007 and 2014.*	The Housing Element outlines a number of specific mechanisms designed to encourage housing construction, including measures that depended on the tools available through redevelopment prior to its elimination by the State. Current available incentives have been reduced due to lack of available funding; however, the City's commitment to housing construction remains, and incentives will be made available to encourage housing development as funding permits. It should be noted that the General Plan and Corridor Specific Plan, both adopted in 2010, provide development standards that increased flexibility and development potential for residential development sites that were identified in Table 38 of the 2009-2014 Housing Element. These incentives include reduced parking requirements and increased maximum building heights. Proposed residential	Expanding the supply and types of housing is an important housing goal. This action is included in the 2015-2023 Housing Element.

Table App B-1
Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
	projects that are consistent with the City's Three Corridors Specific Plan are also eligible for expedited environmental review. Extended construction hours may also be available to expedite construction time. Between January 1, 2007 and December 31, 2013, 72 housing units have been constructed in the City, with the following income distribution: - 2 very low income units - 1 low income units - 10 moderate income units - 59 above moderate income units The City's progress toward meeting its RHNA is further detailed in a separate table.	
Action H.4.3 **Parcel Consolidation** The City will play an active role in facilitating lot consolidation, particularly as it relates to parcels listed in the Site Inventory in Section 4 of this Housing Element. The lot consolidation procedure will be included in the City's Municipal Code and be made available to the public and discussed with developers during the preliminary review process. Lot consolidation requests made in order to facilitate development of affordable housing will be processed administratively. Incentives offered for lot consolidation will include allowing higher densities for larger parcels once consolidated, flexibility in development standards, and expedited processing. *Target: Ongoing, with the lot consolidation procedure to be included in the Municipal Code within one year of the adoption of this Housing Element.*	The updated Zoning Code, adopted in November 2010, includes provisions for integrated development of two or more adjacent parcels through with specific plan zoning (17.43). No applications for lot consolidation were received during 2010-2013 since adoption of the Zoning Code update. The City did have discussions with several different owner/developers about this process during the reporting period.	The City will continue to facilitate lot consolidation of key housing opportunity sites based on owner/ developer interest. This action is included in the 2015-2023 Housing Element.
Action H.4.4 **Second Unit Ordinance** The City will provide information on the ordinance at City Hall and on its website. In addition, the City will review the Second Dwelling Unit Ordinance in regard to	New Second Dwelling Units standards were incorporated in the updated Zoning Code, adopted in November 2010. Information about the Second Unit Ordinance is currently available at City Hall and on the City's website.	Second units remain an alternative approach to providing affordable housing in the community and helping meet the City's RHNA. This action is included in the 2015-

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Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
development requirements to encourage the development of well-designed secondary housing units in established residential areas. *Target: Construction of 15 new second units between 2007 and 2014.*	In 2007, 17 second units were constructed at the Serita by De Nova Homes Development, six of which are required by covenant to be rented at a price affordable to moderate-income households. No other second units were constructed during 2007-2014.	2023 Housing Element.
Action H.4.5 **Homebuyer Programs** Continue to support the Agency's First Time Homebuyer Program. Specific actions should include: (a) pamphlets on the programs available at City Hall; (b) contact with neighborhood groups and associations; (c) posting of notices in specific neighborhoods, as needed; (d) providing special presentations to community groups periodically; and (e) providing public information through articles in the local newspaper and with cable TV public service announcements. *Target: 15 units between 2007 and 2014.*	The First Time Homebuyer Program policies were updated in 2008. Notable policy changes include: funding loans for homes located anywhere in the City; providing funding tiers based on household income; shortened deferral policies; and more stringent borrower eligibility criteria (debt-to-income ratio, minimum credit score). Brochures and program information are available at City Hall and on the City's website. The program is also publicized in the Community Guide and information and presentations are provided to interested community organizations as requested. However, due to the elimination of redevelopment, this program has been suspended. Between July 1, 2009 and December 2013, seven First Time Homebuyer loans were issued.	Due to the State's elimination of redevelopment and the City's current financial circumstances, local funding for this program is no longer available. As demand and financial resources allow, the City is committed to continuing to provide homebuyer assistance. This action is modified in the 2015-2023 Housing Element to reflect the elimination of redevelopment and the need to utilize/ pursue alternative funding sources.
Action H.4.6 **Below Market Rate (BMR) Regulations** Implement and monitor rental (55 years) and resale (45 years) restrictions for low- and moderate-income units assisted or constructed by the Redevelopment Agency to assure that these units remain at an affordable price level as they are developed, occupied, and transferred. *Target: Ongoing.*	The City of Pinole has deed restrictions in place for all units counted as part of its Below Market Rate portfolio. A new policy for the sale of Below Market Rate (BMR) units was adopted in 2008. The policy requires that ownership BMR units have resale restrictions in place that guarantee affordability for 55 years. Rental affordability covenants are recorded for a minimum of 55 years. The current portfolio includes 560 rental units with affordability controls in place and five BMR ownership units with resale restrictions. The Redevelopment Agency and now the City of Pinole Successor Agency has deed restrictions in place for all units counted as part of its below market rate portfolio in 2013. The City continues to	This action is included in the 2015-2023 Housing Element but is modified to reflect the elimination of the Redevelopment Agency.

Table App B-1
Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
	annually monitor the affordability of all BMR rental units through an annual certification process.	
Action H.4.7 **Technical Assistance to Housing Developers** The City and its Redevelopment Agency will provide technical assistance to developers to encourage provision of affordable housing that are consistent with City goals. Assistance could include provision of information about available funding sources, pre-application planning meetings, expedited development review and processing, and facilitation of neighborhood meetings. *Target: Ongoing.*	The City remains committed to providing technical assistance to encourage affordable housing consistent with City housing goals. Planning staff works with developers to ensure that they understand their obligations to provide affordable housing and how the City Agency can help facilitate the process. The City has held several meeting with affordable housing builder, EAH Housing, regarding the possibility of a future affordable housing development at 600 Roble Avenue and/or within the City's Old Town area. However, no application has been submitted.	This action is updated and included in the 2015-2023 Housing Element.
Action H.4.8 **Accessible Units for the Physically Disabled** The City will facilitate programs and projects that meet Federal, State and local requirements to provide accessibility for the physically disabled in residential units and will promote affordable accessible housing for the physically disabled. The City will encourage accessible units in all new projects; additionally, where outside funding is involved, the City will ensure compliance with funding agency requirements for units accessible to the physically disabled. The City will provide technical assistance to assure proposed units meet Building Code requirements. *Target: 5% of the units built or approved between 2007 and 2014 should be adaptable for the physically disabled.*	The City continues to enforce all local, state, and federal accessibility requirements during the ongoing development review process. Modifications to the Zoning Code adopted in July 2009 and incorporated in the 2010 update of the Zoning Code allow for administrative review of ramps and other improvements designed to accommodate individuals with disabilities. The City is committed to assisting in the development of new projects that provide accessible housing for the disabled or issuing building permits for projects that improve the accessibility of existing housing units for the physically disabled. In 2013, the City did not receive any new development request for housing for the physically disabled population or for accessibility modifications to existing residential units to improve accessibility. The City continues to inspect Pinole Vista Apartments which is rehabilitating 52 existing units and adding improvements to accommodate physically disabled individuals on the property.	The City will continue to expand housing opportunities for persons with disabilities. This action is combined with Action H.4.9 and included in the 2015-2023 Housing Element.
Action H.4.9 **Adopt and Implement Reasonable Accommodation Procedures** The City will adopt formal procedures for	The 2010 updated Zoning Code includes provisions for Reasonable Accommodation at 17.12.050. For requests that the Community Development Director considers to be	The City will continue to expand housing opportunities for persons with disabilities. This action is combined with

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Evaluation and Review of Housing Programs

2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
providing reasonable accommodation for housing for persons with disabilities in accordance with fair housing and disability law through the Zoning Ordinance Update. The Reasonable Accommodation procedures will allow for building modifications to accommodate the needs of persons with disabilities to be reviewed administratively by City Staff. Once adopted, Community Development Department Staff will implement the Ordinance. *Target: Adopt Ordinance within 12 months of adoption of Housing Element; Implementation will be ongoing.*	ministerial, he or she shall issue a written determination within thirty days of receiving a completed application. Non-ministerial requests are forwarded to the Planning Commission for a noticed public hearing with findings that are specific to requests for reasonable accommodation.	Action H.4.8 and included in the 2015-2023 Housing Element.
Action H.4.10 **Homeless Assistance** Annually contribute a portion of Redevelopment funds to non-profit agencies involved in providing housing for the homeless. *Target: Ongoing.*	The City's fiscal crisis and State elimination of the City's Redevelopment Agency necessitated scaling back on a significant number of expenditures including homeless assistance.	Without a consistent funding source, the City is unable to commit to contributing to homeless assistance. This action is removed from the 2015-2023 Housing Element. However, the City will continue to facilitate affordable housing development that can benefit those who are at-risk of becoming homeless and those transitioning from homelessness to permanent independent living.
Action H.4.11 **Housing for the Homeless** As part of the Government Constraints analysis for this Housing Element (2007-2014), the following revisions to the City's Zoning Ordinance were identified to better facilitate the provision of housing to address the needs of homeless and extremely low income households: Add transitional and supportive housing within the Code's definition section and list as permitted uses subject only to those restrictions that apply to residential or commercial uses in the same zone. Include emergency shelters as a permitted use not requiring discretionary action in the	The 2010 update of the Zoning Ordinance includes provisions for emergency shelters and transitional housing at 17.62. Transitional facilities for ten or fewer residents may be located in any portion of the city zoned for residential development. Emergency shelters are permitted by right in the Corridor Specific Plan Office Industrial Mixed Use (OIMU) Zone subject to adopted development and performance standards.	This action is modified and included in the Housing Element to include a monitoring component.

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2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
proposed Office/Industrial Mixed Use Zone within the San Pablo Avenue Specific Plan Sub-Area. Emergency shelters will be subject to the same development and management standards as other permitted uses in the Specific Plan Service Sub-Area, as summarized in the Housing Constraints section of the Housing Element. As stated in the Housing Constraints evaluation, the City will develop written, objective standards for emergency shelters to regulate (with provisions) as permitted under SB 2. *Target: Within twelve months of adoption of the Housing Element*		
Action H.4.12 **Prevention of Housing Discrimination** The City will take actions to prevent discrimination in the housing market and provide information on fair housing laws. Staff will distribute fair housing pamphlets 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. *Target: Ongoing.*	The Community Development Department continues to implement the policy and to field questions and provide information about affordable housing and fair housing. Historically, the City receives few fair housing complaints on an annual basis and no complaints were received in 2013. All housing complaints are referred to local fair housing advocacy firms to provide case assistance and legal advice.	The City will continue to promote fair housing in the community. This action is included in the 2015-2023 Housing Element.
Action H.4.13 **Develop Multi-Family Sites at Medium and High Densities** The City will strive to protect the supply and availability of multifamily housing sites for affordable housing by requiring minimum densities through the Zoning Ordinance Update. *Target: Ongoing.*	The 2010 updated General Plan and Zoning Ordinance includes minimum densities for residential development on sites that permit housing. For example, the maximum density in the residential High Density Zoning District (R-3) is 35 units per acre, with a minimum density of 20.1 units per acre. The maximum density in the Very High Density Zoning District (R-4) is 50 units per acre, with a minimum density of 35.1 units per acre. The maximum density in the Medium Density Zoning District is (R-2) 20 units per acre, with a minimum density of 10.1 units per acre.	This action is completed and a monitoring component is incorporated into Action H.4.1 and Action H.4.2 to facilitate housing development in meeting the City's RHNA.
Action H.4.14	The City will update the status of	This action is included in

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2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
Conservation of Affordable Housing Units Pinole's supply of affordable housing units is largely made of multifamily units with affordability covenants in place that ensure affordability at a specific income level for a set period of time following the provision of financial assistance to the project, generally through the Pinole Redevelopment Agency. A number of covenants were recorded prior to changes to State law that took effect in 2001 requiring minimum thresholds for affordability and are now nearing their expiration dates. The City will take appropriate steps to ensure that the units with covenants close to expiration are conserved or replaced and will remain affordable to moderate and lower-income households. (Note: The specific units at risk of conversion are detailed in Table 6.25 of the 2007-2014 Housing Element.) *Target: Through 2014: 2 low-income units; between 2015 and 2019: 85 moderate-rate units, 2 low-income units, and 24 very low-income units.*	restricted units in 2014 as part of the update to the Housing Element. During the 2015-2023 a total of 113 affordable units at nine properties are at risk of converting to market-rate housing. During the reporting period staff met with several existing property owners and developers to initiate discussion about either extending existing affordability controls that are due to expire or purchasing new affordability controls on existing market rate units to conserve existing affordable housing opportunities within the City.	the 2015-2023 Housing Element to reflect an updated inventory of affordable housing and units at risk of converting to market-rate housing.
Action H.4.15 **Explore Options for Senior Assistance Programs** Explore program revisions and potential new programs aimed at providing assistance to seniors that would allow them to live independently and age in their homes. The potential assistance program(s) may be an offshoot of or include revisions to the existing Residential Rehabilitation Loan Program, which provides grants and low-interest loans to qualifying households. *Target: 2011.*	Due to the City's financial circumstances and the State's elimination of the City's Redevelopment Agency, local funding for a residential rehabilitation loan program is not available. The City did issue and inspect more than 300 residential rehabilitation projects during the reporting period. The City also administratively reviews residential modifications intended to improve access for seniors and/or physically disabled individuals. The Residential Rehabilitation Program can assist income-eligible seniors when funds are available. The City will continue to explore funding sources.	This action is included in the 2015-2023 Housing Element. In addition, through Action H.1.2 and Action H.4.2, the City will encourage the development of senior housing.

Table App B-1
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2007-2014 Implementation Program	Accomplishments	Continued Appropriateness
GOAL H.5 ENERGY-EFFICIENCY, CONSERVATION, AND SUSTAINABLE RESIDENTIAL DEVELOPMENT **Support energy-efficient design and building practices in order to reduce housing utility expenses, minimize adverse environmental impacts, and provide for sustainability.**		
Action H.5.1 **Energy & Water Conservation** Support and publicize energy and water conservation programs, such as PG&E's SmartAC, ClimateSmart, and Energy Partners Programs, which provide assistance for energy conservation improvements as well as EBMUD Residential Conservation Rebates and Programs. In cooperation with PG&E, EBMUD, and other utility providers, the City will promote citizen awareness of energy conservation programs in concert with rehabilitation loan programs. Further, the City will implement water efficient landscaping requirements for new residential development. *Target: 15 very low and low-income units provided energy conservation improvements under the Residential Rehabilitation Program between 2007 and 2014.*	Information about state and regional water and energy conservation is available at City Hall and on the City's website. The City issued building permits and conducted final building inspections for 65 residential solar energy installation projects during the reporting period. The City also refers members of the public the EBMUD and PG&E web sites for detailed information about water and energy conservation programs provided by these utility service providers.	This action is included in the 2015-2023 Housing Element.
Action H.5.2 **Energy Efficiency** Investigate sliding-scale building permit fees with rebates and/or expedite permit review for high-performance green buildings and higher fees for conventional residential construction. *Target: 2011.*	The updated Zoning Code, adopted in 2010, includes provisions for development standard flexibility when projects exceed minimum building standards approved by the California building Standards Commission and the City of Pinole. The City has approved limited use of grey water systems to enhance water conservation when requested. No incentive requests were received during the reporting period.	This action is removed from the Housing Element.
Action H.5.3 **Green Building Ordinance** Develop a Green Building Ordinance to promote use of renewable energy, improve air and water quality, and conserve water and other natural resources. *Target: 2011.*	The City adopted the California Green Building requirements in 2012 to foster green building in new construction within the City.	This action is completed and is not included in the 2015-2023 Housing Element.

Source: City of Pinole, 2014.

Table App B-2
Progress toward RHNA (January 1, 2007-December 31, 2013)

	Extremely Low/Very Low	Low	Moderate	Above Moderate	Total
RHNA	83	49	48	143	323
Units Constructed	2	1	10	59	72
% of RHNA Achieved	2.4%	2.0%	20.8%	41.3%	22.3%

Source: City of Pinole, 2014.

APPENDIX C. HOUSING OPPORTUNITY SITE OWNERSHIP

The following table provides ownership information as of July 2014 for the Housing Opportunity Sites identified for potential rezoning in the Housing Opportunities section of this Housing Element. Please see Table 6.43 and Table 6.44 for additional information about identified Housing Opportunity Sites. The Map Reference Numbers correspond to the parcels identified in **Figures 1A and 1B.**

Map Ref. No.	APN	Location	Owner
33	402-282-001 402-282-020	1599 Tara Hills Dr. (Part of 1201-1577 Tara Hills Drive, 2301 Appian Way—Appian-80 Shopping Center)	Armen Serebrakian
33	402-282-002	1565 Tara Hills Dr. (Part of 1201-1577 Tara Hills Drive, 2301 Appian Way—Appian-80 Shopping Center)	Tara Hills Drive Limited Partners
33	402-282-019 402-282-017	1501 Tara Hills Drive (Part of 1201-1577 Tara Hills Drive, 2301 Appian Way—Appian-80 Shopping Center)	Hillsboro Properties ARCO Building Company
33	402-282-018	1421 Tara Hills Drive (Part of 1201-1577 Tara Hills Drive, 2301 Appian Way—Appian-80 Shopping Center)	Dorothy Jean Goldstone/TE
33	402-282-005 402-282-007 402-282-008 402-282-009 402-282-013	1401 Tara Hills Drive 1211 Tara Hills Drive 1213 Tara Hills Drive 1221 Tara Hills Drive Tara Hills Drive (no address) (Part of 1201-1577 Tara Hills Drive, 2301 Appian Way—Appian-80 Shopping Center)	Hillsboro Properties
33	402-282-006 402-282-016	1201 Tara Hills Drive Tara Hills Drive (no address) (Part of 1201-1577 Tara Hills Drive, 2301 Appian Way—Appian-80 Shopping Center)	Thomas G. Paulson, II/TE
33	402-282-014	1271 Tara Hills Drive (Part of 1201-1577 Tara Hills Drive, 2301 Appian Way—Appian-80 Shopping Center)	John H. and Lynne F. P. Johnson
36	401-410-014 401-410 -015 401-410-016	1400 Pinole Valley Road (Gateway West)	Redevelopment Succession Agency
37	404-410-005	1580 Pinole Valley Road (Bowling Alley)	Diana K. Draper Carole L. Salas

Map Ref. No.	APN	Location	Owner
34	401-240-017 401-240 -018	2149 Appian Way (Doctor's Hospital Site)	Pinole Medical Development Company
38	402-023-007 402-023-002	600 Roble 1230 San Pablo Avenue 1106-1230 San Pablo Avenue, 600 Roble (Painters Union)	Edward K. Hemmat
38	402-023-008	1165 Encina	Gene Ortega
38	402-022-001	1072 San Pablo Avenue	Mary Noonan
38	402-023-009	1167 Encina	REO (National City Bank)
38	402-023-006	1169 Encina	Enrique Leon, Laura Mendez
35	360-010-021	2885 Pinole Valley Road Pinole Valley Community Church	American Baptist Church

APPENDIX D. HOUSING ISSUES REPORT

The full Housing Issues Report is appended on the following pages.

City of Pinole Housing Issues Report

A. Purpose of Issues Report

The need for adequate housing will intensify in the San Francisco Bay Area, while state and federal resources remain severely limited. Preparation and adoption of the City of Pinole General Plan 2015-2023 Housing Element provides decision-makers a timely opportunity to anticipate future needs in the City and to identify priorities resulting from a new profile of age groups and the potential funding sources. This Issues Report introduces the changing needs in the City and highlights opportunities to address them.

B. What Is the Housing Element and Why Are We Updating It Now?

The State of California identifies the provision of decent and affordable housing for every Californian as a statewide goal. To that end, every jurisdiction in California must prepare a Housing Element that identifies and addresses the housing needs in its community. The Housing Element must be updated every eight years on a schedule set by state law. The Housing Element for the City of Pinole will cover the planning period of January 31, 2015 through January 31, 2023. The deadline for adoption of the updated Housing Element is January 31, 2015.

1. Housing Element Requirements

Pursuant to State Housing Element law (Section 65580) of the Government Code, the Housing Element must contain local commitments to:

- Provide sites with appropriate zoning and development standards and with services and facilities to accommodate the jurisdiction's Regional Housing Needs Assessment (RHNA) for each income level.
- Assist in the development of adequate housing to meet the needs of low and moderate income households.
- Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities.
- Conserve and improve the condition of the existing affordable housing stock.
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.
- Preserve the affordability of assisted housing developments for lower income households.

The Housing Element is an integral component of Pinole's General Plan and one of the two General Plan elements that must be reviewed for compliance with State law by a State agency.[1]

[1] The State General Plan law mandates seven elements: Land Use; Circulation; Housing; Conservation; Open Space; Noise; and Safety. The Housing Element and Safety Element are the only two elements that must be reviewed by a State agency for compliance with State law.

The State Department of Housing and Community Development (HCD) is responsible for reviewing the Housing Element for compliance.

2. Regional Housing Needs Allocation (RHNA)

The RHNA is a key component of the Housing Element requirement. RHNA represents the City's share of the region's overall housing needs, as assigned by the Association of Bay Area Governments (ABAG). The RHNA is divided into four income categories as follows:

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
RHNA	80	48	43	126	297
% of Total	26.9%	16.2%	14.5%	42.4%	100.0%

The RHNA is *a planning goal, not a production obligation*. The City is only required to demonstrate where, under the City's land use policy and zoning, adequate sites would be available to accommodate the RHNA.

C. Initial Public Outreach Efforts

Members of the Pinole community, especially those who live in the City or those who own residential properties in the City, help identify and clarify local housing needs and opportunities from their particular standpoints. The City of Pinole website hosted an electronic survey for residents who are renters, residents who are homeowners, and property owners of rental property. Hard copies of the survey were also available at City Hall, the Safety Building, the Youth Center, the Senior Center, and the Pinole Library. The survey was available from February 8 to June 30, 2014. Results of the survey provide one picture of housing issues in the City. Telephone interviews gathered more detailed comments from a variety of people with specific professional interest in the community, including service providers for seniors and people with disabilities, real estate professionals, and affordable housing developers. The results both of the online survey and of the telephone interviews are summarized below.

1. Summary of Survey Results

a. Who Responded?

You are:	Response Percent	Response Count
A renter in Pinole	14.8%	9
A homeowner in Pinole	82.0%	50
An owner of rental properties in Pinole	3.3%	2

b. **Renters**

How well is the property you rent being maintained?	Response Percent	Response Count
Very well maintained. Property maintenance and repair needs are addressed quickly.	0.0%	0
Well maintained. Property maintenance and repair needs are addressed.	62.5%	5
Not well maintained. Property maintenance and repair needs sometimes are not performed.	37.5%	3
Poorly maintained. Property maintenance and repair needs usually are not performed.	0.0%	0

c. **Owners**

About how much do you spend annually on property maintenance, repair, or improvement work?	Response Percent	Response Count
Under $1,000	11.4%	5
$1,000 - $5,000	59.1%	26
$5,001 - $10,000	27.3%	12
Over $10,000	2.3%	1

What, if any, major housing repair or improvement work is planned over the next five years (check all that apply)?	Response Percent	Response Count
Interior Remodel (e.g. bathroom or kitchen remodel)	44.1%	15
Roof Replacement	41.2%	14
Water Heater / Furnace Replacement	26.5%	9
Solar Panel Installation	26.5%	9
Exterior Remodel (e.g. window or siding replacement)	23.5%	8
Home Expansion	5.9%	2
Other (please list)		7

The other repairs identified by respondents include: fence, windows and insulation, sewer line, and other kitchen/bathroom repairs.

d. **Overall Housing Needs**

Ranking of housing challenges (from greatest need to least need):	Ranking
Housing Condition and Property Maintenance	1
Neighborhood Physical Condition (such as streetlights, sidewalks, etc.)	2
High Housing Cost	3
Supply of New Housing For Sale	4
Supply of New Housing to Rent	5

Other housing challenges identified include: property maintenance (blight and trees), parking, a limited inventory of homes for sale, school district, and high property taxes.

Groups with greatest housing needs (from most in need to least in need):	Ranking
Seniors	1
Young adults	2
Persons with Disabilities	3
Large Households (five or more members)	4

Other groups identified include: married couples with children and singles (including widowed and divorced).

Ranking of adequacy of housing supply (from least adequate to most adequate):	Ranking
Housing for the Homeless	1
Senior housing	2
Housing for persons with disabilities	3
Rental apartments	4
Townhomes and condominiums	5
Single family homes	6

Ranking of housing programs and activities (from most important to least important):	Ranking
Housing Rehabilitation Assistance for Homeowners	1
Housing for Seniors	2
First Time Homebuyer Assistance	3
Code Enforcement	4
Rental Housing Rehabilitation	5
Accessible Units for Persons with Disabilities	6
Affordable Housing Development	7
Housing for the Homeless	8
Housing Discrimination and Tenant / Landlord Dispute Resolution	9

2. Summary of Key Comments from Telephone Interviews

A variety of professionals who are involved either directly with housing or indirectly as service providers participated in telephone interviews that inform this report. All of them have responsibilities in Pinole specifically or within the East Bay area.

a. Service Providers for People with Disabilities and Seniors

The following agencies participated in the telephone interviews:

- Eden Council for Hope and Opportunity (ECHO Housing)
- Disabled People's Recreation Center
- Cole Vocational Services
- Pinole Senior Center

Persons with Disabilities: According to the 2008-2012 American Community Survey, 14 percent of all Pinole residents have one or more disabilities. The majority of residents with disabilities were between the ages of 18 and 64 (53 percent) and 45 percent were seniors. Data obtained from the State Department of Developmental Services indicate that approximately 123 Pinole residents were being assisted at the Regional Center of the East Bay, as of January 2014. Among the adults with disabilities (18-64 years of age), cognitive and ambulatory difficulties were most prevalent. Within the senior disabled population, ambulatory and independent living difficulties were the most prevalent.

Service providers for people in Pinole with disabilities emphasized that many of their clients are unable to find suitable affordable rental housing, especially lower-income housing for seniors, and that clients often face issues with reasonable accommodation. Those with serious disabilities benefit greatly from apartments with supportive services, including staff to monitor the condition of residents and to provide not only assistance to the residents themselves but also services to support residents' family members. It is important, one provider emphasized, that various agencies coordinate their respective program efforts and that those working among people with disabilities be sensitive to their needs, with no attempt to take advantage of those they are assisting.

Seniors: The housing needs of seniors often change when they are past the age of 70 years. Though many would prefer to stay in their homes, without a spouse to share the costs and chores, managing a house becomes more difficult. Often seniors move from their homes to be closer to family members, especially their children. Of those at the Pinole Senior Center, roughly one-half have family members living in the area, making housing alternatives within the City more attractive. However, for some, senior-only facilities carry a stigma they resist. Convenient access to health care, shopping, appropriate recreation and social settings becomes increasingly important as mobility is limited.

b. **Real Estate Professionals**

Representatives from the following real estate agencies participated in the telephone interviews:

- Coldwell Banker Real Estate, Pinole Branch
- Security Pacific Real Estate Brokerage, Richmond Branch

Pinole Advantages: Pinole is a community with many advantages for homebuyers, according to four real estate professionals who list homes and assist potential buyers in the area:

- The City has a supply of single-family homes at comparatively affordable prices, while also offering a reasonable commute distance, especially to employment in Richmond and the Oakland area.
- As an incorporated city, Pinole provides public services of higher quality than the services in unincorporated county communities.
- Single-family parcels are somewhat larger than sites in some neighboring communities, and the "city is open at the edges."
- Shopping amenities are now an attraction, especially those that have been added along Fitzgerald Drive or Pinole Valley Road such as Trader Joe's.
- The WestCAT bus system provides direct access to BART for workers who would prefer to commute by rail.

- Weather in Pinole is both cooler than the heat to the east and warmer than the dampness right on the Bay.

Potential Buyers: There are three typical groups of buyers for homes in Pinole:

- Many of the potential homebuyers are people in the late 20s through late 30s. Prices between $300,000 and $400,000 are comparatively affordable for many first-time buyers. (The median price of a single-family home in Pinole was $375,000 during March 2014.)
- A much smaller group of buyers includes those moving up from their first homes.
- Investors have been purchasing single-family houses in Pinole to hold and rent, because through last year some considered the properties undervalued (estimated at 60 percent of 2005 values) in the recovery from late last decade.

Seniors, however, appear to have few options for remaining in Pinole if they choose to leave their homes, and there is movement to Central Valley communities for lower prices, health care, and access to families.

Issues: Certain issues do discourage potential buyers from locating in Pinole, especially young families with children.

- All of the real estate professionals who discussed the opportunities in Pinole also spoke about perceptions of the West Contra Costa Unified School District (WCCUSD). The quality of education, or at least the perception of education, varies in different parts of the WCCUSD service area. Certain schools in the district are considered superior, and a number of families have relocated, often paying higher prices for housing, near those schools. The pending rebuilding of Pinole Valley High School may improve the public perception of WCCUSD in Pinole.
- For potential homebuyers near the moderate-income range, financing has been more difficult than it was a decade ago.

c. Developers of Affordable Housing

Two representatives of the following housing development companies discussed Pinole as a potential location for new affordable housing projects, either for families or for seniors.

- Domus Development
- EAH Housing

Factors that Influence Development Decisions: Based on conversations with developers, the following are some considerations when selecting localities/sites for development:

- Site Selection: Both developers emphasized the selection of sites where a potential project might compete successfully for state or federal funding. Because state and federal funding programs have been reduced, competitive opportunities are more crucial than in earlier years. In the new fiscal environment, transit access brings much greater potential for competitive funding. Shopping destinations and other amenities that support reduced use of automobiles must accompany access to transit. Frequent, accessible bus service, especially when it connects with rail, is necessary for the project that competes successfully to receive state or federal funding in some key programs.

- Layering of Funding: Development of affordable housing projects now requires funding from multiple programs. Following dissolution of the redevelopment agencies, use of federal tax credits has become more crucial and is a common component of the total funding for successful projects.
- Lot Size and Site Control: Affordable projects with onsite management in the west Contra Costa County area typically require at least 50 to 60 units. The availability of city-owned parcels facilitates development but is not necessary.
- Active City Participation: Affordable housing developers seek cities that will take an active role. In some cases, the developer is prepared to see itself as a "partner" to the city, a role that was common prior to the dissolution of the redevelopment agencies but still remains possible now. As partner, the developer becomes the intermediary for development of the city's priorities and looks to the city for direction on design and other aspects of the projects. In other situations, the developer will acquire the site and proceed through the review and approval process, with less active support from the city. However, in both cases the probability of success is greater when the city can streamline the process by educating constituents about the value of the project, utilize appropriate CEQA exemptions, and support use of state density bonus law provisions, including significant development incentives.

Opportunities: Pinole holds opportunities for affordable housing development, because there are sites within the City that offer both transit access and other amenities. The City's specific competitive strengths: its Bay Area location, direct transportation access along Interstate 80, its charm, the mix of people, and proximity to job centers. Though the city tends to lack strong neighborhood centers and walkability, recent efforts indicate progress toward developing both attributes.

Constraints: Mixed-use development may occur in some newly zoned parcels, but mixed-use projects with affordable units are unlikely, unless the City can itself provide funding for the cost of the non-residential floor area. The income stream from the non-residential component of most mixed-use projects is highly uncertain, so financing usually depends solely on the residential units, not on the non-residential area. In addition, construction for ground-floor non-residential uses tends to increase costs significantly. However, for seniors, projects that include a suite of supportive services, as well as affordability, serve a necessary role in meeting residents' needs.

D. Implications of Demographic Changes - the New Age Profile

The demographics of a community to a large extent determines its housing needs. During the upcoming Housing Element planning period, the primary demographic issue will be unprecedented change in the age group profile. The changing pattern in Pinole will be somewhat more pronounced than the changes that will characterize California as a whole. Changes in the age profile between Census 2000 and Census 2010 foretell many of the changes Pinole residents will see during the Housing Element planning period out to 2023.

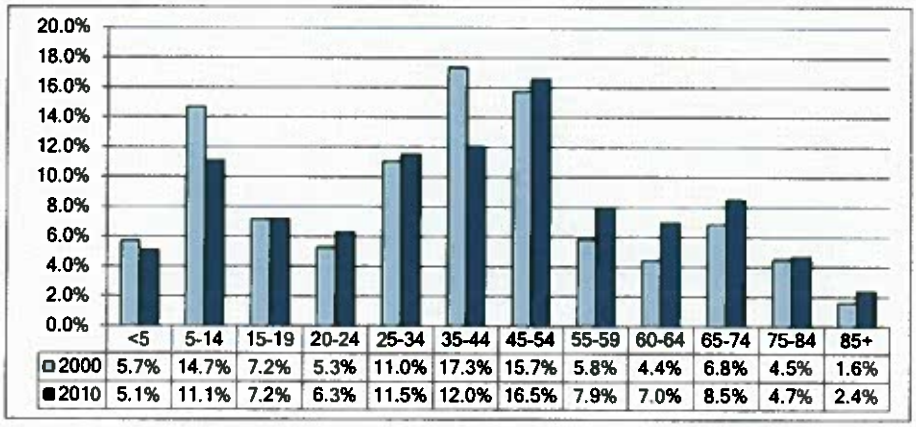
Between 2000 and 2010, Pinole's total population dropped slightly, by 3.4 percent from 19,039 residents in 2010 to 18,390 in 2010. However, the overall age profile shifted. Specifically, the number of residents in the younger age groups decreased while the number of older residents increased in equally significant rates:

- Young Children (0-14 years): Dropped 23.4 percent
- Young Adults (20-29 years): Rose 18.5 percent
- Adults (35-44 years): Dropped 33.0 percent
- Adults (55-64 years): Rose 40.0 percent
- Seniors (62+ years): Rose 20.9 percent
- Seniors (65+ years): Rose 16 percent

Growth in the number of adults between 55 and 64 years of age highlights the rapid, large, and sustained increase that Baby Boomers (born 1946-1964) will bring to the senior population 65 years of age and older. Overall, the median age in Pinole rose by nearly four years, from 38.7 years of age in 2000 to 42.6 in 2010.

The following figure shows the distribution of different age cohorts as a percentage of the total population in 2000 and 2010. As shown, in 2000, those aged 55 and above comprised 23.1 percent of the total population. By 2010, 30.5 percent of the City's residents were aged 55 and above. In contrast, residents aged 19 or younger comprised 27.6 percent of the City's population in 2000 but only 23.4 percent of the 2010 population.

Percent of Population by Age Group (2000 and 2010)



	<5	5-14	15-19	20-24	25-34	35-44	45-54	55-59	60-64	65-74	75-84	85+
2000	5.7%	14.7%	7.2%	5.3%	11.0%	17.3%	15.7%	5.8%	4.4%	6.8%	4.5%	1.6%
2010	5.1%	11.1%	7.2%	6.3%	11.5%	12.0%	16.5%	7.9%	7.0%	8.5%	4.7%	2.4%

Pinole's aging population will alter the mix of housing the City needs, if it is to accommodate its aging population and to prepare for further change in the decade after 2020. The housing needs of three groups are especially important: young families, seniors, and people with disabilities.

1. Fewer Young Families in the City

There are several reasons why young families can consider Pinole an attractive location to live. However, the actual numbers of children and of adults at parenting age dropped during the decade between 2000 and 2010. Specifically, the number of family households with children under the age of 18 decreased 20 percent. In part, this change reflected a pattern in the general population, which was evident in Contra Costa County as well as in Pinole. But the numbers of children, especially younger children, and adults at parenting age dropped more sharply in Pinole than in the County as a whole.

- In Contra Costa County the population of children 0-14 years of age declined from 22.3 to 20.4 percent of the total between 2000 and 2010. For Pinole, the percentage of children declined from 20.4 percent to 16.2 percent of the City's total population.

- For the age group that is most likely to have children at home, the population total fell by one third. Between 2000 and 2010, the number of adults ages 35-44 dropped from 3,298 to 2,209.

The sharp decrease in the number of families with younger children likely has several causes, including:

- Cost of housing and the difficulty of financing for younger adults who face problems getting established financially;
- Comparatively small numbers of homes available for sale during and immediately following the recession;
- Economic uncertainties for those who desire to purchase a home;
- Considerations of housing cost in relation to access to employment;
- Perceptions of public schools in the West Contra Costa Unified School District, including some schools in Pinole specifically.

2. More Seniors and Housing Options to Age in Place

Almost one third (31 percent) of all households in Pinole included one senior or more, age 65 or older, in 2010. Increases in the number of seniors will likely accelerate during the next decade. As with the number of young families, the changing share of seniors reflects a widespread pattern that is more pronounced in Pinole.

- The percentage of Pinole seniors exceeded the percentage for Contra Costa County in 2010: Pinole - 19.4 percent of population was 62 or older, 15.5 percent was 65 or older; Contra Costa County - 15.7 percent of population was 62 or older, 12.4 percent was 65 or older.
- A higher percentage of rental units in Pinole (17.5 percent) were home to householders 65 or older than in Contra Costa County as a whole (12.6 percent).
- The number of people 65 and older will grow very quickly during the planning period. In Pinole the 2010 population of those 55-64 years of age was almost as large as the number of all those 65 and older combined. In 2010, 2,868 Pinole residents were 65 or older; 2,736 residents were 55-64 years of age.

Living on retirement incomes will affect this large share of Pinole's population in several ways:

- Lower incomes will limit mobility for some, including the options either of moving to senior facilities that provide assistance for those with age-associated physical and mental disabilities or to rental housing, which requires less maintenance by the occupant than owner-occupied single-family homes.
- Seniors will need home improvements to accommodate physical disabilities but may not have adequate income to pay for installation.
- Transportation options will be restricted by financial and physical limitations.

The senior population that remains in single-family homes as owner-occupants will set the stage during the next eight years for a turn-over of housing ownership after 2020. As older Baby Boomer homeowners reach age 70 and beyond, they will be increasingly likely to sell their

homes. As a result, homes will become available after 2020 in much greater numbers. In fact, the inventory for sale is likely to exceed the number of potential buyers. As a result, the quality of a neighborhood and the City's community life will become considerably more important for determining value in the new "buyers' market." The sale of seniors' homes will have a major effect on the economic and demographic characteristics of the City during the decade following 2020.

In the meantime, attracting young families to Pinole as homebuyers may be unusually difficult. The number of potential buyers is limited by the size of the Gen X cohort, now in their late 30s and 40s, and the financial difficulties facing many of those in the next generation, now in their 20s and early 30s.

3. Persons with Disabilities (Including Seniors)

Approximately 14 percent of the City residents have one or more disabilities, and 45 percent of these disabled residents are seniors. Among the disabled population, residents are most frequently affected by independent living difficulties (57 percent), ambulatory difficulties (47 percent), and cognitive difficulties (45 percent). Specifically, 65 percent of the City's senior and disabled residents are impacted by ambulatory difficulties.

Almost 80 percent of the City's housing stock is comprised of single-family homes, and 90 percent of the City housing stock was constructed prior to 1990 - prior to the passage of the American with Disabilities Act (ADA). This means that most homes in Pinole were not subject to the requirements of ADA and are not accessible to persons with disabilities.

E. Affordable Housing Units at Risk of Converting to Market Rate

A large share of Pinole's publicly assisted affordable housing will be at risk during the next four years. Pinole's inventory of housing includes 434 units of assisted rental housing, with restrictions limiting their use to people at moderate-income, low-income, or very low-income levels.

Of this total, 113 units (all funded with Redevelopment Agency assistance) are subject to agreements that will expire sometime before the end of 2017, during the planning period of the 2015-2023 Housing Element. The affordability agreements on two projects (with two low-income units) will expire during 2014. The agreements on another three projects (including six moderate-income units, one low-income unit and one very low-income unit) will expire during 2015. And, finally, agreements at an additional four locations (with 80 moderate-income units and 23 very low-income units) will expire in 2017.

F. Funding Resources

1. Available Funds

With the dissolution of Redevelopment, the City has limited funds available for affordable housing. In the foreseeable future, the following noncompetitive funding resources are available to the City:

- ERAF: The amount of ERAF funds, if any, that may be available to the City is yet to be determined.

- Community Development Block Grants (CDBG): The City is part of the regional housing consortium for CDBG funds where the funds are administered by Contra Costa County and applied for on a competitive basis. The consortium receives approximately $3.0 million in CDBG funds annually for a consortium that covers 14 cities and the unincorporated County areas.

2. Funding programs

In the absence of Redevelopment Agency funding, alternatives will be necessary if strategic priorities are to be funded. Several competitive programs may be appropriate to the City:

- State Infill Infrastructure Grant (IIG) Program
- Federal Low Income Housing Tax Credits (LIHTC, at 9 percent)
- ABAG Priority Development Areas
- State Local Housing Trust Fund Program

a. HCD Infill Infrastructure Grant Program (IIG)

Purpose: Assist in the new construction and rehabilitation of infrastructure that supports higher-density affordable and mixed-income housing in locations designated as infill.

Eligible Uses: New construction, rehabilitation, and acquisition of infrastructure required as a condition of or approved in connection with approval of an infill project. Eligible applicants include non-profit and for profit developers and as a joint applicant with the developer, a locality or housing authority.

Applicability to Pinole: One developer interviewed for this issues report identified the Infill Infrastructure Grant program as one of the most viable funding sources of affordable housing development to Pinole. HCD awarded Round 3 of the IIG earlier this year. Unused funding from Round 3 may be available for a Round 4 later in 2014, if legislature authorizes Round 4. Additional money is also considered a possibility. Projects located within one half mile of a transit station (including a bus hub) or a major transit stop would be more competitive.

b. Low Income Housing Tax Credits (LIHTC)

Purpose: Provide dollar-for-dollar tax credit for affordable housing investments. LIHTC accounts for the majority - approximately 90 percent - of all affordable rental housing created in the United States today.

Eligible Uses: Projects that rent-restrict at least 20 percent of the units as affordable to households with incomes up to 50 percent of Area Median Income (AMI), or projects that rent-restrict at least 40 percent of the units as affordable to household with incomes up to 60 percent of the AMI.

Applicability to Pinole: The LIHTC program is often used in conjunction with a TOD grant as additional points are awarded to the TOD project (when evaluating the competitive applications). Senior projects and projects for special needs populations (such as persons with disabilities) also receive additional points.

c. ABAG/One Bay Area Grant (OBAG) Program

Purpose: The $320 million OneBayArea Grant (OBAG) Program is a funding approach that better integrates the region's federal transportation program with California's climate law (Senate Bill 375, Steinberg, 2008) and the Sustainable Communities Strategy. Funding is targeted toward achieving local land-use and housing policies. For Cycle 2 (FY 2012-2013 through FY 2015-2016), approximately $2.75 million was allocated for Contra Costa County jurisdictions out of $20 million for Local PDA Planning in all counties. No more funding would be available until after FY 2015-2016.

Eligible Uses: Eligible projects are transportation improvements to support the development of the Priority Development Areas (PDAs).

Applicability to Pinole: San Pablo Avenue, portions of Pinole Valley Road, and Appian Way are within the City of Pinole PDAs.

d. HCD Local Housing Trust Fund

Purpose: To provide a dollar-for-dollar matching grants to local housing trust funds that are funded on an ongoing basis (for at least five years) from private contributions or public sources that are not otherwise restricted in use for housing programs.

Eligible Uses: Loans for construction of rental housing projects with units restricted for at least 55 years to households earning less than 60 percent of area median income, and for downpayment assistance to qualified first-time homebuyers.

Applicability to Pinole: One of the requirements for the matching fund is that an application for a new housing trust fund would not be considered by HCD unless HCD has received adequate documentation that the applicant has adopted a legally binding commitment to deposit matching funds into the new trust. The City owns one property (PALC property) that if sold, could generate money for deposit into a housing trust fund. Matching funds from sources other than impact fees on residential development will receive priority for allocation. But the minimum matching requirement is $500,000 for a new trust fund.

To sustain the housing trust fund over time, the City could also consider new funding sources. Potential sources of funding used by other local jurisdictions include:

- General Funds
- Impact Fees
- Hotel Occupancy Taxes
- Condominium Conversion Fees
- Government General Obligation Bond
- Real Estate Transfer Taxes
- Real Estate Document Recording Fees
- Sales Taxes
- Inclusionary In-Lieu Fees
- Permit Fees

HCD recently issued the Notice of Funding Availability (NOFA) for the Local Housing Trust Fund for $8.1 million. HCD will begin accepting application for the funds beginning May 21, 2014. Discussions with HCD staff indicate that HCD expects the $8.2 million to be oversubscribed and fully awarded by the end of May. It is not yet know if and when future rounds of funding would be available.

G. Policy Priority Options

Based on the demographic and market trends discussed above, the limited availability of housing funds, the City will need to consider prioritizing the use of available funds and staff resources. Options for focusing resources that would be appropriate for Pinole are discussed below:[2]

1. Housing Types

a. Senior Apartments/Assisted Living

Rental apartments and assisted living facilities offer seniors an alternative to maintaining ownership housing and the maintenance expenses. Especially for seniors living on Social Security and small pensions, alternatives without home maintenance and improvement costs will permit a move to housing that is more manageable financially. There is a shortage of rental housing, however, whether for seniors or for younger households, so rents for well-managed units tend to rise beyond the means of many seniors.

For some seniors, housing facilities that provide regular meals and daily assistance with living activities, including hygiene, is necessary. The routines that were readily maintained in earlier life become more challenging, and some seniors require assistance when disabilities develop if they are to stay reasonably healthy.

b. Family Apartments

About 30 percent of the households in Pinole live with an income that is less than 80 percent of the County median. Frequently, the result is that families pay a disproportionate share of their income for housing, with the result that other basic needs are not adequately addressed. In other case, units are overcrowded.

2. New Construction of Housing

New construction of affordable housing expands the City's affordable housing stock and offers long-term affordability controls based on the funding sources. These units typically remain affordable for at least 30 to 55 years, if not longer. New construction of affordable housing is costly, however. Multiple layers of funding, including local contributions, are required to make a project financially feasible.

Many factors go into determine the gap financing needed, such as whether tax credits are available, land costs, infrastructure improvements needed, etc. According to Domus, in general, the cost to subsidize a new senior unit is between $50,000 and $75,000 if 9 percent tax credits are used. The subsidy required for a family unit is closer to $100,000. If bonds or 4 percent tax credits are used, the average per-unit subsidy is approximately $150,000 to $175,000.

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[2] The cost estimates provided in this report are generalizations intended only to establish an order of magnitude. These estimates by no means represent the exact levels of subsidies. Market conditions, project locations, amenities, and building conditions, among other factors, influence the subsidies required.

3. Acquisition/Rehabilitation of Existing Rental Housing

Another option to creating long-term affordable housing is by acquiring existing apartments and converting them to affordable units. This option is usually more cost-effective, although the costs may also vary significantly depending on the condition of the buildings. An older development may require rehabilitation but would command a lower market price.

For example, a 53-unit apartment (built in 1965) in Pinole was sold in 2011 for $4.25 million (approximately $80,000 per unit). If this project were to be converted to affordable housing, the level of subsidy required would be less given that ongoing rent income would be able to support a portion of the mortgage.

4. Acquisition/Rehabilitation of Foreclosed Homes

Another option for converting existing market-rate housing to affordable housing is to purchase foreclosed properties and resell them to low and moderate income first-time homebuyers. Foreclosed homes in Pinole have a wide price range, from approximately $100,000 to over $500,000, with a median price of $302,814.[3] The upfront costs for such program would be high for the City to purchase the units and make necessary repairs and improvements before reselling the units to low and moderate income first-time homebuyers. The City would get a significant portion of the purchase price back when the units are sold. Overall subsidy would be similar to implementing a first-time homebuyer program (discussed below).

5. Housing Rehabilitation Loans

Close to 90 percent of the City's housing stock was constructed more than 30 years ago, suggesting a significant portion of the housing would require rehabilitation and upgrading over time. Some owners fail to maintain their residential properties for a variety of reasons. In many cases, owners desire to make the major investments (e.g., for replacing a roof or painting the exterior) that are sometimes necessary but do not have the financial resources. Programs to assist with those investments create opportunities for owners, especially the owners of single-family homes, to avoid major deterioration of their properties.

According to the survey, most homeowners anticipate major repairs such as roof replacement and kitchen/bathroom upgrades in the next five years. Residents of Pinole currently can apply to the Contra Costa County for a housing rehabilitation loan of up to $50,000. Two types of loans are available, based on income: 1) 3 percent interest with monthly payment for 15 years; or 2) 0 percent interest with no monthly payment and reviewed every 15 years for extension. However, funding for this program is limited. The County only plans to provide 25 loans in FY 2014-2015 for the entire County (excluding Pittsburg and Richmond).

If the City were to operate its own loan program, the administration costs should be taken into consideration. Usually a 20 percent markup is considered reasonable for loan documents, eligibility verification, inspection, and monitoring, etc. The City may consider structuring the loan programs similar to Contra Costa County, with the 0 percent interest option reserved for senior households that require rehabilitation works beyond emergency repairs (discussed below).

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[3] http://www.homes.com/for-sale/pinole-ca/foreclosures/?orderby=price asc, accessed May 12, 2014.

6. Seniors - Emergency Repairs, Accessibility Improvements

Seniors in single-family homes often face not only the costs of maintenance and repairs but also the need for accessibility improvements to allow them to remain in their homes. Ramps, appropriate bathroom facilities, and new household fixtures may be necessary for some seniors, if they are to carry on basic daily activities, including personal hygiene. For seniors, a small grant may be more appropriate than loans. With limited incomes, many seniors are uncomfortable with the idea of incurring additional debts.

Most communities that provide grants limit the assistance to seniors and persons with disabilities. A typical grant amount is up to $10,000 for emergency repairs and ADA/accessibility improvements. Grants are usually easier to administer, compared with loans.

7. Homeownership Assistance

Households at the upper end of the moderate-income level (i.e., closer 100 to 120 percent of the County median income) are generally able to afford the monthly mortgage to purchase a home in the City. However, many have difficulty getting financing or coming up with the downpayment assistance. Therefore, most homebuyer assistance programs target first-time homebuyers.

Prior to the dissolution of redevelopment, many communities across the State provided homebuyer assistance programs because redevelopment funds can reach households with moderate incomes (up to 120 percent Area Median Income). Federal programs limit assistance to lower income households (up to 80 percent AMI), which require a deeper level of subsidies. As a result, many communities have since suspended their homebuyer assistance programs. For a median priced home in Pinole of $330,000, a low income household would still require a silent second loan of $80,000, assuming they can come up with a 10 percent downpayment of $33,000. Many first-time homebuyer programs provide assistance between $50,000 and $150,000.

The overall administration costs associated with first-time homebuyer programs are also significant, considering legal and escrow fees, preparation of loan documents, and ongoing implementation/monitoring of resale provisions and equity sharing, etc.

8. Preservation of Affordable Units At-Risk of Converting to Market Rate

Over the next ten years, 113 units will be at risk of becoming unrestricted due to the expiration of the affordability covenants. (In fact these units are at risk over the next four years). City staff is exploring options for preserving affordability with new or renewed agreements and subsidies to extend affordability of at least a portion of the units. Often, a lump sum subsidy may be used to incentivize renewal of affordability covenants.

The level of subsidies depends largely on the targeted income groups, the differences between market rents and rent limits under the City's BMR program, and the length of affordability control desired. For very low and low income households, based on current rent limits and market rents in Pinole, an average annual subsidy of up to $5,000 per unit may be required. The present value of this kind of subsidy over a 30-year period is approximately $100,000.

9. Transportation Improvements - Housing Near Transportation

Affordability is an issue not only of the cost of housing itself but also of the transportation costs associated with the housing location. For many seniors especially, alternatives to a personal automobile make the difference between meeting daily needs and remaining isolated. For projects competing for State affordable housing funds and LIHTC, locations with ready access to transit and to the amenities that serve daily needs are critical, whether those projects are designed for seniors or for younger residents.

Option	Household Type	Financial Impact					Housing Needs		
		Low	Moderate	High	Generate Program Income?	Implementation Cost	Expand Supply of Affordable Housing	Enhance Affordability	Enhance Quality
New Construction	Senior			$$$	No	High	✓	✓	✓
	Family			$$$	No	High	✓	✓	✓
Acquisition/Rehabilitation of Existing Rental Housing	Senior		$$		No	High	✓	✓	✓
	Family		$$		No	High	✓	✓	✓
Acquisition/Rehabilitation of Foreclosed Homes	Family			$$$	Yes	High		✓	✓
Rehabilitation Loans	Senior	$			Yes	Moderate			✓
	Family	$			Yes	Moderate			✓
Emergency Repair Grants	Senior/ Disabled	$			No	Low			✓
Homebuyer Assistance	Family			$$$	Yes	High		✓	
Preservation of At-Risk Housing	Family		$$		No	Low	✓	✓	
Transportation Improvements	---		$$		No	Low	✓		

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

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

Dear Mr. Rhodes:

Housing Element Update – Negative Declaration (ND)

C-1 Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. We have reviewed the ND and have the following comments to offer.

Lead Agency
As the lead agency, the City of Pinole (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

C-2 ***Significant and Unavoidable Impacts***
Caltrans does not agree with the ND's conclusion that mitigation to the state highway system (SHS) located inside or outside the City jurisdiction is not feasible. The ND must provide analysis and supporting rationale for "no impact" conclusions. This applies to all transportation "no impact" determinations. Analysis of the project's contribution to Existing and Existing Plus Future level-of-service (LOS) is required to support a "no impact" conclusion with respect to cumulative impacts.

There are several options that would allow the City to ensure that direct and indirect traffic impacts, as well as the contribution to cumulative traffic impacts, from the Plan are mitigated to the extent feasible. For example, the City can negotiate a co-operative agreement with Caltrans or other agencies where the City agrees to make a fair share payment towards improvements that the applicable agencies agree to implement in a timely manner. Additionally, the City or project proponent can apply for an encroachment permit from Caltrans to perform work in the State owned right-of-way (ROW) to implement the necessary mitigation. The City could also require project phasing to coincide with their capital improvement projects that would alleviate LOS.

C#3

Caltrans also does not agree with the ND's statement that the City cannot be certain that mitigation projects will be built because the impacted facilities are not in its jurisdiction. The main issue is whether or not there is an obligation to mitigate the recognized project impacts, and to correctly identify the methods – such as conditions of approval, development agreements, and cooperative agreements – that ensure the measures are implemented in a reasonable period of time. The potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City. We request that the City work with Caltrans to identify and implement feasible measures on a fair-share basis to ensure all mitigation measures are funded and implemented. We also recommend working with Caltrans to develop a mitigation monitoring and implementation plan that identifies an implementation schedule or impact thresholds to trigger development of mitigation projects.

Vehicle Trip Reduction

Caltrans encourages you to locate any needed housing, jobs and neighborhood services near major mass transit centers, with connecting streets configured to facilitate walking and biking, as a means of promoting mass transit use and reducing regional vehicle miles traveled and traffic impacts on the State highways.

We also encourage you to develop Travel Demand Management (TDM) policies to encourage usage of nearby public transit lines and reduce vehicle trips on the SHS. These policies could include lower parking ratios, car-sharing programs, bicycle parking and showers for employees, and providing transit passes to residents and employees, among others. For information about parking ratios, see the Metropolitan Transportation Commission (MTC) report *Reforming Parking Policies to Support Smart Growth* or visit the MTC parking webpage: http://www.mtc.ca.gov/planning/smart_growth/parking.

C#4

In addition, secondary impacts on pedestrians and bicyclists resulting from any traffic impact mitigation measures should be analyzed. The analysis should describe any pedestrian and bicycle mitigation measures and safety countermeasures that would in turn be needed as a means of maintaining and improving access to transit facilities and reducing vehicle trips and traffic impacts on State highways.

Traffic Impact Study (TIS) – CEQA streamlining

California Public Resources Code 21159.28 provides for streamlined analysis of impacts from cars and light duty truck trips on the SHS provided certain conditions are met. 21159.28(c) states (when referencing streamlining provisions) that "nothing in the foregoing relieves any project from a requirement to comply with any conditions, exactions, or fees for the mitigation of the project's impacts on the structure, safety or operations of the regional transportation network or local streets and roads."

If this plan does not qualify for streamlining provisions under SB 375 regarding traffic impact analysis, or there are impacts to the structure, safety or operations of the SHS, based on the plan's location and potential for significant traffic impacts, Caltrans requests a TIS to assess the impact of this plan on the SHS and the adjacent road network. We recommend using Caltrans'

Guide for the Preparation of Traffic Impact Studies (TIS Guide) for determining which scenarios and methodologies to use in the analysis. The TIS Guide is a starting point for collaboration between the lead agency and Caltrans in determining when a TIS is needed. It is available at the following website address: http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

Encroachment Permit
Please be advised that any work or traffic control that encroaches onto the State ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See this website for more information: http://www.dot.ca.gov/hq/traffops/developpsery/permits.

Should you have any questions regarding this letter, please contact Keith Wayne at (510) 286-5737 or keith.wayne@dot.ca.gov.

Sincerely,

PMC

PATRICIA MAURICE
Acting District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse

April 21, 2015

To: Winston Rhodes, Planning Manager
City of Pinole

From: Veronica Tam, Principal
Veronica Tam and Associates

Subject: Response to Comments on the Draft Initial Study/Negative Declaration for the 2015-2023 Housing Element update

The City received one comment letter (dated January 7, 2015) from Caltrans on the Draft Initial Study/Negative Declaration (IS/ND) for the 2015-2023 Housing Element update. Below are responses to the comments:

CT-1 (First two paragraphs on page 1): These introductory comments do not question the adequacy of the ND analysis or conclusions.

CT-2 (Last two paragraphs on page 1 starting under "Significant and Unavoidable Impacts"): The Negative Declaration (ND) does not conclude mitigation to the State highway system located inside or outside the City's jurisdiction is not feasible. Rather, the ND restates this conclusion of the General Plan Update EIR certified in 2010 (see ND pages 36-37). The ND incorporates by reference and tiers from the previously adopted and certified General Plan EIR pursuant to CEQA Sections 21093-21094 and CEQA Guidelines Section 15183(see ND page 10). Residential development facilitated by the Housing Element policies and actions (i.e., the project analyzed in the ND) was anticipated and included in the land use mapping and growth projections for the project analyzed in the 2010 General Plan EIR (see ND page 37). Therefore, the ND concludes that adoption and implementation of the Housing Element Update would not result in new or significantly greater impacts than implementation of the project analyzed in the 2010 General Plan EIR (see ND page 37).

CT-3 (First full paragraph on page 2): Pages 36-38 of the ND include analysis of the project's potential to impact the transportation and circulation network. The ND does not state or infer the following as asserted by the comment: "...the City cannot be certain that mitigation projects will be built because the impacted facilities are not in its jurisdiction."

CT-4 (Starting on page 2 at "Vehicle Trip Reduction" through to end of document): These comments are suggestive or informational in nature and do not question the adequacy of the ND analysis or conclusions.

Memorandum

TO: PLANNING COMMISSION MEMBERS

FROM: WINSTON RHODES, AICP, PLANNING MANAGER

SUBJECT: SELECTION OF PLANNING COMMISSION DEVELOPMENT REVIEW SUBCOMMITTEE MEMBERS

DATE: April 27, 2015

BACKGROUND

In December of 2010 the Planning Commission authorized the creation of an ad hoc Planning Commission Subcommittee to assist with coordination between staff and the full Commission as needed. The Commission agreed that a three person subcommittee out of the total seven member Commission would be beneficial. The Commission unanimously decided to appoint Commissioners Toms, Brooks, and Chair Bender to serve on the subcommittee with Commissioner Martinez-Rubin serving as an alternate and have the membership of the subcommittee revaluated annually to provide an opportunity to rotate membership. In April 2012 the Commission unanimously decided to appoint Commissioners Bender, Brooks, and Chair Martinez-Rubin to serve on the subcommittee with Commissioner Kurrent serving as an alternate. In May 2013 the Commission unanimously decided to appoint Commissioners Bender, Kurrent, and Chair Sekins to serve on the subcommittee with Commissioner Brooks serving as an alternate. In April 2014 the Commission unanimously decided to appoint Chair Brooks, Commissioner Toms, and Commissioner Kurrent to serve on the subcommittee with Commissioner McGoldrick serving as an alternate. Due to the one seat vacancy on the Planning Commission during 2014-2015 period the Subcommittee has be compromised of Chair Brooks and Commissioner Toms with Commissioner Kurrent serving as an alternate to satisfy Brown Act requirements.

The Subcommittee meets as needed at early stages of development projects to provide applicants with preliminary feedback or advise on planning policy matters. The Subcommittee has been very effective. The expertise of the Subcommittee members has been helpful and the presence of the Chair on the Subcommittee has been advantageous since staff has regular communication with the Chair about upcoming planning projects and policy matters. The Commission may want to retain the current members, rotate this responsibility among different Commission members, or only appoint one or two new members and an alternate to provide continuity between the existing Subcommittee members and the Subcommittee in 2015-2016.

NEXT STEP

Staff recommends that the Planning Commission appoint two or three members to serve on the Development Review Subcommittee and one alternate member.