

AGENDA FOR THE



CITY OF PINOLE PLANNING COMMISSION SPECIAL MEETING

Monday, March 14, 2016

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 speaker cards (available at the back of the Council Chambers) 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.

D. CONSENT CALENDAR:

1. **Planning Commission Meeting Minutes from February 22, 2015**

E. PUBLIC HEARINGS: None

F. OLD BUSINESS: None

G. NEW BUSINESS:

1. **General Plan Housing Element Required Text Amendments Workshop**

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

I. COMMUNICATIONS:

J. NEXT MEETING:

Planning Commission Regular Meeting, March 28, 2016 at 7:00PM

K. ADJOURNMENT

POSTED: March 10, 2016

Winston Rhodes, AICP
Planning Manager

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DRAFT

**MINUTES OF THE
PINOLE PLANNING COMMISSION**

February 22, 2016

A. CALL TO ORDER: 7:05 P.M.

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

Commissioners Present: Bender, Brooks, Martinez-Rubin, Tave, Thompson,
Chair Kurrent

Commissioners Absent: None

Staff Present: Winston Rhodes, Planning Manager

C. CITIZENS TO BE HEARD:

There were no comments.

D. CONSENT CALENDAR:

1. Planning Commission Meeting Minutes from January 25, 2016

MOTION to approve the Planning Commission Meeting Minutes from January 25, 2016, as shown.

MOTION: Martinez-Rubin SECONDED: Thompson APPROVED: 6-0

E. PUBLIC HEARINGS: None

F. OLD BUSINESS:

1. **Consideration of East Bluff Apartments Physical Rehabilitation Design Review (DR 15-13) Items Requiring Further Planning Commission Review**

Request: Consideration of precise design review features to satisfy prior conditions of project approval relating to bicycle storage, mailbox weather protection, message boards, and design of on-site recreation amenities, and related improvements within an existing 144-unit multi-family development.

1 **Applicant:** Eden Housing
2 22645 Grand Street
3 Hayward, CA 94541
4

5 **Location:** 1813 Marlesta Court, APN 401-240-032
6

7 **Project Planner:** Winston Rhodes, Planning Manager
8

9 Commissioner Martinez-Ruben recused herself based on the proximity of the
10 project to her residence and left the dais at this time.
11

12 Planning Manager Winston Rhodes presented the staff report dated February
13 22, 2016.
14

15 JOANNA CARMAN, Eden Housing, the Project Manager for the rehabilitation of
16 the East Bluff Apartments, presented a PowerPoint to address the prior
17 conditions of project approval. With respect to bicycle storage, she described
18 and presented renderings of the plan to accommodate 40 to 60 bicycles in five
19 locations throughout the site, with no loss of vehicle parking. Security cameras
20 would be provided for those locations. She also described and presented
21 renderings of what had been proposed to address the request for mailbox
22 weather protection, changeable message boards at strategic locations to
23 enhance the resident communication process, along with the packaged terminal
24 heat pump (PTHP) electrical heating and air conditioning units intended to
25 improve comfort for residents and improve energy efficiency. With respect to
26 consolidated location of satellites on roofs, she explained that Eden Housing was
27 working with a low voltage consultant to address that issue which would be
28 reviewed by City staff.
29

30 STEVE ARAGO, Landscape Architect, 1350 Treat Boulevard, #380, Walnut
31 Creek, presented the final landscape plan and explained what had been done to
32 refresh a 1973 landscape. He described the renovations that had been
33 proposed, noted the overall goal to rehabilitate the existing landscaping and
34 improve the existing irrigation system, and projected a 40 percent reduction in
35 overall water use for the site. He added that a gray water system would reduce
36 water use by another 20 percent. Plant materials would be drought tolerant, low-
37 water use. He also described some of the recreational amenities and responded
38 to questions from the Commission with respect to the surface of the play area.
39

40 SYDNEY MOE, Ferrari Moe, Architects & Engineers, 2138 Fourth Street, San
41 Rafael, reported that solar panels would be provided on the roofs of five
42 buildings. The equipment would include solar photovoltaic and solar thermal flat
43 mounted panels on the roofs that would not project beyond the existing roof
44 plane of the affected buildings.
45

46 When asked, Ms. Carman reported that the residents had been advised of the

1 bicycle parking although the design had not yet been presented to residents.
2

3 **PUBLIC COMMENTS OPENED**
4

5 **IRMA RUPORT, 1131 Marionola Way, Pinole, whole home was located adjacent**
6 **to the complex, expressed concern with the community notification area and**
7 **suggested that the notification area should be in the front of the complex to**
8 **better advise the apartment community of the rules and regulations and to**
9 **include police and other contact information. She was concerned with the play**
10 **areas and noted that play areas in the complex had previously been removed**
11 **because of problems. She expressed concern that the recreation areas need to**
12 **be better managed. She expressed concern for security, wanted the security**
13 **cameras installed first, stated issues remained to be considered, and urged that**
14 **a security plan be presented, the property be appropriately managed, and the**
15 **playgrounds be gated, with a curfew.**
16

17 **PUBLIC COMMENTS CLOSED**
18

19 **In response to comments, Mr. Rhodes stated that one of the conditions of**
20 **approval required a Security Plan for staff review and approval to ensure clear**
21 **sight distances for the Police Department. He suggested that a curfew would be**
22 **a property management issue, as would complaints about noise and other on-**
23 **site issues, although he suggested that neighbors should feel comfortable**
24 **approaching the on-site managers to discuss areas of concern and resolve**
25 **complaints.**
26

27 **Ms. Carman advised that the contact would be the property management office.**
28 **While on-site managers were available after hours for emergencies, it would not**
29 **be appropriate to release their personal cell phone numbers. She described the**
30 **City's Public Safety Fee that included monthly meetings of property management**
31 **with the Police and Fire Departments to track and monitor incidents. Those**
32 **departments had the emergency contact information. She stated there would be**
33 **a Security Plan and there would be extra security during the construction phase.**
34 **Construction hours would be consistent with the City's requirements and there**
35 **were lease restrictions on noise. She added that tot lots would not be gated.**
36 **Security cameras would be installed after completion of construction, although**
37 **she could check to see if they could be installed earlier.**
38

39 **The Commission offered the following comments and recommendations:**
40

- 41 • **The Commission emphasized the need to be advised of the schedule of**
42 **meetings with the residents, and to be provided a summary of the resident**
43 **meetings held without City notification. (Thompson)**
44
- 45 • **The bike storage and covered mailboxes were inconsistent with the**
46 **project architecture, and a design more consistent with the sloping roofs**

1 of the existing structures was requested. The roof structures for those
2 amenities should also be considered for solar opportunities and lighting
3 should be provided for the mailbox area. (Brooks, Thompson)

- 4 • Concerns remained for security and fencing around the playground and
5 the installation of security cameras prior to completion of construction.
6 (Tave) On the discussion, the Commission noted that fences around the
7 playgrounds could be considered if there were issues at the completion of
8 the project.

- 9
10 • Bicycle lockers, as opposed to bicycle storage, was recommended to be
11 in close proximity to each building (Brooks) and the Commission wanted
12 to know what the residents preferred. There was considerable discussion
13 related to the concern for the security of bicycles parked at the bicycle
14 racks.

15
16 In response to comments, Mr. Rhodes stated the monument sign would be part
17 of design review and would be reviewed during plan check with all other
18 improvements; the Commission could consider a similar roof pitch on the
19 mailbox structures with asphalt shingles similar to what had been approved for
20 the buildings; and while there were currently noise standards in the General
21 Plan, there was no citywide noise ordinance although there had been
22 discussions to consider such an ordinance which would be at the discretion of
23 the City Council. He clarified that the purview of the Planning Commission was
24 to review design. Noise complaints from neighbors, which can be highly
25 subjective is an operational issue that the Police Department would address if
26 needed based on City requirements. He also pointed out the use was permitted
27 in the zone, not subject to a use permit. He understood that safety and nuisance
28 issues had improved dramatically at the site during the past seven years.

29
30 Mr. Rhodes requested direction and consensus about what the Commission
31 preferred for the roof of the mailbox enclosure, and the design of the bicycle
32 lockers. He pointed out that the number of bicycle racks and bicycle parking
33 exceeded what was required by the code.

34
35 On the discussion of secure bicycle lockers that could be allocated by property
36 management, Ms. Carman stated the issue had come up in community meetings
37 and in conversations with residents. She did not want to limit bicycle storage.
38 She emphasized grading issues and the fact they did not want to eliminate
39 parking spaces. While surveys could be conducted, at this time providing more
40 opportunities to lock bikes made more sense to property management as
41 opposed to allocating bike parking to specific residents.

42
43 Ms. Moe added that there were a number of kids' bikes involved and those used
44 for recreational purposes as opposed to bikes used for transportation purposes.
45 There would be room for 40 adult bikes or 60 bikes for kids. She had designed
46 the storage where a family could have multiple bikes on one connection. The

1 structure would be similar to a carport. She explained that bicycle cages in the
2 carports had been considered although they could not fit under the tuck-under
3 parking.
4

- 5 • Willing to sacrifice some parking spaces for secure bike lockers, mailers
6 to residents were recommended to clarify the situation where the loss of
7 the balconies would require a need for bicycle storage, to learn what kind
8 of storage residents would prefer, to identify the need, and to make sure
9 that whatever was provided would be used. Information was requested as
10 to how other Eden Housing projects addressed bicycle storage.
11 (Kurrent/Thompson)
12

13 By consensus, Commissioners expressed preferences for the following:
14

- 15 • That bicycle lockers be integrated into the parking site, even if there was a
16 loss of some parking or landscaping; residents be polled to determine how
17 many bicycle lockers or parking spaces would be needed to be able to
18 provide ultra-secure bicycle storage; to be discussed at the next
19 community meeting with notification to the City;
20
- 21 • There shall be pitched roofs for the mailbox area and for any bicycle
22 structures;
23
- 24 • Did not support a message board in the front as requested by Ms. Rupert.
25

26 Ms. Carman clarified that the units were rental units and what the residents
27 wanted today would not necessarily be what future residents might prefer. She
28 emphasized that Eden Housing had looked into bicycle lockers although given
29 the topography it was difficult to find the necessary space for bicycle lockers.
30

31 Ms. Woe noted that providing eight bicycle lockers would eliminate three parking
32 spaces.
33

34 Mr. Rhodes clarified that the Commission wanted to evaluate what the
35 neighborhood wanted to see as far as bicycle parking on site; the type, number,
36 and distribution, with a report back to the Commission and with the next steps in
37 the process based on that information.
38

39 Chair Kurrent designated a subcommittee of Commissioners Thompson and
40 Tave to work on the issue and report back to the Commission.
41

42 **2. Consideration of Precise Antenna Structure Design in Conjunction**
43 **with Design Review (DR 14-20) and Conditional Use Permits (CUP 14-**
44 **10 and 14-15) for Wireless Communication Facility Relocation**
45

46 **Request:** Selection of an antenna structure design for two existing

1 carriers relocating from one portion of the project site to a
2 previously approved wireless communications area south of
3 the previously approved CVS Pharmacy building on the
4 project site.

5 **Applicant:** Armstrong Development Properties, Inc.
6 2400 Del Paso Road, Suite 140
7 Sacramento, CA 95834
8

9 **Location:** Southeast corner of Appian Way and Canyon Drive, just north
10 of Interstate 80, APNs 401-273-043, -044, -045, and -046
11 addressed as 1617 Canyon Drive
12

13 **Project Planner:** Winston Rhodes, Planning Manager
14

15 Commissioner Martinez-Ruben rejoined the Commission.
16

17 Mr. Rhodes requested a recess at 8:47 P.M. to be able to set up for the
18 presentation given that new information had just been presented. The
19 Commission reconvened with all members present at 8:57 P.M.
20

21 Mr. Rhodes presented the staff report dated February 22, 2016, to review the
22 two proposed antenna structure design options for Verizon and T-Mobile
23 equipment that had previously been reviewed last month and to provide direction
24 on a final design for staff and the applicant. He identified information presented
25 on the dais from the subcommittee, as well as a letter from Hammett & Edison
26 confirming that each of the two options to be considered for the design would
27 meet Federal Communications Commission (FCC) standards relative to radio
28 frequency (RF) emissions, and noted that the conditions of approval would
29 require an RF study prior to the activation of any wireless communication
30 antenna structure.
31

32 Mr. Rhodes identified what the Commission had approved at the January 25,
33 2016 meeting, described the range of options that the subcommittee had
34 reviewed, and identified the two options that had been supported by the
35 subcommittee; a three-pole with a metal ribbon option and a faux clock tower
36 option with a structure to accommodate two carriers. Any third future carrier
37 would require a separate application. Photo simulation information had been
38 requested. He reported that the subcommittee preferred the faux clock tower
39 design which was visually interesting, included a design reminiscent of the City's
40 railroad past, as well as a traditional clock tower appearance. The antennas
41 would be camouflaged to look like components of the clock, and much of the
42 structure would be open. Renderings of the proposal were presented and details
43 were provided.
44

45 JULIE MARTIN, Armstrong Development, for the CVS Wireless application,
46 thanked the subcommittee for coming to agreement on the preferred design, and

1 explained how the design would be run through the various consultants for all
2 those involved. She verified, when asked, that the clock tower could be a
3 working clock, and Commissioners expressed a preference for a working clock.
4

5
6 Ms. Martin apologized that the photo simulations had not been able to be
7 prepared for the meeting, but would be provided. Providing a picture of a similar
8 clock tower design from Bellflower, California; she clarified that the cabling would
9 be inside the support posts of the clock structure.

10
11 Mr. Rhodes clarified that the subcommittee had requested a simulation looking
12 north on Appian Way towards the water and towards San Pablo Avenue from the
13 Dollar Tree looking towards the project site.

14
15 KEVIN PARKER, Armstrong Development, explained that the proposal had not
16 been designed for a third carrier because it was not high enough. He
17 emphasized that everything was at a standstill until a design had been chosen to
18 allow the application to move forward. On the discussion of possible color
19 choices, he clarified the intent for an industrial look to tie back to the railroad,
20 which was why black had been presented. He also clarified that the verticals
21 were tube steel to carry the cable and the horizontals were wide flange.

22
23 Mr. Rhodes suggested the existing subcommittee of Commissioners Thompson
24 and Tave could be one way to enable the process to continue with some
25 certainty.

26
27 By consensus, the Commission supported the following:

- 28
- 29 • A working clock tower structure, (with the Bellflower example), with four
 - 30 clock faces, modified to be more consistent with Old Town Pinole;
 - 31 • No illumination;
 - 32 • No "Welcome To Pinole" or "Pinole" text;
 - 33 • Tile roof cap size as shown;
 - 34 • In a color to match the CVS building, in black or in clear anodized
 - 35 aluminum with a matte finish;
 - 36 • Enclosed structure at the base, as shown in the example, with brick to
 - 37 match the proposed elevations of the CVS building, and to include
 - 38 landscaping comprised of shrubs, trees, and climbing vines to discourage
 - 39 graffiti;
 - 40 • Photo simulations to be provided.
- 41

42 Mr. Parker clarified that the enclosure would house the ladder to maintain the
43 structure and prevent people from climbing it. He also explained that the new
44 equipment and a new array of antennas would enhance service and coverage
45 and avoid the need for other coverage elsewhere.
46

1 **MOTION:**
2

3 **MOTION** to approve Option 2, the design of the antenna structure in conjunction
4 with Design Review (DR 14-20) and Conditional Use Permits (CUP 14-10 and 14-
5 15) for a Wireless Communication Facility Relocation, for a working clock tower
6 with four clock faces, no illumination, no text on the structure, and with details
7 pertaining to the color, landscaping, and size of the structure at the base to be
8 confirmed by a subcommittee composed of Commissioners Thompson and
9 Tave.

10
11 **MOTION: Martinez-Rubin SECONDED: Thompson APPROVED: 6-0**
12

13 **G. NEW BUSINESS: None**
14

15 **H. CITY PLANNER'S / COMMISSIONERS' REPORT:**
16

17 Mr. Rhodes announced that the City Council had appointed the replacement for
18 former Commissioner Toms, and Simon Wong would be joining the Planning
19 Commission at its next meeting. He reported that there would be a workshop on
20 required text amendments needed to implement General Plan Housing Element
21 actions at the next meeting; an upcoming item would be a workshop on the Eye
22 Surgery Center proposed at Pinole Valley Road and Henry Avenue; and a
23 tentative date had been set in the spring for a joint City Council/Planning
24 Commission meeting. He also reported that Form 700s were due, and there had
25 been discussions of holding a meeting on the Brown Act to review requirements
26 related to open meeting laws and the legal requirements of Planning
27 Commissioners. He mentioned the status of the Gateway project, and stated
28 there was some information on the City's website that could be enhanced as the
29 construction process proceeds.
30

31 Chair Kurrent advised that he would not be present at the next meeting.
32

33 **I. COMMUNICATIONS: None**
34

35 **J. NEXT MEETING:**
36

37 The next meeting of the Planning Commission will be a special meeting on
38 March 14, 2016 at 7:00 P.M.
39

40 **K. ADJOURNMENT: 10:26 P.M.**
41

42 Transcribed by:
43

44
45 Anita L. Tucci-Smith
46 Transcriber



Memorandum

TO: PLANNING COMMISSION MEMBERS

FROM: WINSTON RHODES, AICP, PLANNING MANAGER

SUBJECT: GENERAL PLAN HOUSING ELEMENT REQUIRED TEXT AMENDMENTS

DATE: March 14, 2016

BACKGROUND

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 is subject to detailed statutory requirements and mandatory review by the State Department of Housing and Community Development. The updated Housing Element was adopted on May 19, 2015 and subsequently certified by the State Department of Housing and Community Development (HCD) later the same month. The Housing Element covers an eight year period from 2015 through 2023 and includes information about how the City has planned for a Regional Housing Needs Allocation (RHNA) of 297 units. The Element focuses on the City's ability to provide quality, safe, and affordable housing; as well as aims to achieve a balance between maintaining the existing character of Pinole and providing housing for all economic segments of the community and those with special needs.

As part of the Housing Element, the City included implementation actions to modify the Zoning Ordinance provisions for a variety of affordable and special needs housing types, including emergency shelters, transitional housing, supportive housing, and employee housing. These actions were needed within the Housing Element to ensure that the City meets current State requirements.

- **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.
 - The Zoning Ordinance needs 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 City needs 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 has planned to amend the Zoning Ordinance to address the provisions for transitional housing, supportive housing, and emergency shelters consistent with SB 2.
- **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.

Additionally State residential density bonus law was changed in 2014 and needs to be reflected in the City's Zoning Ordinance. All amendments to the Zoning Ordinance require review by the Planning Commission. On February 8, 2016 these Zoning Ordinance amendments were discussed with the Housing Element Subcommittee of the Planning Commission. The Subcommittee was comfortable with the proposed changes. This workshop is scheduled to provide further information to the full Planning Commission prior to bringing the City-initiated Zoning Ordinance text amendments forward for Planning Commission action later this month.

DISCUSSION

Emergency Shelters

California Government Code Section 65583 requires local jurisdictions to identify at least one zone where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones must include sufficient capacity to accommodate at least one year-round emergency shelter. Furthermore, development standards for emergency shelters are limited to the following under State law:

- The maximum number of beds or persons permitted to be served nightly by the facility.
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.

-
- The size and location of exterior and interior onsite waiting and client intake areas.
 - The provision of on-site management.
 - The proximity to other emergency shelters provided that emergency shelters are not required to be more than 300 feet apart.
 - The length of stay.
 - Lighting.
 - Security during hours that the emergency shelter is in operation.

While the City's Municipal Code permits emergency shelters in its Office Industrial Mixed Use (OIMU) zone, the City's development standards for this housing type are more restrictive than what is allowed under State law. Specifically, the City has established a distance requirement between emergency shelters and parks, schools, and outdoor recreation facilities. Pinole's Municipal Code also requires emergency shelters to be developed within one-half mile of a transit corridor or existing bus route.

The proposed amendments to Pinole's Municipal Code modify the City's development standards for emergency shelters to comply with State law. However, because the amendment removes distance requirements from sensitive uses (parks and schools); the recommendation is to further amend the Municipal Code to remove emergency shelters as a conditionally permitted use in the R-2, R-3, R-4, RMU, and CMU zones. The removal of this housing type as a conditionally permitted use in the above mentioned zones is consistent with current State law regarding emergency shelters.

Transitional and Supportive Housing

Government Code Section 65583 requires transitional and supportive housing to be considered a residential use of property, and subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. State law also specifically defines what constitutes transitional and supportive housing. The City has previously permitted transitional housing in a manner similar to emergency shelters. There are currently no provisions for supportive housing in the Pinole Municipal Code. The proposed amendments to Pinole's Municipal Code modify the City's provisions for transitional and supportive housing to specifically address these housing types and comply with State law.

Residential Density Bonuses

In September 2014, AB 2222 was signed into law and amended the State's Density Bonus requirements to eliminate density bonuses and other incentives previously available unless the developer agrees to replace pre-existing affordable units on a one-for-one basis. AB 2222 also increases the required affordability period from 30 years to 55 years for all density bonus units. Furthermore, if the units that qualified an applicant for a density bonus are affordable ownership units, as opposed to rental units, they must be subject to an equity sharing model rather than a resale restriction. Under prior density bonus law, only

moderate income affordable ownership units were subject to the equity sharing model. Pinole's current density bonus ordinance does not include the extended affordability period or equity sharing model for ownership units. The proposed amendments to Pinole's Municipal Code modify the City's density bonus provisions to comply with State law.

Employee Housing

California Health and Safety Code Section 17021.5, also known as the Employee Housing Act, requires local jurisdictions to treat employee housing providing accommodations for six or fewer employees as a single-family structure. For the purpose of all local ordinances, employee housing is not to be included within the definition of a boarding house, rooming house, hotel, dormitory, or other similar term that implies that the employee housing is a business run for profit or differs in any other way from a family dwelling. No conditional use permit, zoning variance, or other discretionary zoning clearance can 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.

The City's Municipal Code does not include any provisions specifically for employee housing. The proposed amendments to Pinole's Municipal Code add employee housing provisions to comply with State law.

NEXT STEPS

A brief overview of the proposed Zoning Ordinance changes will be introduced at the workshop. After considering the feedback from the workshop, draft text amendments will be prepared for consideration by the Planning Commission at a public hearing on March 28, 2016. The Planning Commission will be asked to recommend action to the City Council. City Council review and action is scheduled to occur prior to May 19, 2016.