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2
3 **MINUTES OF THE REGULAR MEETING**
4 **PINOLE PLANNING COMMISSION**

5
6 **December 8, 2025**

7
8 **THIS MEETING WAS HELD IN A HYBRID FORMAT**
9 **BOTH IN-PERSON AND ZOOM TELECONFERENCE**

10
11
12 **A. CALL TO ORDER:** 7:01 p.m.

13
14 **B. PLEDGE OF ALLEGIANCE**

15
16 **C. LAND ACKNOWLEDGEMENT:** *Before we begin, we would like to acknowledge the*
17 *Ohlone people, who are the traditional custodians of this land. We pay our respects to*
18 *the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land*
19 *that Pinole sits upon, their home. We are proud to continue their tradition of coming*
20 *together and growing as a community. We thank the Ohlone community for their*
21 *stewardship and support, and we look forward to strengthening our ties as we continue*
22 *our relationship of mutual respect and understanding.*

23
24 **D. WORKSHOP**

25
26 1. Parklets and Outdoor Dining Workshop

27
28 Planning Manager David Hanham confirmed, when asked, that the workshop could be held
29 prior to Roll Call for the Regular Planning Commission meeting. Staff had thought to have
30 the workshop prior to the regular meeting itself but wanted to see how it went and may do
31 that in the future.

32
33 At this time, Mr. Hanham provided a PowerPoint presentation for Outdoor Dining/Parklets in
34 Pinole, which included an overview of the background of parklet statutes in the City of Pinole;
35 purpose of the Outdoor/Dining Parklet Areas; City of Pinole current Outdoor Dining
36 Regulations and topics for discussion including:

- 37
38
- 39 • Define categories of outdoor dining on sidewalks “sidewalk dining areas,” in
40 parking spaces in the right-of-way (ROW) or on public property, “parklets,” and on
41 private property “outdoor dining area;”
 - 42 • Establish a permitting process for outdoor dining, including opportunities for public
43 input, annual reviews or inspections, one time or annual fees, and maintenance
44 and liability;
 - 45 • Use the Three Corridor Specific Plan and Zoning Ordinance to describe the
46 locations where different categories of outdoor dining area would be allowed
47 through the permitting process;
- 48

- 1 • Establish standards for design and materials, size, landscaping, accessibility,
2 circulation, lighting, safety features, (guardrails, wheel stops, visible vertical
3 elements, signage, heating, air circulation and outdoor furniture);
4
- 5 • Establish standards to address use of the facilities (i.e., hours, public access, and
6 equity). Consider encouraging other elements such as public art and bicycle
7 parking; and
8
- 9 • Address the transition from temporary outdoor dining areas to permanent outdoor
10 dining areas.
11

12 The category definitions for Sidewalk Dining Areas, Private Outdoor Dining Areas, and
13 Parklets were highlighted and photographs provided with examples of a sidewalk dining
14 area, sidewalk dining and private outdoor dining areas and parklets. Staff also identified
15 the criteria for the establishment of a permitting process for outdoor dining and parklets,
16 and the use of the Three Corridors Specific Plan/Zoning Ordinance to describe the
17 locations, different categories of outdoor dining areas, parklets and the private outdoor
18 dining that would be allowed.
19

20 Mr. Hanham reported the Planning Commission Design Review Subcommittee had
21 worked over the past couple of years to complete the policy, which was why staff was now
22 reaching out to the full Planning Commission and the public for feedback to determine
23 whether anything should be added to the program.
24

25 Responding to questions from the Planning Commission on the PowerPoint presentation,
26 Mr. Hanham clarified:
27

- 28 • The outdoor dining area outside of Peet's Coffee in the Trader Joe's Shopping
29 Center was an example of an outdoor dining area that was included as part of the
30 design review process for the development of the shopping center. Chairs outside
31 of Tina's Place, the Bear Claw and the Mexican Restaurant, as examples, were in
32 place prior to 2010. Once policies and guidelines were in place, those businesses
33 would be evaluated to ensure they met the policies and guidelines. If the new Hot
34 Chicken Restaurant, for instance, wanted to add outdoor dining, that business
35 would be required to go through an Administrative Review process. (Vice-
36 Chairperson Menis)
37
- 38 • The purpose of the workshop was to provide input on the proposed Parklets and
39 Outdoor Dining criteria. In particular, for parklets on-street and those on private
40 property and in parking lots, which had been done during COVID-19.
41 (Chairperson Sandoval)
42
- 43 • Staff had worked under the assumption those businesses with existing outdoor
44 dining had been established prior to 2010. The only businesses that had gone
45 through the Conditional Use Permit (CUP) process for outdoor dining was East
46 Bay Coffee and Diosa Restaurant. Tina's Place and the Bear Claw would have to
47 be researched, and if those businesses did not have an approved Administrative
48 Use Permit or an approved CUP, staff would work with those businesses to
49 achieve compliance with the program. (Chairperson Sandoval)

- 1 • All shopping centers had gone through the design review process but staff would
2 research to ensure everyone had the proper permitting in place. (Vice-
3 Chairperson Menis)
4
- 5 • Acknowledged a request for a slightly different shade of green in the tabs shown
6 in the PowerPoint presentation. In particular, the use of the light green color on a
7 white background on the last page of the PowerPoint presentation was barely
8 legible and the colors should be rethought. (Vice-Chairperson Menis)
9

10 Commissioner Huey was pleased to see the City was considering regulations to allow more
11 parklets. She would like to see clear guidelines to protect emergency access to fire hydrants,
12 ensure emergency vehicle access in an efficient manner and ensure the parklets met
13 Americans with Disabilities Act (ADA) requirements for mobility.
14

15 Commissioner Bender liked the presentation that had been prepared two months ago, which
16 was more informative.
17

18 Commissioner Uch found the PowerPoint to be informative but suggested Pinole businesses,
19 not just those located in Old Town Pinole, would take advantage of parking lots as an
20 opportunity since most businesses would consider parklets adjacent to a street, which could
21 be something that changed the use of parking lots in the City.
22

23 Vice-Chairperson Menis commented he had provided much of his feedback on the elements
24 of the presentation during his time as a member of the Planning Commission Design Review
25 Subcommittee. Overall, he found the presentation to be informative, but as mentioned,
26 suggested typographically there were some areas where the text could be adjusted. The
27 presentation was otherwise broadly informative.
28

29 Vice-Chairperson Menis also suggested adding a caption where the photographs in the
30 PowerPoint presentation had been taken, if that data was available, to allow a cross
31 comparison and allow people to look up the location.
32

33 Chairperson Sandoval would have liked to have seen a different process for the approval of
34 the parklets versus the approval of outdoor dining/private outdoor dining areas, and possibly
35 consideration of seasonal approvals during the summer months where it would be more
36 attractive to be outside, rather than having the areas be empty during cold or inclement
37 weather. Visual structure was also needed so that it was not just a canopy tent but something
38 that was more visually pleasing, such as a mixture of concrete or wood or vertical design.
39 He asked how the process would be reviewed for sidewalk dining, and suggested that should
40 be an Administrative Review and not something that was required to come back to the
41 Planning Commission if it just required a check to ensure there was enough space or ADA
42 compliance in the space.
43

44 In terms of outdoor dining as was seen in a patio type of dining setup and parklets,
45 Chairperson Sandoval suggested that would be the type of use that should require approval
46 of a CUP, with the City Council having the ability for appeal, particularly for the parklets, which
47 would be on the street and where issues related to available parking could be involved.
48
49
50

1 As to the Zoning, Chairperson Sandoval suggested those types of uses should be allowed
2 in commercial zones but for residential zones allowed only with an approved CUP. In terms
3 of the parklets, he envisioned things that had been seen during the pandemic and he asked
4 whether San Pablo Avenue would be one of the areas that would have parklets or whether
5 parklets would be allowed on a main street.
6

7 Mr. Hanham clarified there had been discussions about what San Pablo Avenue may look
8 like in the future and whether there would be some type of road improvements. Parklets
9 would be allowed on San Pablo Avenue if businesses wanted to do that but they would have
10 to go through the design process. When the full package was submitted to the Planning
11 Commission, besides the guidelines, the regulatory ordinance amendments would be
12 included and there would be some requirements included such as Public Works Department
13 approval and approval of regulatory contracts. The parklets would involve a more robust
14 process due to drainage on San Pablo Avenue and other issues that would be related to the
15 use of parklets.
16

17 Chairperson Sandoval asked that some safety elements be included for the parklet
18 regulations if allowed on San Pablo Avenue given the proximity of vehicular traffic. He
19 wanted to ensure something that provided a safety barrier and at the same time was visually
20 pleasing. Also, if heavy weight barriers were allowed, he asked whether they would be
21 permanent or temporary or something that could be considered seasonal. He also asked
22 whether that would be something that would be approved by the Planning Commission or
23 planning staff.
24

25 Mr. Hanham commented that most barriers were temporary in nature and could be removed,
26 and while not easy, if there was a heavy weight barrier, they could be moved. In that case,
27 it would be whether or not the applicant wanted to consider the use of such material to be
28 permanent or seasonal. If part of the Administrative Review process or depending on what
29 was done as part of the process, it could come before the Planning Commission. It would
30 depend on what the applicant proposed and then staff would proceed accordingly.
31

32 Vice-Chairperson Menis asked whether or not parklets would be required to be removed if
33 they had been permitted in the space the Pinole Car Show typically occupied since the
34 vehicles as part of that event took up most of the street.
35

36 Mr. Hanham explained the business would pay a fee for the parklets and were not required
37 to move them now. In that scenario, if a business wanted to move a parklet to accommodate
38 the Car Show or other big event that could be considered, but otherwise there would have to
39 be other places to display the vehicles. The business paying for the parklet and meeting the
40 requirements would have the ability to have their parklet in place.
41

42 Vice-Chairperson Menis commented as to the level of permitting that would be required that
43 overall, he was in agreement with the Chair that for private property parking lots and parklets,
44 the level of approval should be through the Planning Commission with the right to appeal to
45 the City Council. As to the sidewalk dining areas, he suggested rather than just through the
46 Zoning Administrator with no right to appeal, the process should be through the Zoning
47 Administrator with the right to appeal to the Planning Commission in case there was an issue
48 and someone wanted to appeal the decision.
49
50

1 Commissioner Bender agreed with the Vice-Chair's comments. He saw no issues with the
2 existing sidewalk eating areas in front of three businesses already mentioned, and suggested
3 those businesses did not need to go through the Planning Commission but through the
4 Zoning Administrator/Planning Manager, with the right to appeal. He suggested the others
5 needed full-blown review since not long ago someone who ran a business in the City was
6 unhappy about another business taking over the parking spaces in their area that was then
7 used for outdoor dining during the pandemic. He suggested that was an example that
8 necessitated a larger discussion.

9
10 Chairperson Sandoval asked if there would be a fee attached with any of the options whether
11 a sidewalk, parklet or outdoor dining and how the fee would be determined, whether a flat
12 rate, yearly or ongoing.

13
14 Mr. Hanham confirmed there would be a fee and once the policies were established the fees
15 would be established. It would depend on the review level and staff would prepare a matrix
16 of costs prior to establishing a fee, similar to how the City established its use fees.

17
18 **PUBLIC COMMENTS OPENED**

19
20 There were no comments from the public.

21
22 **PUBLIC COMMENTS CLOSED**

23
24 Mr. Hanham advised that if anyone had any additional feedback, including members of the
25 public, they may contact City staff.

26
27 The Planning Commission returned to the regular meeting agenda at 7:48 p.m.

28
29 **E. ROLL CALL**

30
31 Commissioners Present: Bender, Huey, Uch, Vice-Chairperson Menis, Chairperson
32 Sandoval

33
34 Commissioners Absent: Lam-Julian, Martinez

35
36 Staff Present: David Hanham, Planning Manager
37 Justin Shiu, Senior Planner

38
39 Vice-Chairperson Menis reported on his ex-parte communications to his email list about the
40 topics on the meeting agenda and events happening in the City.

41
42 **F. CITIZENS TO BE HEARD**

43
44 Anastasia Maynich, a resident of the Bayview, an unincorporated area surrounded by the
45 City of Pinole, reported the City's planning and preparedness affected her community. As
46 the City continued to shape its long-term planning priorities, she asked that the City
47 consider the safety and resilience of the entire area.

1 The City of Pinole sat on the Hayward Fault, one of the most dangerous and active faults
2 in the country and with recent increased seismic activities across the region, a major
3 earthquake would have far reaching impacts on fire and police response and there could
4 be infrastructure damage, utility destruction, debris communication challenges and long-
5 term recovery. As an experienced Emergency Manager and during her time serving in
6 Los Angeles County and as a representative for January Wildfire Debris Removal, Ms.
7 Maynich saw firsthand how complex disaster recovery truly was and debris removal alone
8 became a months-long highly coordinated effort involving public works, environmental
9 health and utilities, county partners and sometimes federal agencies.

10
11 One of the factors that directly touched planning and land use was evacuation and access.
12 The Bayview neighborhood had only two exits, both of which routed directly into Pinole,
13 and any significant natural disaster or infrastructure destruction would result in immediate
14 congestion. As Pinole continued to develop housing and add population, those
15 bottlenecks would become even more critical to consider and evacuation routes, traffic
16 flow and emergency access could be integrated into long-term planning decisions. The
17 area was also located between two major rail lines, which carried hazardous materials
18 and heavy loads daily. In the event of an earthquake or derailment, the rail lines could
19 become blocked or damaged cutting off movement, limiting emergency access and further
20 constraining evacuation routes, which would make coordinated emergency planning even
21 more critical for both the City and the surrounding unincorporated areas. Cities that did
22 not have a designated emergency manager or emergency management function
23 struggled the most during disasters. Not because no one was committed, but because no
24 one was responsible for maintaining plans, coordinating the operations or guiding
25 recovery.

26
27 The City of Pinole planned to approve an Emergency Operations Plan (EOP) in January
28 2026, but plan on paper was not the same as the person or readiness. It required active
29 stewardship of daily exercise and integration into every day planning including
30 development decisions, road capacity, land use and hazard mitigation. Those issues were
31 being raised because the entire region, including the unincorporated neighborhoods,
32 depended on the City's planning and communication and resilience. As the City continued
33 to grow and modernize its infrastructure, having real emergency management capacity
34 built into planning would make a difference when disaster occurred.

35
36 Emergency management was built on three pillars: preparedness, response and recovery
37 and most cities began this process by bringing in an outside emergency management
38 consultant to evaluate existing plans, identify gaps and recommend appropriate levels of
39 staffing and structure. It was cost effective and allowed a city to understand its needs
40 prior to committing to long-term resources. As the City updated its General Plan and
41 Safety Element, the City was asked to consider the importance of designating an
42 emergency management function as part of the City's long-range resilient strategy.

43
44 In response to the Chair, Mr. Hanham reported the Safety and Environmental Justice
45 Elements would be considered by the City Council in January 2026. Staff would ensure
46 the speaker's comments were noted and the speaker would be added to the contact list.
47 The Safety Element was available for review online on the City website. The speaker
48 could also reach out to the staff working on the documents prior to presentation to the City
49 Council.

1 Vice-Chairperson Menis clarified the Planning Manager’s email address for the record.
2 He commented that it appeared the speaker’s comments were pre-written. He suggested
3 the pre-written comments be submitted to staff so that they could be posted on the City
4 website, made available to the public, and made part of the public record for the meeting.
5

6 **G. MEETING MINUTES**

7
8 1. Planning Commission Meeting Minutes for October 27, 2025
9

10 **MOTION** with a Roll Call vote to approve the Planning Commission Meeting Minutes for
11 October 27, 2025, as shown.
12

13 **MOTION: Sandoval** **SECONDED: Bender** **APPROVED: 5-0-2**
14 **ABSENT: Lam-Julian, Martinez**
15

16 **H. PUBLIC HEARINGS:**

17
18 1. **Uptown Yard (CUP 19-09 & DR 19-14) Use Permit Review and Modifications**
19 **[CONTINUED TO JANUARY 26, 2026]**
20

21 **I. OLD BUSINESS:** None
22

23 **J. NEW BUSINESS:**

24
25 1. Planning Commission Regular Meeting Schedule 2026
26

27 The Planning Commission discussed the Planning Commission Regular Meeting
28 Schedule for 2026 and offered no suggested edits.
29

30 PUBLIC COMMENTS OPENED
31

32 There were no comments from the public.
33

34 PUBLIC COMMENTS CLOSED
35

36 **MOTION** with a Roll Call Vote to adopt the Planning Commission Regular Meeting Schedule
37 for 2026, as presented.
38

39 **MOTION: Sandoval** **SECONDED: Menis** **APPROVED: 5-0-2**
40 **ABSENT: Lam-Julian, Martinez**
41

42 **K. CITY PLANNER’S/COMMISSIONER’S REPORT**

43
44 Mr. Hanham reported the Planning Commission Academy would be held March 11 through
45 13, 2026 in Anaheim, and staff would like to make reservations early. He asked
46 Commissioners interested in attending to contact staff prior to the end of the year.
47

48 Chairperson Sandoval and Commissioner Uch expressed the willingness to attend the
49 Planning Commission Academy and Chairperson Sandoval suggested Commissioners Lam-
50 Julian and Martinez may also be interested in attending.

1 Mr. Hanham advised he would send out a follow-up email later in the month to get the
2 reservation process started. He otherwise reported that staff was closing in on the Parklet
3 Regulations, and the Objective Development Design Standards (ODDS) would be reviewed
4 by the City Attorney and Executive Team prior to presentation to the Planning Commission,
5 hopefully the second meeting of January or first meeting in February 2026.
6

7 Senior Planner Justin Shiu reported the temporary gas station moratorium was due to expire
8 on March 26, 2026, and staff was working on an ordinance that would be presented to the
9 Planning Commission at the beginning of the year, and thereafter to the City Council.
10

11 Mr. Hanham clarified that the meeting schedule would be discussed with the Community
12 Development Director to ensure an ordinance was in place prior to the expiration of the
13 temporary moratorium.
14

15 **L. COMMUNICATIONS**

16
17 Vice-Chairperson Menis reported the Senior Food Distribution would be held on December
18 9, 2025 from 10:00 to 11:00 a.m. at the Pinole Senior Center for low-income eligible persons
19 over 55 years of age and a Pinole resident, with another food distribution event planned for
20 December 23, 2025. In addition, there would be a Special City Council meeting on December
21 9, 2025, for a Closed Session to appoint an Interim City Manager; Traffic and Pedestrian
22 Safety Committee (TAPS) meeting on December 9, 2025 at 6:00 p.m.; Police Toy Charity
23 Drive on December 11, 2025 with donations accepted at the Public Safety Building and
24 Target at 1400 Fitzgerald Drive, with the toys to be donated to Oakland Children’s Hospital;
25 and the Holiday Breakfast on December 13, 2025 from 9:00 to 11:00 a.m. at the Pinole Senior
26 Center where signups were required and tickets would be \$10 for residents and \$12 for non-
27 residents. He wished everyone Happy Holidays.
28

29 Chairperson Sandoval reported he attended the recent Christmas Tree Lighting ceremony
30 and spoke with some of the business owners who appreciated those types of events which
31 helped businesses do well.
32

33 **PUBLIC COMMENTS OPENED**

34
35 There were no comments from the public.
36

37 **PUBLIC COMMENTS CLOSED**

38
39 **M. NEXT MEETING**

- 40
41 1. Planning Commission Regular Meeting on January 12, 2026 at 7:00 p.m.
42

43 **N. ADJOURNMENT: 8:10 p.m.**

44
45 Transcribed by: Sherri D. Lewis
46
47 Reviewed and Edited by: City Staff
48 Transcriber