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

5
6 **April 27, 2026**

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

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12 **A. CALL TO ORDER:** 7:07 p.m.

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14 **B. PLEDGE OF ALLEGIANCE**

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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.*

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24 **D. ROLL CALL**

25
26 Commissioners Present: Bender, Huey, Lam-Julian, Uch, Vice-Chairperson Menis and
27 Chairperson Sandoval

28
29 Commissioners Absent: Martinez

30
31 Staff Present: David Hanham, Planning Manager
32 Justin Shiu, Associate Planner
33 Justin Rogers, Commander, Pinole Police Department

34
35 Vice-Chairperson Menis reported on his ex-parte communications to his email list about the
36 topics on the meeting agenda and community events occurring this week.

37
38 **E. CITIZENS TO BE HEARD**

39
40 Anthony Vossbrink expressed concern with multiple infrastructure issues in the City, which
41 had been raised on numerous occasions, but nothing had been resolved by the City
42 Council or the Interim City Manager, which raised concerns particularly given the City
43 Council would be asking voters to consider an increase in taxes on the November ballot.
44 He also reported both bridges at the Pinole Senior Center were in disrepair. Two major
45 plank boards on the bridge went out a few weeks ago. The Public Works Department had
46 replaced one board, with no replacement of the other board. Pothole repair was needed
47 and while some had been repaired others had not, and there was now a large hole in the
48 bridge at the Pinole Senior Center, with no cones placed for protection or closure of the
49 bridge, causing a potential safety hazard to the public. In addition, the dog park bridge
50 near Pinole Creek, had similar issues.

1 Mr. Vossbrink emphasized pothole repair was needed throughout the City, drains were
2 clogged, and while some issues may be under the purview of Caltrans, he asked the City
3 Council to contact Caltrans rather than depend on City staff and the public to request
4 needed repairs. Additionally, he expressed concern with the lack of checks and balances
5 and what continued to happen with the failure of the bridge past Fire Station 74 on Pinole
6 Valley Road. This bridge has been in disrepair for some time and no General Funds or
7 grant monies had been set aside for repair. Lastly, the batteries on the barricades/horses
8 on the bridge needed to be replaced; a home across the street had been hit by a speeding
9 motorist around the hair pin curve, which demolished half of the homeowner's fence in the
10 front yard; and he urged the City to enforce its codes related to the continued violations
11 with outdoor seating at Dave's Hot Chicken.

12
13 Chair Sandoval encouraged the speaker to work with the Public Works Department to
14 follow-up on the infrastructure needs, report to Caltrans any issues under its purview and
15 contact State representatives in the event there was no response from Caltrans.

16
17 Vice-Chairperson Menis asked staff to respond to who was in charge of City staff, and
18 Planning Manager David Hanham clarified the City Manager, not the City Council, was in
19 charge of City staff.

20
21 **F. MEETING MINUTES**

- 22
23 1. Planning Commission Meeting Minutes for April 13, 2026

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25 **MOTION** with a Roll Call vote to approve the Planning Commission Meeting Minutes for April
26 13, 2026, as shown.

27
28 **MOTION: Sandoval**

SECONDED: Huey

APPROVED: 6-0-1

ABSENT: Martinez

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31 **G. PUBLIC HEARINGS: None**

32
33 Mr. Hanham asked that the Planning Commission consider Item I. New Business, prior to
34 Item H. Old Business and asked for a motion to amend the meeting agenda.

35
36 **MOTION** with a Roll Call vote to modify the meeting agenda and consider agenda Item I.
37 New Business prior to Item H. Old Business.

38
39 **MOTION: Sandoval**

SECONDED: Huey

APPROVED: 6-0-1

ABSENT: Martinez

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41
42 **I. NEW BUSINESS**

- 43
44 1. Housing Successor Fund Policy Guide

45
46 Jared Murti, Housing Fellow, Partnership for the Bay's Future and Asn Ndiaye, Executive
47 Director of the Northern California Land Trust (NCLT) detailed their backgrounds and
48 presented the April 27, 2026 staff report. It was noted a fully prepared Housing Successor
49 Fund Policy Guide would be presented to the Planning Commission for endorsement at a
50 future meeting in June, and thereafter to the City Council for approval.

1 Staff recommended the Planning Commission receive the introduction report to the
2 Partnership for the Bay's Future Fellowship Program and the Housing Successor Fund
3 Policy Guidebook engagement efforts and preliminary findings, and that the Planning
4 Commission provide feedback and recommendations.
5

6 Responding to questions from the Planning Commission, Messiers Murti, Ndiaye and
7 Hanham clarified the following:
8

- 9 • Assembly Bill (AB) 482, Chiu, Tenant Protection Act of 2019: tenancy: rent caps,
10 was approved in 2019, which created annual state limits for rent increases,
11 effectively preventing rent gauging, with a maximum limit of 10 percent per year
12 for any rental property in California. The baseline number was 5 percent plus the
13 annual Consumer Price Index (CPI) with a limit of 10 percent. (Bender)
14
- 15 • In terms of the in-lieu fee and per the direction of Housing Element Program 7, the
16 City had investigated the creation of an in-lieu fee; however, as noted in the April
17 27, 2026 staff report, it was unlikely an in-lieu fee would be necessary to fulfill the
18 City's Regional Housing Needs Allocation (RHNA) obligations but it would limit the
19 City's ability to develop affordable housing. City staff looked at the RHNA and
20 were confident they would be able to meet the 500 units by 2031, but if imposing
21 the maximum of \$49 per square foot rental housing development instead, that
22 would mean that the inclusionary units would not necessarily be developed and
23 would not cover the same number of units.
24

25 As an example, if there were 100 units, 15 affordable units would have to be built,
26 but if considering the in-lieu fee to cover that, it would be around \$1 million and
27 that fee would have to be \$150 per square foot to actually cover the cost of building
28 the units. If the City were to charge the maximum of \$49 per square foot rental
29 housing development, it would not generate enough money to build the 15
30 affordable units. (Bender)
31

- 32 • As noted in the staff report, the analysis found that fees \$9 to \$25 per square foot
33 for ownership style housing development, and \$12 to \$49 per square foot rental
34 housing development was the feasible range of possible fees. In-lieu fees were
35 based on nexus studies that looked at the impact of market rate housing and
36 development on housing needs for low-income households. The equation used to
37 arrive at the numbers had shown there was less of a nexus impact of ownership
38 than rental housing. Rental properties also had a longer-term revenue generating
39 process than the amount of money involved in homeownership, which was the
40 breakpoint why the fees were different. (Uch)
41
- 42 • The Tenant Retention Program would reserve funds from the Housing Successor
43 Fund dedicated to Pinole residents in need of financial assistance. Modeled after
44 other local housing retention programs, this program's eligibility criteria prioritized
45 residents that were at urgent risk of losing housing. The Project Team had not
46 reached out to the Family Justice Center as it related to the potential loss of
47 housing due to a domestic violence situation and someone being behind on their
48 rental payments, as examples, but could do so immediately. (Lam-Julian)
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- One of the programs under consideration was the County’s Housing Security Fund, which was a county-wide community fund that covered costs that could otherwise prevent people including seniors, veterans and families from getting back into housing, and protected participating property owners who offered those screened renters an opportunity. It was possible Pinole could tap into that resource. Also, through the Coordinated Outreach Referral & Engagement (CORE) Team, there were stories about the use of the County Housing Security Fund to address such situations. Acknowledged a recommendation to also consider The SAFE Center, which had not yet opened its doors officially, a place where immigrants and non-immigrants could visit to build community, access services and learn more about resources in Contra Costa County. (Lam-Julian)
- The Just/Good Cause Eviction Program required landlords to provide a valid legal reason before evicting a tenant, preventing arbitrary or retaliatory evictions. There was a statewide version that included baseline protections for the owner and the tenant, and staff was looking into potential gaps in state law to determine the associated costs. If there were no gaps, cases of harassment, or cash for keys or other ways people were getting residents out, they would not move forward with it. (Lam-Julian)
- The Rent Stabilization Ordinance would implement limits on rent increases, only allowing for gradual and percentage-based increases. It would also aim to protect tenants from arbitrary evictions. Currently, the City of Pinole had no local rent control or rent stabilization ordinance. To gain information about those unofficially renting their homes would require more research about hidden housing rental stock, off-paper leases, or casual arrangements and it was hoped through the rental inventory work that information could be clarified. (Lam-Julian)
- Acknowledged the information that the Contra Costa County Developmental Disabilities Council would be discussing affordable housing for the disabled community at an upcoming meeting. (Lam-Julian)
- The contract with CORE started in June/July 2025, for a one-year period as a pilot program. If the pilot program went well, sometime this year the City Council may consider a three to five-year model. It was clarified within the Housing Successor Fund for the allotted purposes, one was for engagement and prevention of homelessness, which set aside up to \$500,000. The City’s current contract with CORE was in the range of \$35,000 and the contract was currently shared amongst four cities. The number may change in the next year. CORE provided an update to the City Council on its work at a recent meeting in March 2026. (Huey)
- As to the Tenant Retention Program, examples from other cities were being reviewed, with some cities better able to fund the program than others. The City of El Cerrito had \$25,000 in its fund and staff had reached out to El Cerrito to learn how the funds were drawn, with the understanding that program had an average grant of \$2,500 per person. (Huey)

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- Other jurisdictions that had Tenant Retention Programs would be reviewed to determine an appropriate amount for the Pinole program so that it was an available resource while getting a better understanding of the need and the funds that would be drawn on an annual basis. (Huey)
- Whether there would be the flexibility to move funds to the different programs, as an example if the CORE team did not annualize the entire \$35,000 of its contract, could any unspent funds be shifted to the Tenant Retention Program, it was clarified that was not possible given the fixed contract with CORE, which was through Contra Costa County; however, the Tenant Retention Program was intended to prevent homelessness and fell under the same set-aside funds to be used in the prevention of homelessness. (Huey)
- As noted in the staff report, the City of Pinole was the Housing Successor to the former Redevelopment Agency for Pinole. The duration of the Housing Successor Agency was unknown, but the funding stream was sitting between \$3 and \$4.5 million. The funds would be used for the housing programs and no additional funds were coming into the Housing Successor Agency. Once the funds had been exhausted, no additional funds would be identified. Staff highlighted the details of the closure of the Pinole Redevelopment Agency in 2012, leading to the Housing Successor Agency, and clarified the City had a number of years before the funds in the Housing Successor Agency were exhausted. (Vice-Chairperson Menis)
- As to the annual maximum contribution of \$500,000 to CORE, it was understood the City had loaned out some monies for development that may trickle back into the fund, with the allotment an annual cap set-aside. (Vice-Chairperson Menis)
- Clarified a typographical error on Page 25 of 28 of the agenda packet, and the last sentence of the information for the Tenant Retention Program was missing a word at the end and likely should have read: *If the City pursues this type of program, it is likely that the El Cerrito set-aside within the Contra Costa Housing Successor Fund will be a great model to follow after*, but staff would have to verify this information. (Vice-Chairperson Menis)
- As to the Downpayment Assistance Program, which read: *Downpayment assistance programs can assist eligible homebuyers with purchasing a home in Pinole. NCLT currently operates a downpayment assistance program through CalHome, offering up to \$200,000 specifically to first-time homebuyers in Alameda County, this was “per purchase” and a maximum of \$200,000 or 40 percent of the home price, whichever was less. NCLT had 13 transactions in the last two years with two currently in the pipeline. The range of values of transactions was between \$450,000 and \$750,000, with most of the homes people were purchasing between \$500,000 and \$600,000 and with the downpayment assistance between \$100,500 and \$200,000. The terms would be a secondary loan on the property for 30-years with no payments on the loan and it was forgivable at the end of the term.* (Vice-Chairperson Menis)

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- The funding source for the Downpayment Assistance Program was through the State Department of Housing and Community Development (HCD), and a state investment in affordable home ownership, through the CalHOME Program, which created lower mortgage payments, was separate from the Housing Successor Agency, and involved funds the state had provided for the last several years. The idea was the loan would be paid back if sold within a specific period of time, likely five years. (Vice-Chairperson Menis)
- The Rent Stabilization Ordinance and the Just/Good Cause Eviction Programs were again highlighted, with arbitrary evictions defined as eviction through rent an increase or passthrough increases that AB 1482 did not prevent. AB 1482 allowed for a maximum limit on the increase in rents but there was no restriction on any passthrough costs as part of the bill. As an example, if someone purchased a building and were thinking of significant improvements or changes on the property, that would be an expensive investment and passing on those costs to the existing residents was an allowed use as part of AB 1482. There were efforts to consider enough protection for residents so that even if the building was sold, the tenants would not be driven out through rent increases. (Vice-Chairperson Menis)
- The Right to Legal Counsel Policy currently read: *Guarantees free or low-cost legal representation for tenants facing eviction - proven to dramatically reduce displacement rates*, and in some cases was a grant to a legal aid fund to support people who were facing eviction and have a resource center. In the City of San Francisco, for instance, there were staff members/attorneys who worked for the City in the same way as if one was facing criminal charges, and it would depend on the jurisdiction how that policy was structured. Feedback from the Planning Commission and the public was sought on this item. (Vice-Chairperson Menis)
- Attachment A, a flyer asking for feedback on Affordable Housing in Pinole, was clarified, with the language in the flyer which read: *Pinole faces one of California's most severe housing crises. Over half of extremely low-income households pay more than 30% of their income on housing, and the state requires Pinole to plan for 500 new units by 2031. We need your help to develop Pinole's affordable housing policy*, in the context of the state housing crisis. More precise language for future flyers could be used to ensure it was more specific to Pinole and not as generalized for the Bay Area. Acknowledged some language edits that were offered for future flyers. (Vice-Chairperson Menis)
- Acknowledged a recommendation for the headers in the Policy Recommendations document to include Tagalog and Mandarin along with English and Spanish. Staff clarified for the community engagement events translation services would be available upon request and would include Spanish, Tagalog and Mandarin. (Vice-Chairperson Menis)
- Richmond Community Foundation's (RCF) role in the program was clarified with NCLT the main collaborator on the Policy Guidebook. RCF had insight where their expertise was relevant and was the primary collaborator with the Social Impact Bond and Homeownership Programs.

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- RCF had run a similar program out of the City of Richmond for the past 15-years, with the program being modeled on that program in collaboration with the RCF. (Vice-Chairperson Menis)
- As to how funds should be split between the various categories of preservation and production, that was a big piece of community feedback with the dollars spread differently in the categories, with examples provided, where it cost less to preserve a unit than to develop a new unit. Things around tenant protections could be more impactful at the individual scale with smaller sums of monies, such as grants through the Tenant Protection Program. Some cities had recurring revenue from housing measures which set those targets, with the majority considered protection. Some cities such as the cities of Berkeley, San Francisco and San Jose had measures from their General Funds, with the monies allocated on an annual basis, and some housing measures had set percentages. (Vice-Chairperson Menis)
- Of the list of policy recommendations, whether they had been implemented in nearby cities comparable to the City of Pinole, many cities had in-lieu fees, such as the City of Berkeley. Based on discussions with City of Berkeley staff, they had adjusted the scale for both exemptions to the inclusionary fee and the potential in-lieu fee from a per unit cap and per unit fee basis to a square footage basis. Larger cities such as San Francisco and Oakland used in-lieu fees, which had been very effective and allowed the funds to be spread more evenly and they also considered gap financing, which had the desired impact of creating affordable housing. (Chair Sandoval)
- The Tenant Retention Program, as outlined in the staff report, included an example from the City of EL Cerrito, and was a very impactful program on an individual household basis and tended to be popular for residents and housing providers who were able to cure non-payment issues and retain tenants. The Downpayment Assistance Program was also again highlighted, with the evidence mixed, since the program allowed a limited number of people to benefit from housing, although it would create pathways for people to be able to develop homeownership. The Community Land Trusts Program was also again highlighted, and was something that could be a way for people to get their first step into housing or stay in the community, with an example provided of a property that had recently turned over with an initial purchase price of \$68,000 in the early 1990s. In that case, the resident passed away and the property was sold for \$180,000 in 2018; the property was located in the City of Berkeley.

As to the Rent Stabilization Ordinance Program, there were ordinances in the cities of Richmond, Oakland, Berkeley, San Francisco, San Jose and Mountain View that had taken different approaches given constraints from AB 1482 and the Costa-Hawkins Rental Housing Act of 1995. The Just/Good Cause Eviction Programs could be copied and pasted from almost every city in the Bay Area, with more than half of the cities in the Bay Area having those ordinances on the books. As to the Right to Legal Counsel Policy, that was more specifically concentrated in the larger cities in the Bay Area, including the cities of San Francisco, Oakland, San Jose and Berkeley and more information could be provided at a later date from Marin County. (Chair Sandoval)

- 1 • As to whether there had been any idea of the City of Pinole paying into a regional
2 or East Bay fund rather than considering its own Legal Aid Counsel Policy, that
3 had been considered and should be a program that would benefit from the
4 involvement of the entire county. Legal aid organizations could also be identified.
5 The City of Pinole had finalized a contract with Echo Housing Corporation which
6 provided tenant/landlord services, both in work groups and getting people
7 education on their rights as well as dispute resolution support, and would be a
8 great entity to continue conversations. (Chair Sandoval)
9
- 10 • Rent Stabilization Ordinance was again clarified and it was noted that rent control
11 was part of the Costa-Hawkins Rental Housing Act of 1995, and there was vacancy
12 de-control as part of all rent stabilization ordinances in California. If someone left
13 a unit, the property owner was allowed to reprice or reset the rent at market rate.
14 Also, costs that the property owner incurred for utilities, home improvements or
15 various allowed uses would still be included potentially as something that could be
16 recouped as part of rent increases on an annual basis. In terms of the annual set
17 limit of rent increases, the CPI was used as a rule of thumb, but the numbers vary
18 widely across the Bay Area. (Chair Sandoval)
19

20 PUBLIC COMMENTS OPENED

21
22 There were no comments from the public.

23
24 PUBLIC COMMENTS CLOSED

25
26 Commissioner Lam-Julian encouraged some info-graph breaking down the categories of
27 Extremely Low and Very Low-Income price points for the community engagement planned
28 for May 7 and May 13, 2026, to make it more digestible and accessible for the public to
29 understand. She also recommended the public be provided more information about AB
30 1482. She understood the Housing Element had broken down the housing income
31 categories.
32

33 Mr. Hanham explained the Housing Element had information on the income levels, but he
34 was uncertain purchase prices for buildings had been included.
35

36 Mr. Murti commented that affordable units had set rent fees at 30 percent of different tiers
37 of the Area Median Income (AMI) for the region, and that was a breakdown that would be
38 seen from the state as it issued to the county level, which could be referenced.
39

40 Commissioner Lam-Julian would also like to know what the spread looked like in Pinole,
41 and how Pinole compared to other jurisdictions in the Bay Area.
42

43 Commissioner Huey appreciated the community engagement would allow two
44 opportunities to provide feedback; found the CORE Team a great idea and she advocated
45 for such teams to go out into the community and meet people where they provided
46 essential services. She liked the fact that health and basic needs services were
47 highlighted as well as permanent housing since it was a precursor to good health and well
48 being for community members. She also understood there were resources at the county
49 level and through non-profits that people could be referred to.
50

1 Commissioner Huey also hoped to include the fellow managed care plans in Contra Costa
2 County in those resources, with Medical members eligible to obtain enhanced care
3 management, which included community supports and provided interim housing and
4 stability for the unhoused.
5

6 Vice-Chairperson Menis offered the following comments on the Housing Successor Fund
7 Policy Guide:
8

- 9 - Include in the info-graphic what the AMI would look like for multiple different years as
10 it changed over time, since Pinole's AMI had changed drastically since 2020, which
11 may provide a better understanding of the breakdown and identify who would fall under
12 the category and how that changed over time.
13
- 14 - For the Rent Stabilization Ordinance, understood AB 1482 and the Costa-Hawkins
15 Rental Housing Act of 1995, limited what could be done under rent stabilization, and
16 asked about the range of caps that had been implemented in Contra Costa County, in
17 particular West County and cities of a similar size to Pinole.
18

19 Mr. Ndiaye reported the cities of San Jose and San Francisco used the CPI and depending on
20 the year, the CPI was from two to five percent. In 2023, there was a CPI of 7 percent, and things
21 increased depending on the inflationary scale. Cities with tighter rent control were a percentage
22 of the CPI, either 50, 60 or 80 percent of CPI and may end up with a situation where the rent
23 increases were tighter. Before AB 1482, the City of San Jose was at 5 percent of CPI, the City of
24 San Francisco at 60 percent of CPI, the City of Berkeley 80 percent of CPI and the City of East
25 Palo Alto at CPI.
26

27 Vice Chairperson Menis continued his comments, as follows:
28

- 29 - Suggested it would be a good idea to have a PowerPoint presentation when presenting
30 to the Planning Commission, City Council or other groups in the future, which allowed
31 one to reference the document.
32
- 33 - Attachment B Community Engagement One-Pager, had shown for the elderly
34 population, 35 percent of the households were identified as in the Low-Income
35 category. Asked if they fall under the AMI bracket of Extremely Low, Very Low or Low
36 categories, he suggested lower than Moderate Income could be identified.
37
- 38 - Attachment B had shown the Extremely Low-Income group as two-thirds facing severe
39 housing costs burden and overpayment. Asked where the data was coming from, and
40 was informed the source would have to be followed up.
41
- 42 - Attachment A, Community Engagement Flyer, had shown over half of the Extremely
43 Low households in Pinole paid more than 30 percent of their income on housing and
44 asked if the data was from the Housing Element or a survey planned to be conducted
45 at a later time, and was informed the information was data from the Housing Element
46 and a census survey.
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- 1 - When creating a guidebook asked how high-level it would be, whether a list of
2 programs or including the levels as with the General Plan or the Pinole Municipal Code
3 (PMC), and was informed it would be a policy document/overview with a level of detail
4 that particular piece of policy would be set but still allow staff to develop a finalized
5 version of each piece of the guidebook, which would be brought back at a later time,
6 described as a planning document rather than an ordinance.
7
- 8 - Suggested the overall way what had been categorized was a good idea with the City
9 having historically focused on the production side of things, since that was what the
10 RHNA and Housing Element had focused on, producing raw housing, while it was
11 important to keep people in their homes and keep their homes intact. The central
12 category of protections was important to focus on, and important for the City to
13 consider, but had not been done historically since it had been a higher conflict problem.
14

15 Commissioner Bender appreciated the consideration of other municipalities, and the fact they had
16 been limited by and large as being similar to Pinole, since other study groups in the past included
17 other communities where the economic disparity was substantial. He was pleased to see the
18 inclusion of information from the City of Berkley given there were always interesting things coming
19 out of that city, most of it he found to be positive, and also a fact that there was more development
20 taking place there than in Pinole for whatever reason and it was not all affordable housing but
21 also market rate housing.
22

23 Commissioner Bender was saddened by the in-lieu fee issue, but understood the economies of
24 scale. He was also pained by the Very Low level, and he could envision projects in Pinole with
25 four to six units that may not pencil out if they had to provide affordable units, as opposed to the
26 in-lieu fee but he understood where that was coming from. When asked, he would prefer a bit
27 higher threshold since many projects could not happen and there was a gap occurring in housing.
28 He understood at the macro-level those conversations were starting to take place by the
29 proponents of affordable housing, which was a good thing.
30

31 Commissioner Uch liked the mention of the Community Land Trusts, with the Housing Element
32 having focused on housing production, with land one of the most expensive pieces of the puzzle
33 when building housing. He understood the NCLT mostly dealt with selling property the NCLT
34 owned, and asked if they also maintained rental properties.
35

36 Mr. Ndiaye stated NCLT did both and also had commercial properties with two-thirds of their units'
37 rentals, with a high degree of resident engagement and self-governance. One-third of NCLT
38 properties were condominiums or single-family homes and NCLT was working to develop a
39 ground-up construction of rental and ownership products, and by owning the land they could
40 maintain the affordable long-term for ground-up construction products at a scale of 25 or fewer
41 units, a good option for affordable homeownership. NCLT would also like to partner with a
42 traditional affordable housing developer at some point.
43

44 Chair Sandoval thanked everyone for the work being done. He found there was a different way
45 to view the strategies that could be implemented; some could be implemented at the
46 administrative level or at the City Council level at no cost to the City with strategies that could
47 involve a cost to the City due to funding.
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1 As a staffer in the State Senate, Chair Sandoval had worked on Rental Assistance Programs and
2 saw what it did at the state and county levels during the pandemic, which had been life-changing
3 for many people and would be an excellent strategy, but he acknowledged it would cost money.
4 He also saw it at work when programs were implemented in both Contra Costa and Alameda
5 counties. He agreed the City had done great work on production, but preservation and protection
6 was important, and the City should pursue some of the strategies, such as the Emergency Rental
7 Assistance. The Legal Right to Counsel could be more of a regional thing, with the City paying
8 into an organization or partnering with other cities for a more regional legal fund and the City
9 should explore a Just/Good Cause Eviction Program, which had not passed the first time it was
10 considered, but hopefully could be adopted in the future. He would also like to see a Rent
11 Stabilization Ordinance specific to Pinole, noting that under AB 1482, the limit of 10 percent could
12 still be a lot, and seeing what would be a reasonable percentage for Pinole where they have their
13 own protections whether one or two percent plus CPI, should be explored in the future.
14

15 Chair Sandoval was also in support of a Downpayment Assistance Program. He commented he
16 could not afford to purchase a home in the City where he lived and while not his employer's fault,
17 housing costs had increased significantly whereas wages and salaries had not kept up. He
18 currently lived with his parents and recognized the challenges to save up for a downpayment.
19 Were he to rent, he would likely pay half of his income in rent, which was not a good practice and
20 stronger protections for renters in Pinole would be a great thing as would opening gateways and
21 making it easier to purchase a home and have property would be an excellent policy for Pinole to
22 have. He understood some of the policies cost money. He also saw there were different
23 strategies that could be presented to the City Council for consideration that could be considered
24 now, while others could be considered in the long-term.
25

26 Vice-Chairperson Menis recalled a few years ago that Council member Sasai mentioned social
27 housing, the City directly owning housing stock. He asked whether that was something that had
28 been considered as part of the policy set.
29

30 Mr. Ndiaye explained that NCLT was part of a housing coalition and considered to be part of that
31 overall solution, but they had not included social housing in this policy set given the state-led
32 efforts. Coalition members were looking at large numbers to make social housing happen in the
33 state, and given the scale of resources they were currently looking at in Pinole, they were not
34 exploring social housing at this time since the costs were prohibitive. Some informative session
35 or memorandum could be considered if people were interested.
36

37 Vice-Chairperson Menis suggested that topic could tie into the in-lieu fees and public land policies.
38

39 Chairperson Sandoval added the policies were very important since maintaining affordable
40 housing and one's home in general was key to preventing homelessness given that one missed
41 paycheck and an unlucky circumstance could have an impact. The policies and programs were
42 important to address that potential. Anything the City could do as leaders to keep housing
43 affordable and prevent homelessness and provide responsive strategies was important.
44

45 Commissioner Lam-Julian understood the RHNA cycle was every seven years, which should be
46 clarified in the community engagement piece. Also, it needed to be made clear to the public that
47 the City's RHNA goal of 500 units should be reached by 2031. She again suggested information
48 that was digestible for the public to be able to participate.
49

50 Chair Sandoval advised there was no recommended action for this item.

1 Mr. Hanham clarified the policy guidelines would come back to the Planning Commission which
2 would provide a formal recommendation to the City Council. He thanked the Planning
3 Commission for the feedback.
4

5 **H. OLD BUSINESS**
6

7 1. Information on Police Department Crime Reporting Data
8

9 Mr. Hanham presented the April 27, 2026 staff report on the Pinole Police Department (PPD) Crime
10 Reporting Data, and recommended the Planning Commission accept the report.
11

12 Responding to questions from the Planning Commission, Mr. Hanham and Commander Justin
13 Rogers clarified the following:
14

- 15 • The PPD used Crime Prevention through Environmental Design (CPTED), a
16 multidisciplinary approach to reducing crime and fear by designing the built environment
17 to maximize natural surveillance, control access, and reinforce territoriality. It tried to deter
18 criminal behavior by enhancing visibility, promoting legitimate activity, and fostering a
19 sense of community ownership, often resulting in lower crime rates and improved quality
20 of life. The five principles of CPTED included natural surveillance, natural access control,
21 territorial reinforcement, maintenance and management and activity support, which had
22 been outlined in the staff report. (Lam-Julian)
23
- 24 • The City did not have districts, but beats, which changed over the course of time
25 depending on population, in terms of activity and the like, and it was acknowledged the
26 average crime reporting finding may have to be refined to reflect modern times. (Lam-
27 Julian)
28
- 29 • The City was broken into three beats; three areas of responsibility for the officers on-duty
30 with the beats assigned to all four shifts of PPD officers who did not typically go outside of
31 the area where assigned. Fitzgerald Drive, Appian Way and the San Pablo Avenue
32 Shopping Corridor were identified as the busiest beats. Recently, there had been 12
33 business-related thefts (non-alcohol related) in the Fitzgerald Drive Corridor, with seven
34 arrests made. A map of the beats for future reference could be provided. (Lam-Julian)
35
- 36 • Clarified as part of Attachment A, Item E1, memorandum for the Supplemental Information
37 for CUP 23-04 – Anabi Shell Station, and the first paragraph of the conclusion as shown
38 on Page 19 of 28 of the agenda packet, which read: *Staff has concluded that after meeting*
39 *with the Police Department on December 12, 2023, and January 3, 2024, the Department*
40 *determined that the sale of beer and wine at this station would not significantly contribute*
41 *to crime statistics. Additionally, the Police Department has no reason to believe that this*
42 *station selling beer and wine would have a negative impact on the crime rate.* Staff
43 clarified the statement that the PPD determined that the sale of beer and wine at this
44 station would not significantly contribute to crime statistics meant of a similar type of
45 business, adding to the population of similar businesses would not increase the crime rate
46 associated with those types of businesses (beer and wine sales). (Lam-Julian)
47
48
49

- CPTED was not necessarily used to project what crime may be, but ideas and considered when a business was set up to allow the best way to prevent crime at the business, and was where the environmental designs would come into play. As an example, if a liquor store experienced a large increase in theft, the PPD would work with the business and use CPTED to make the environment less likely to be victimized.

The PPD reviewed the majority of establishments that were involved in alcohol sales and reviewed their base crime rate and Calls for Service (CFS) and across the computer-aided design (CAD) system when the locations were checked, there was a consistent level and it was not foreseen that any particular location was having problems more than another. Offering another example, if there were five liquor stores within the Fitzgerald Drive area and a sixth liquor store came in, based on the crime data of the five existing stores, the sixth store was not foreseen to add additional crime that was already there and using the conditional use and CPTED, the sixth store would not result in a significant increase in crime and would be less likely to increase crime in the area as long as the business followed the CPTED criteria. The PPD was unaware of any business not following CPTED, which was part of the conditional use. If the PPD saw robberies or thefts from stores that sold alcohol overall citywide, it may skew the numbers, but when broken down by beat, it would rise only in the beat area versus adding an additional liquor store on the Fitzgerald Drive Corridor, as an example.

Another example, if a store was located on San Pablo Avenue, and there was an increase in robberies and thefts or other issues the PPD was responding to at those locations, the PPD would likely be able to say they were already having issues and if more of the same type of business was brought in, it would increase the problem. If the PPD determined there was an oversaturation of those types of businesses and there was an increase of crime in the area, the PPD would look at seriously reaching out to code enforcement and help the current businesses with CPTED. Once there was a reduction of crime in the area and CPTED improvements, the PPD could then consider adding another similar business.

As to what average would flag a concern to be proactive rather than reactive, the problem was that oversaturation was not showing an increase in crime related to the business, and that was not a subject that was weighed upon when asked the question. If the State Department of Alcoholic Beverage Control (ABC) was concerned with oversaturation and recognized the concerns of citizens, that would be a discussion unrelated to crime, since the crime statistics had not shown an increase in crime when bringing in another like business to be able to say there would be oversaturation and not a good idea because of public safety. (Lam-Julian)

- Acknowledged a recommendation when a CUP for a business that sold alcohol was reviewed by the PPD, the PPD take into consideration whether the business would trigger an oversaturation. ABC regulated alcohol sales licenses through census tracts. Pinole was in five or six different census tracts, and with the downtown and community area with a lot of alcohol permits within a certain area, it could become oversaturated quickly, which was why ABC had the Public Convenience Necessity (PCN) determination. The PCN allowed the local agency to decide whether it would be okay to allow the business based on specific findings through a CUP process. The City was oversaturated based on the census tracts. (Lam-Julian)

- 1 • Acknowledged there were concerns from members of the community about the number
2 of alcohol sales related businesses in Pinole and the number of thefts in the community,
3 and a request that the crime statistics clearly identify whether or not the reported crime
4 was related to alcohol sales. (Lam-Julian)
5
- 6 • Crime rates and the number of crime incidents was clarified. CFS were the first thing the
7 PPD looked at when the PPD inquired about activity in an area. CFS were separated out
8 into actual crimes. Crime rates and CFS were two separate items and would produce two
9 separate numbers. (Huey)
10
- 11 • Attachment A, Item E1, Memorandum dated January 8, 2024, and Table 1: Crime
12 Incidents from 10/7/2023 through 12/19/2023, was information that had been included for
13 CUP 23-04 – Anabi Shell Station, with the time frame chosen because it was the holiday
14 season, Halloween through Christmas, the most highly populated time of year. Confirmed
15 that retail thefts increased during the holiday season as compared to any other time of the
16 calendar year, but whether it was a significant increase would have to be confirmed.
17 (Huey)
18
- 19 • Confirmed the time frame data collection would impact the CFS and the crimes being
20 reported; but whether the types of crimes were strictly theft or an uptick in Driving under
21 the Influence (DUI), as an example, would have to be clarified. (Huey)
22
- 23 • As to whether there was a way to measure CPTED efficacy would depend on the ask of
24 the business and the time the business was given to make improvements. As an example,
25 if the business/liquor store was asked to clean up the windows of ads to improve visibility
26 and the PPD came back in a week to see if changes were made, they would set that time
27 frame. Whether there would be a difference in the crime statistics was unknown since
28 they had not used any type of measurement for that beyond CFS and crime in the area.
29 The PPD also tried to conduct crime suppression and have units in the area to bring the
30 number down, which could take a month or six months, depending on the type of crime
31 and activity, and based on other CFS that may take the officer away from the area when
32 they were trying to saturate an area. If the PPD set a time frame and goals for the officers
33 and the businesses in terms of CPTED, they may see a difference in a few months. (Vice-
34 Chairperson Menis)
35
- 36 • An assessment form was used with a security survey with the business, and with the PPD
37 to make suggestions on the form. There was no point system, it was just a service where
38 the PPD made suggestions to the business to become less of a target and more appealing
39 to the community. A point system could be explored which may help the community
40 outreach unit as to who needed their guidance first. Acknowledged a recommendation for
41 a point scale for vulnerabilities. (Vice-Chairperson Menis)
42
- 43 • Clarified what was not expected to add crime in an area was a difficult question to answer.
44 As an example, the crime rate for the Chevron Station which had a freeway offramp nearby
45 could be measured versus the Anabi Shell Station's current crime rate, but the PPD was
46 unsure how to measure that at this time. (Vice-Chairperson Menis)
47
48
49

- 1 • The definition of districts versus beats was again clarified, with a district an older term
2 used years ago, and with beats and districts able to be used interchangeably as a defined
3 area within a city. Districts were typically seen in larger areas where there were beats
4 inside of districts, but in Pinole districts and beats were interchangeable. (Vice-
5 Chairperson Menis)
6
- 7 • There had been no uptick in crime since the Anabi Shell Station had been approved to
8 sell alcohol over the past three months and based on the PPD's weekly business reports.
9 (Chair Sandoval)
10
- 11 • When a business did not follow CPTED, typically the number one problem was the
12 business continued to fall victim to crime and other issues such as getting attention from
13 code enforcement. As an example, there could be overgrown landscaping and inability to
14 access the front door, and there could be a punitive cost from code enforcement if that
15 situation was not addressed. CPTED was not intended as a punitive action but a way to
16 make the community and environment better around the business. (Chair Sandoval)
17

18 PUBLIC COMMENTS OPENED

19
20 Anthony Vossbrink commented the Fitzgerald Drive Corridor was one of the highest beats for crime.
21 He asked what proactive measures were being taken by the PPD since he understood the PPD was
22 short officers, there were budget restrictions and possibly some morale problems. He added there
23 had been fewer citations issued in the corridor. The City Council voted to reduce speed limits, but
24 had not voted or increased the number of citations for violating the speed limits, with the PPD issuing
25 more warnings than citations. Many people came into Pinole off of the freeway, from out of town
26 and into the Fitzgerald Drive Corridor with the knowledge they would not be cited for traffic violations
27 or arrested for retail thefts. He also understood the big box retailers and smaller businesses had
28 policies where they did not contact the police in the event of theft until the offender was in the parking
29 lot, which would likely have an impact on crime rates. Also poor lighting and the lack of a police
30 presence could be a factor and some small businesses had to use their own security cameras.
31

32 Mr. Vossbrink stated at one time the City had multiple security cameras, but the PPD did not want to
33 inform the public via signage that a certain beat or area, parking lot or public right-of-way was under
34 surveillance other than the skate park on Pinole Valley Road. He suggested the PPD was hurting
35 itself and the City by not parking its vehicles as decoys to provide more police presence in and around
36 the Fitzgerald Drive Corridor on a regular basis and not just during the holidays. He also suggested
37 the PPD should have its officers filling out police reports in front of Target, Lucky, HomeGoods and
38 BevMo, as examples, and not behind other businesses where the police vehicles were not visible to
39 the public and where the vehicle could serve as a deterrent. He also asked about the status of
40 security cameras Citywide and how many were broken.
41

42 PUBLIC COMMENTS CLOSED

43
44 Commander Rogers reported there were a total of 42 cameras Citywide with three currently
45 inoperable. The PPD was working to solve the problem through the Information Technology (IT)
46 Department in the hopes a reasonable solution could be found that was within the City 's budget. He
47 reiterated last week 12 crimes had been reported by businesses in the Fitzgerald Drive Corridor, with
48 seven arrests made. He also reported the PPD had put emphasis back on writing citations.
49
50

1 Commander Rogers acknowledged there had been a systematic problem throughout, during and
2 after COVID-19, when officers were not as productive enforcing traffic laws across the board and
3 across the country. Strides had been made to promote traffic safety and write citations when
4 applicable.
5

6 Commissioner Huey supported local businesses, activation of new businesses and expansion but
7 noted alcohol sales were not always neutral. They carried well documented public health and safety
8 impacts the City should proactively be planning for, acknowledge potential future impacts and crime
9 related to such businesses, and take the opportunity to establish clear guidelines or broaden non-
10 traditional risk indicators for consideration. As an example, health and crime were linked hand in
11 hand with excessive alcohol consumption, which could be exacerbated by increased access and
12 lead to poor health, which was linked to an increase in crime. Beyond the crime statistics perhaps
13 the City may consider reviewing alcohol-related emergency room visits, domestic violence that
14 involved alcohol use, which could possibly lead to the conclusion there could be a risk of increasing
15 alcohol sales. While she understood alcohol sales were part of economic vitality, and there was no
16 formal request or any expectation at this time, she wanted to offer that perspective.
17

18 Vice-Chairperson Menis suggested in response to Commissioner Huey's comments that if the City
19 wanted to include public health impacts, it should be considered separately rather than linked to
20 crime indirectly, given there were many health impacts that should not be crimes, but still had broader
21 impacts on the community, which was why the California Environmental Quality Act (CEQA) had
22 broad categories of impacts that were not crimes, but still made the community worse. He
23 understood Commissioner Huey was not talking about what the PPD could evaluate but what would
24 not be detrimental to the public health, given that there were some public health and morality clauses
25 in the PCN evaluation.
26

27 Mr. Hanham advised he would have to check the code and that information could be provided to the
28 Planning Commission as an informational item, with the findings to make the PCN and approve a
29 CUP. There were also conditions of approval for such uses that would be mandatory as part of the
30 PMC. There could be ways to amend the findings if the Planning Commission wanted to consider
31 when it reviewed projects, although whether alcohol was being purchased from the store or
32 purchased elsewhere would have to be narrowed down, and from a general perspective that would
33 have to be reviewed since there may be other issues, but could be added in as part of Commissioner
34 Huey's comments.
35

36 Vice-Chairperson Menis commented that was why there was the overconcentration metric in the first
37 place.
38

39 Commissioner Bender had sympathy with the comments raised by Commissioner Huey. He had
40 come across a city that had established a threshold for determining the crime incidents in an area,
41 and if it was exceeded by 20 percent it was a problem, and was included in the policy for that
42 jurisdiction, which policy Pinole did not have.
43

44 Commissioner Bender understood ABC would reevaluate the Type 20 Licenses in 2028, to
45 determine whether counties and/or cities and towns would be under a moratorium. He noted the
46 cities of Albany and Pleasant Hill were under a moratorium for Type 20 licenses, and if a business
47 wanted a Type 20 license it would have to purchase an existing Type 20 license.
48

49 Mr. Hanham read into the record the criteria for the PCN.
50

1 Senior Planner Justin Shiu noted there were general findings for Conditions of Approval for various
2 types of uses that requested a CUP. Findings included consistency with the General Plan, Specific
3 Plans and Zoning Code, and the establishment, maintenance and operation of the use would not
4 under the circumstances of the particular case, including locations, size, design and operating
5 characteristics, be detrimental to the health, safety, peace, morals, comfort or general welfare of
6 persons residing or working in the neighborhood of such use, or to the general welfare of the City.
7

8 Chair Sandoval thanked Commander Rogers for the insight and information. No action was being
9 requested of the Planning Commission other than to accept the report.
10

11 **J. CITY PLANNER'S/COMMISSIONER'S REPORT**

12

13 Mr. Hanham provided the following updates:
14

- 15 • The Planning Commission Ad Hoc Committee finalized the last set of comments for the
16 Objective Development Design Standards (ODDS), with comments pending from the
17 Community Development Director and City Attorney, and meetings with the Planning
18 Commission and City Council to be scheduled thereafter.
19
- 20 • The Planning Commission Ad Hoc Committee would consider comments from the Outdoor
21 Dining regulations at a future meeting, to also be reviewed by the Community Development
22 Director and City Attorney.
23
- 24 • The developer applied for a demolition permit for the former Kmart property.
25
- 26 • Staff had been working with potential developers for the property at 890 San Pablo Avenue.
27
- 28 • Staff received inquiries about the property at 720 San Pablo Avenue.
29
- 30 • Staff was finalizing the Lot Line Adjustment (LLA) and parcel map for the land donation for
31 the Post Office building.
32
- 33 • The City Council recently adopted the Active Transportation Plan (ATP).
34

35 Commissioner Lam-Julian reported there was a partially paved path with lights behind the Faria
36 House. She asked if that was City property.
37

38 Mr. Hanham explained the City had an easement through the area, and while the City owned the
39 Faria House, it did not own the property on the two trail sides.
40

41 Commissioner Lam-Julian reported she had walked through the area and found the lights were
42 broken, there was ivy and blackberries and people were letting their dogs run around the property.
43

44 Mr. Hanham advised that code enforcement and the Public Works Department would have to look
45 into the matter.
46

47 **PUBLIC COMMENTS OPENED**
48
49

1 Anthony Vossbrink asked about the status of the following:
2

- 3 • Dave’s Hot Chicken and the use of outdoor dining tables and chairs that were obstructing
4 the sidewalk pathway and which encouraged other businesses to place similar outdoor
5 furniture on the sidewalk.
6
- 7 • Diosa Restaurant, and commented on his understanding the Interim City Manager was to
8 meet with the City Attorney and an attorney for the owner/operator who wanted to reclaim
9 part of the Farmer’s Market parking lot and he recommended they use the parking lot at the
10 church on Pinole Valley Road next to the Pinole Library or the parking lot behind King Valley
11 Tea House, which was a City parking lot.
12
- 13 • Pinole Library improvements with the City having received \$4 million for the project, half of
14 which involved grant funds, and asked how much the project was costing the City or the
15 county. He also asked why the Pinole Library had taken second position to the Kensington
16 Library, which was getting more with the same amount of money and it had taken less time
17 for the improvements to be completed. The Kensington Library also involved interior and
18 exterior improvements whereas the Pinole Library only involved interior improvements. He
19 was concerned no signage had been posted on the site to inform the public how their tax
20 dollars were being used, how the project was being funded or a construction timeline. The
21 only signage was construction signs on the fence and a small sign identifying access to the
22 tennis courts. He added the restrooms were not open and the water fountains next to the
23 tennis courts needed repair.
24

25 **PUBLIC COMMENTS CLOSED**
26

27 Mr. Hanham advised code enforcement was addressing the issue with Dave’s Hot Chicken to
28 remove the tables and chairs or go through the permit process for outdoor dining; Diosa Restaurant
29 was being worked out between the restaurant and the Farmer’s Market with the City acting as a go
30 between; Pinole Library was a county project with all funding through the county and he was
31 uncertain the City had contributed any funds for the library improvements, other than the yearly costs,
32 and any signage on the property would have to be addressed with the county.
33

34 Chair Sandoval reported he presented the Appian 80 Planning Commission Resolution to the City
35 Council, fielded questions and received feedback. It was a good presentation.
36

37 Vice-Chairperson Menis stated he was in the audience during the presentation, suggested the Chair
38 had done a good job, but asked whether the Chair had the contact information for the property owner.
39

40 Chair Sandoval advised he did not get contact information about the property owner from Council
41 member Martinez-Rubin, who reported she had been in contact with the property owner who had
42 something planned, but did not share any other details.
43

44 **K. COMMUNICATIONS**
45

46 Vice-Chairperson Menis reported upcoming community events included: the Senior Food
47 Distribution at the Senior Center from 10:00 to 11:00 a.m. on April 28, 2026 with eligibility
48 requirements; a City Council Finance Subcommittee meeting on April 29, 2026 at 5:00 p.m. in a
49 hybrid format in the Council Chambers; and a General Strike would be held on May 1, 2026, with
50 more information at maydaystrong.org.

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L. NEXT MEETING

1. Planning Commission Regular Meeting on May 11, 2026 at 7:00 p.m.

M. ADJOURNMENT: 10:00 p.m.

Transcribed by:

Sherri D. Lewis
Transcriber