

AGENDA FOR THE



CITY OF PINOLE PLANNING COMMISSION REGULAR MEETING

Monday, February 13, 2023

7:00 P.M.

Via Zoom Videoconference and In Person

WAYS TO WATCH THE MEETING

- IN PERSON. Attendance at the Pinole City Council Chambers (2131 Pear St).
- LIVE ON CHANNEL 26. The Community TV Channel 26 schedule is published on the City's website at www.ci.pinole.ca.us. The meeting can be viewed again as a retelecast on Channel 26.
- VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE, www.ci.pinole.ca.us. and remain archived on the site for five (5) years.
- ZOOM VIDEOCONFERENCE. Zoom details are included below.
- If none of these options are available to you, or you need assistance with public comment, please contact Planning Manager David Hanham at (510) 724-8912 or ghanham@ci.pinole.ca.us.

HOW TO SUBMIT PUBLIC COMMENTS

In Person:

Attend meeting at the Pinole City Council Chambers, fill out a yellow public comment card and submit it to the Planning Manager.

Via Zoom:

Members of the public may submit a live remote public comment via Zoom video conferencing. Download the Zoom mobile app from the Apple Appstore or Google Play. If you are using a desktop computer, you can test your connection to Zoom by clicking [here](#). Zoom also allows you to join the meeting by phone.

From a PC, Mac, iPad, iPhone or Android:

<https://us02web.zoom.us/j/86505375301>

OR

<https://zoom.us/join>

Webinar ID: 865 0537 5301

By phone: +1 (669) 900-6833 or +1 (253) 215-8782 or +1 (346) 248-7799

- Speakers will be asked to provide their name and city of residence, although providing this is not required for participation.
- Each speaker will be afforded up to 3 minutes to speak.
- Speakers will be muted until their opportunity to provide public comment.

When the Chair opens the comment period for the item you wish to speak on, please use the “raise hand” feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide. Once you have been identified to speak, please check to make sure you have unmuted yourself in the videoconference application (or press *6 if connecting via telephone).

WRITTEN COMMENTS

Please submit public comments to Planning Staff before the meeting via email to ghanham@ci.pinole.ca.us. Please include your full name, city of residence and agenda item you are commenting on.

AMERICANS WITH DISABILITIES ACT

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) 724-8912. 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.

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.

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 and the Planning Commission may act to confirm, modify, or reverse the action of the Planning Manager. The cost to appeal a decision is \$500 and a minimum \$2,500 deposit fee.

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

B1. PLEDGE OF ALLEGIANCE

B2. LAND ACKNOWLEDGMENT: Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present, and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.

B3. 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. MEETING MINUTES:

1. Planning Commission Meeting Minutes from January 23, 2023

E. PUBLIC HEARINGS:

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.

None

F. OLD BUSINESS:

None

G. NEW BUSINESS:

1. New Outdoor Dining Regulation Framework

Staff is seeking Planning Commission feedback regarding a framework for new outdoor dining regulations on sidewalks, in street parking areas and on public and private property for City Council consideration.

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

I. COMMUNICATIONS:

J. NEXT MEETING(S):

Planning Commission Regular Meeting, February 27, 2023 at 7:00PM

K. ADJOURNMENT

POSTED: February 9, 2023

David Hanham
Planning Manager

DRAFT

MINUTES OF THE REGULAR MEETING
PINOLE PLANNING COMMISSION

January 23, 2023

THIS MEETING WAS HELD IN A HYBRID FORMAT
BOTH IN-PERSON AND ZOOM TELECONFERENCE

A. **CALL TO ORDER:** 7:02 p.m.

B1. **PLEDGE OF ALLEGIANCE**

B2. **LAND ACKNOWLEDGEMENT:** *Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.*

B3. **ROLL CALL**

Commissioners Present: Banuelos, Benzuly, Kurrent, Menis, Vice Chairperson
Martinez, Chairperson Moriarty

Commissioners Absent: None

Staff Present: David Hanham, Planning Manager
Alex Mog, Assistant City Attorney
Sanjay Mishra, Public Works Director
Justin Shiu, Contract Planner

C. **CITIZENS TO BE HEARD**

There were no citizens to be heard.

D. **MEETING MINUTES**

1. Planning Commission Meeting Minutes from December 12, 2022

MOTION with a Roll Call vote to approve the Planning Commission Meeting Minutes from December 12, 2022, as shown.

MOTION: Menis

SECONDED: Banuelos

APPROVED: 5-0-1
ABSTAIN: Moriarty

E. **PUBLIC HEARINGS:** None

1 **F. OLD BUSINESS:** None

2
3 **G. NEW BUSINESS**

4
5 **1. Appointment of a Commissioner to the Project Labor Agreement (PLA) Ad-**
6 **Hoc Committee**

7 Selection of a Planning Commissioner to serve on the PLA Ad-Hoc Committee.

8
9 Commissioner Benzuly advised he would recuse himself from the discussion for Item G1
10 due to a potential economic interest. Given that he was participating remotely via Zoom,
11 he turned off his screen at this time and did not return to the meeting.

12
13 Planning Manager David Hanham presented the staff memorandum dated January 23,
14 2023, and recommended the Planning Commission appoint a Planning Commissioner to
15 serve on the Project Labor Agreement (PLA) Ad-Hoc Committee.

16
17 Assistant City Attorney Alex Mog confirmed that an Alternate could also be appointed.

18
19 Commissioner Banuelos understood the PLA Ad-Hoc Committee was a blanket committee
20 and not for a specific project. He asked how they would set up costs and other parameters
21 absent a specific project, and Mr. Hanham explained that when a project comes forward
22 and project parameters established, the PLA Ad-Hoc Committee would identify the costs
23 needed for the project as part of the PLA.

24
25 Commissioner Menis understood the formation of the PLA Ad-Hoc Committee was
26 intended to draft the overarching PLA and once it existed the PLA Ad-Hoc Committee
27 would cease to exist.

28
29 Mr. Hanham reiterated the PLA Ad-Hoc Committee would be for the general overarching
30 of the project parameters but if there was the need for specific project agreements, the
31 PLA Ad-Hoc Committee could identify what was needed in the agreement.

32
33 Assistant City Attorney Mog stated he was uncertain of the City Council's intent when the
34 Council had formed the PLA Ad-Hoc Committee and it was possible that it would be
35 handled some other way in the future, project by project, but the purpose of the Ad-Hoc
36 Committee was to come up with the overarching agreement.

37
38 Chairperson Moriarty inquired of the time parameters for the PLA Ad-Hoc Committee, and
39 was informed by Mr. Hanham again that the intent was to have an overarching agreement.
40 He expected there would be at least two or three meetings, although he would check with
41 the Public Works Director on the intended number of meetings. Given the intent to create
42 overarching parameters, he could foresee the PLA Ad-Hoc Committee would be in
43 existence no more than a year's time and since it was temporary in nature it would not be
44 a standing committee.

45
46 Commissioner Kurrent suggested the appointment to the PLA Ad-Hoc Committee should
47 be a Planning Commissioner who planned to reapply to the Planning Commission for the
48 next year or whose term did not end until 2024.

1 Mr. Hanham reported at least four Planning Commissioners' terms ran through 2024, but
2 he would verify the terms at the next Planning Commission meeting.

3
4 Assistant City Attorney Mog advised there was no issue if a Planning Commissioner's term
5 expired in that a Commissioner could continue to serve on the PLA Ad-Hoc Committee.

6
7 Commissioner Banuelos expressed an interest in serving on the PLA Ad-Hoc Committee
8 given that he had served on a similar committee for the Pinole-Hercules Wastewater
9 Treatment Plant. He described for the Commission some of the discussions at that time.

10
11 Commissioner Menis also expressed an interest in serving on the PLA Ad-Hoc Committee
12 process as an Alternate.

13
14 PUBLIC COMMENTS OPENED

15
16 Drusilla Flores attempted to call into the meeting to provide comments but due to technical
17 difficulties comments were not clearly audible.

18
19 Commissioner Kurrent recommended the speaker submit comments via email so that they
20 could be read into the record.

21
22 Assistant City Attorney Mog understood the speaker desired representation from all
23 contractors on the PLA Ad-Hoc Committee and not just union contractors.

24
25 Chairperson Moriarty identified the options for members of the public to call into the
26 meeting to register their comments, as posted on the meeting agenda.

27
28 Matthew Estipona, Director of Government & Community Engagement, Associated
29 Builders and Contractors of Northern California, stated he would like contractors to have
30 a voice and seat at the table. He expressed concern that apprentices would not be able
31 to work on these projects and he wanted assurance that apprentices would have the
32 opportunity to have a job in the community.

33
34 Joe Lubas, Policy Analyst, Associated Builders and Contractors of Northern California,
35 identified himself as the first speaker, and stated he was not Drusilla Flores as shown on
36 the Zoom feed ID and was unsure why that name had come up. He suggested that all
37 contractors and all apprenticeship trainees should be at the table so that a fair PLA could
38 be put into place.

39
40 Chairperson Moriarty encouraged the speakers to have their voices heard at such point
41 as the PLA Ad-Hoc Committee formally met.

42
43 PUBLIC COMMENTS CLOSED

44
45 Commissioner Kurrent suggested the speakers could also approach the City Council to
46 raise their concerns since the Planning Commission did not control the PLA Ad-Hoc
47 Committee membership.

Commissioner Banuelos asked how the PLA Ad-Hoc Committee would disseminate information to the public, and Public Works Director Sanjay Mishra identified the makeup of the PLA Ad-Hoc Committee with four Committee members to consist of two City Council members, one Planning Commissioner and one Community Services Commissioner. All unions and contractors may attend the meetings and provide comment, but they would not have representation on the PLA Ad-Hoc Committee. He reported that he would facilitate the PLA Ad-Hoc Committee meetings.

Commissioner Menis reported he had attended the City Council meeting at the time the City Council had discussed the formation of the PLA Ad-Hoc Committee. The City Council wanted to avoid triggering Brown Act requirements, which had led to only two City Council members participating. The City Council also did not want more than one Planning or Community Services Commissioner on the Committee. He was uncertain how open the meetings would be to the public since they would not be full Brown Act meetings and he asked the Assistant City Attorney for clarification.

Assistant City Attorney Mog advised that a committee appointed by the City Council was subject to the Brown Act if comprised of more than just City Council members. There were exceptions to the Brown Act for Ad-Hoc Committees comprised of solely less than the quorum of the City Council, but that was not the case in this situation.

MOTION with a Roll Call vote to appoint Commissioner Banuelos as the Planning Commission Representative and Commissioner Menis as the Alternate to serve on the Project Labor Agreement (PLA) Ad- Hoc Committee.

MOTION: Kurrent

SECONDED: Moriarty

APPROVED: 5-0-1

ABSENT: Benzuly

H. CITY PLANNER'S / COMMISSIONERS' REPORT

Mr. Hanham reported that staff continued to process the environmental documents for the Pinole Shores II project, which was anticipated to be presented to the Planning Commission in March. Staff continued to work on an objective design standards program with an update to be provided to the Planning Commission in late February, and staff was processing various use permits and design review applications. In addition, the Safety and Environmental Justice (EJ) Elements would be presented to the Planning Commission in April or May.

Mr. Hanham added that the Planner's Academy would be held in March and he would provide additional information on the date and time. Interested Commissioners were asked to contact staff.

Commissioner Kurrent reported there had been discussions on Nextdoor regarding the status of the Safeway/Pinole Square project and he asked staff to provide clarification, to which Mr. Hanham reported that the property had changed hands to a development group and staff would meet with the new owners to get the project started.

Commissioner Kurrent commended the Public Works Department for taking care of the City during the recent winter storms, and Public Works Director Mishra thanked him for the comments and reported that the Public Works Department had done a good job during the recent storms and he would forward the comments to his staff.

1 In response to Commissioner Banuelos, Mr. Hanham explained that the existing design
2 standards included subjective language to be changed to objective standards and staff would
3 provide the Planning Commission with a list of proposed changes and policy decisions. The
4 consultant would identify what needed to be done to make the design standards objective.
5

6 Chairperson Moriarty recognized a member of the public wished to address the Planning
7 Commission and she opened public comment at this time.
8

9 PUBLIC COMMENTS OPENED

10
11 Anthony Vossbrink, Pinole, commented that pursuant to the Brown Act and Robert's Rules
12 of Order, citizens may comment on different items on the meeting agenda including Item H.
13 He asked staff of the status of projects along Pinole Valley Road, the vacant property at
14 Ramona and Pinole Valley Road opposite the high school and the Faria House. He wanted
15 to see the Faria House be considered as a mixed-use development, moved into the vacant
16 caretaker's home that had been vacant for over a year and was in disrepair, which could be
17 used by the Pinole Historical Society and the Pinole Garden Club as a joint mixed-use.
18

19 Mr. Vossbrink also asked of the status of two large breaches; one behind the caretaker's
20 home on the Adobe Road Trail which was to be repaired years ago, and a breach in Pinole
21 Creek behind the Gateway Shopping Center, Sprouts and Orange Theory, where a sidewalk
22 had gone out after the recent storms.
23

24 Mr. Hanham responded and advised that the project located at 2801 Pinole Valley Road was
25 working on its affordable housing agreement and building plans to be submitted to the City;
26 there was no project associated with the vacant property at Ramona and Pinole Valley Road;
27 he was uncertain of the status of the Faria House and would have to provide an update and
28 he was uncertain of the status of the breaches mentioned and would have to check with the
29 Public Works Director. The area behind Sprouts was within the Contra Costa County Flood
30 Control District (CCCFCD) and any issues in that area should be referred to the CCCFCD.
31

32 Chairperson Moriarty asked that the status of the Adobe Road Trail be addressed at the next
33 Planning Commission meeting.
34

35 Commissioner Menis understood there had been a fence failure at the vacant property at
36 Ramona and Pinole Valley Road and that should be checked, and Mr. Hanham understood
37 PG&E had been leasing the lot for repairs along Pinole Valley Road and he would have to
38 check with the property owner since the fence was intended to protect materials and
39 equipment and was to be removed when the work had been completed.
40

41 PUBLIC COMMENTS CLOSED

42
43 Commissioner Banuelos reported that work had commenced on the former Doctors' Hospital
44 site, the hospital had been demolished, and the senior facility on Pinole Valley Road was
45 also progressing but the drop-off area in the front appeared smaller than he had imagined.
46

47 Mr. Hanham explained that there was additional property to expand the drop-off area for the
48 senior facility project along Pinole Valley Road.
49
50

1 Commissioner Menis reported there were moderate potholes leading to the eastbound
2 segment along San Pablo Avenue in the far right lane, between Appian and Oak Ridge Road
3 by a small liquor store, and while it had been partially patched, he was uncertain how long
4 the patches would hold. There was also a gradual decay of the south side of the four-way
5 intersection near the manhole for the Pinon/Appian/San Pablo Avenue intersection. In
6 addition, he reported a workshop would be held on the Climate Action and Adaptation Plan
7 on Thursday, January 26, 2023 from 6:00 to 7:30 p.m. with more information on the City
8 website.

9
10 Chairperson Moriarty asked for an update on the Park and Tree Master Plans, and Mr.
11 Hanham stated he would provide an update at the next meeting.

12
13 **I. COMMUNICATIONS:** None

14
15 **J. NEXT MEETING**

16
17 The next meeting of the Planning Commission to be a Regular Meeting scheduled for
18 February 13, 2023 at 7:00 p.m.

19
20 **K. ADJOURNMENT:** 7:59 p.m.

21
22 Transcribed by:

23
24
25 Sherri D. Lewis
26 Transcriber



Memorandum

TO: PLANNING COMMISSION MEMBERS

FROM: David Hanham, Planning Manager

SUBJECT: New Outdoor Dining Regulation Framework

DATE: February 13, 2023

PURPOSE:

Staff is seeking Planning Commission feedback regarding a framework for new outdoor dining regulations on sidewalks, in street parking areas and on public and private property for City Council consideration.

BACKGROUND

The City of Pinole's outdoor dining program was established in 2010 with a major Zoning Code Amendment. Pursuant to Chapter 17.68, outdoor dining is allowed in all zoning districts, with the exception of residential zoning districts, with approval of an Administrative Use Permit and an Encroachment Permit. An Administrative Design Review or Comprehensive Design Review may also require depending on the proposed structure. Section 17.68.030 (D) outlines the requirements for permanent outdoor seating and includes standards for maintenance, accessibility, and additional off-site parking. The City has issued five Administrative Use Permits for outdoor dining under Section 17.68.020 since 2010.

During the COVID-19 pandemic, several businesses requested the ability to accommodate outdoor seating. Similar to many other jurisdictions during the pandemic, the City Council adopted an urgency ordinance (Urgency Ordinance No. 2020-03) on June 2, 2020, for the purpose of streamlining and expediting temporary outdoor seating permits to support continued operation of businesses while also complying with health orders.

Section 3 of the Urgency Ordinance defined the role of the Zoning Administrator to waive code requirements of Title 17 of the Zoning Code and establish a Temporary Use Permit process for business owners. The process authorized by the Urgency Ordinance allowed businesses to

obtain Temporary Use Permits to engage in certain activities through an expedited, modified process. The City granted 10 Temporary Use Permits (TUPs) through the process authorized by the Urgency Ordinance for eating establishments to provide outdoor dining.

Nine of the eating establishments with TUPs located outdoor dining areas in their respective parking lots where one located outdoor dining in the public right-of-way (ROW). Four of the ten businesses utilized a physical shelter structure to protect patrons from inclement weather. Eateries that received a TUP are listed below:

- Pear Street Bistro – 2395 San Pablo Avenue
- East Bay Coffee Company – 2529 San Pablo Avenue
- Tina’s Place – 2300 San Pablo Avenue
- Applebee’s – 1369 Fitzgerald Drive
- Antlers – 2284 San Pablo Avenue
- Que Undo – 1473 Fitzgerald Drive
- Il Grand – 812 San Pablo Avenue
- Mel’s Diner – 1441 Fitzgerald Drive
- Sue’s Place 2265 Pear Street

Section 2 and 5 of the Urgency Ordinance determined the expiration of the Temporary Use Permits as follows:

- Section 2 states, “Duration of Temporary Use Permit. A temporary use permit issued by the Zoning Administrator pursuant to this Ordinance shall last for no longer than ninety (90) days, except that the temporary use permit may be extended by the Zoning Administrator if the Zoning Administrator determines, in his or her sole discretion, that such waiver remains necessary to facilitate business operations affected by public-health orders of the federal, state, or county.”
- Section 5 states: “Termination. The ordinance shall take effect immediately and shall remain in effect until the expiration of the declaration of local emergency by the Pinole City Council.”

Currently, three of the 10 TUPs issued under the Urgency Ordinance are still active at the following addresses and serving the following businesses:

- Tina’s – 2300 San Pablo Avenue
- Sue’s Café – 2265 Pear Street
- Pear Street Bistro – 2395 San Pablo Avenue

Issues that were noted during the installation and use of the temporary outdoor eating areas

included the size, quality, and maintenance of the dining structures as well as adequate access to street parking, drive aisles, driveways, and open parking stalls.

PROJECT DESCRIPTION

The COVID-19 pandemic provided an opportunity for cities to examine their existing outdoor dining regulations and consider permanent modifications to their regulations to allow for additional safe and aesthetically pleasing outdoor dining opportunities. The purpose of this discussion item is to develop a recommended framework for requirements applicable to outdoor seating areas on sidewalks, in street parking areas, and on public and private property.

Current outdoor dining regulations allow outdoor dining through an Administrative Use Permit (AUP) and installation of features in the public right-of-way through an Encroachment Permit. The AUP process provides a mechanism for administrative review at a public hearing to ensure compatibility with the project site and surrounding uses. An Encroachment Permit is an administrative review of proposed features in the public right-of-way for protection of the public interest, safety, and welfare. An Administrative Design Review or Comprehensive Design Review may also require depending on the proposed structure.

PMC Section 17.68.020.E.1 requires, in part, that outdoor seating may only be established where:

- There is a continuous path of travel of at least six feet in width.
- Pedestrian and accessibility access and views of traffic devices is not obstructed.
- Access to meters, fire hydrants, or other objects (street hardware) in the right-of-way.

Current regulations are lacking with respect to design standards for outdoor dining. Pages 17-18 in Chapter 7.0 of the Three Corridors Specific Plan provides some performance guidelines for outdoor seating, but guidance is limited in detail. These include a 6-foot clearance in the sidewalk right of way and design standards which are limited to enclosed cafes (e.g., use of clear glass, base walls no greater than 12 inches in height, and outside window heights not less than eight feet).

ANALYSIS

Staff recommends the Planning Commission consider the following discussion topics that will establish a framework for coordinated standards and guidelines for parklets/outdoor dining use:

- Define **categories** of outdoor dining (on sidewalks: “sidewalk dining areas”, in parking spaces in the right-of-way or on public property: “parklets”, and on private property: “outdoor dining areas”)

-
- Establish the **permitting process** for outdoor dining, including opportunities for public input, annual renewal or inspections, one-time and annual fees, maintenance, and liability
 - Describe the **locations** and/or zoning districts where different categories of outdoor dining are allowed through a permitting process
 - Establish **standards** for design and materials, size, landscaping, accessibility, circulation, lighting, safety features (such as guardrails, wheel stops, visible vertical elements) signage, heating, air circulation and outdoor furniture
 - Consider **encouraging** other elements such as public art and bicycle parking
 - Establish **standards** that address use of the area (i.e., hours, public access, and equity)
 - Address **parking** requirements
 - Address the **transition** from temporary outdoor dining areas to permanent dining areas (i.e., establish a transition period for existing temporary permit holders to apply for a permanent outdoor dining area).

Ultimately, the framework will be used to establish an Ordinance and guidelines that enhances the City's current outdoor dining regulations and activates the street, with the intent to create a welcoming environment for residents and visitors when dining outdoors in the City of Pinole.

The following categories of outdoor dining areas are suggested as a starting place for discussion by the Planning Commission. Staff plans to bring the framework to the City Council in March to present the recommended framework.

- **Sidewalk Dining Areas.** These areas are located on public and private sidewalks. Figure 1 provides examples of sidewalk dining in other communities.
- **Private Outdoor Dining Areas.** These areas are located on private property that serves a restaurant or cafe, and may be incorporated in private parking lots, outdoor patios, recessed entries immediately adjacent to the public right-of-way and alleys adjacent to the operating business. Figure 2 provides examples of private outdoor dining areas in other communities.
- **Parklets.** These areas are typically curbside parking spaces in the right-of-way that have

been converted to public seating platforms. They are intended to provide amenities, green space, or recreational areas to the public. purpose of a community parklet is to maximize the sense of community by utilizing public spaces for aesthetic amenities to create features of interest or opportunities for informal gatherings. They have been traditionally open to any member of the public. Figure 3 shows examples of different parklets in other communities.

Figure 1 Sidewalk Dining Area Examples

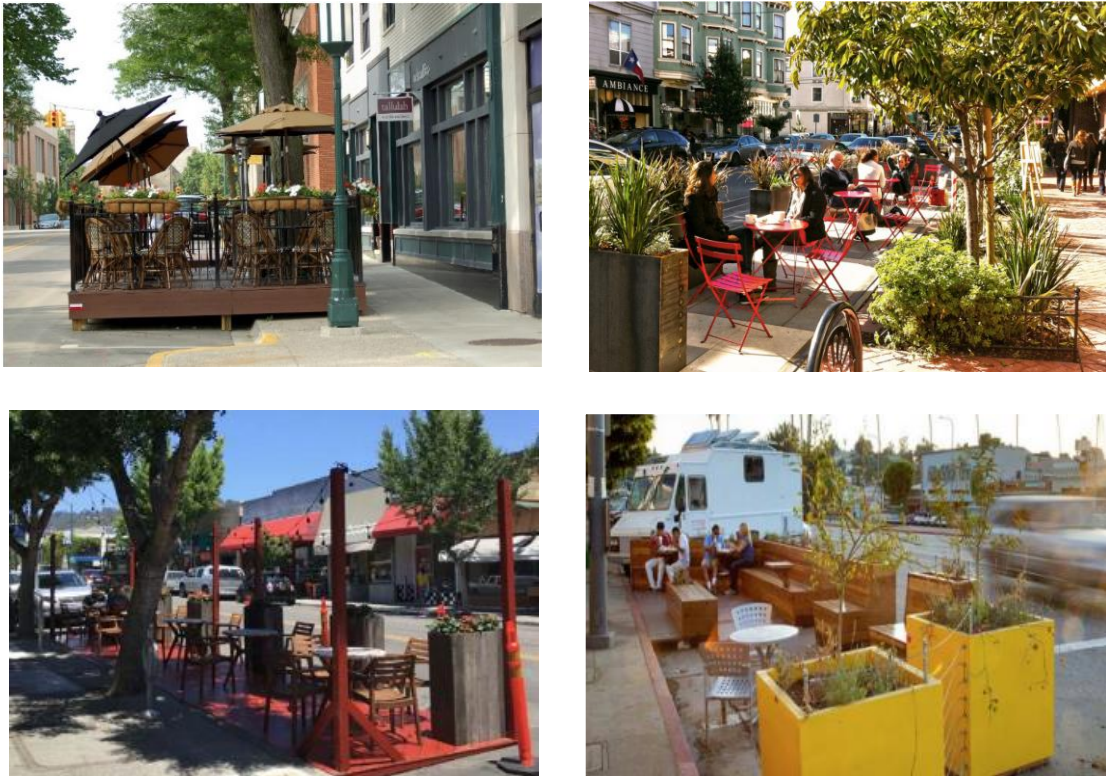


Figure 2: Private Outdoor Dining Area Examples





Figure 3: Parklet Examples



STAFF RECOMMENDATION

Staff recommends that the Planning Commission provide feedback regarding a framework for new outdoor dining regulations on sidewalks, in street parking areas and on public and private property for City Council consideration.