



# Land Planning for Pinole

Housing \* Safety \* Health \* Environmental Justice

# Project Team

## **City of Pinole:**

- Lilly Whalen – Community Development Director
- Dave Hanham – Planning Manager

## **Michael Baker International (Consultants)**

- Surabhi Barbhaya– Project Manager & Safety Element Lead
- Veronica Tam and Associates – Technical Advisors
- Dan Wery and Emily Elliott – Housing Element / Community Engagement
- Noelle Steele – Environmental Justice Lead

# Introduction – Why We’re Meeting



# Housing Element



# What is the Housing Element?

- Required element of the City's General Plan (updated every 8 years)
- Meet demand for housing at **all income levels**
- Assess housing **needs, constraints, resources**
- Sets goals, objectives and policies and **commits to programs**
- **Zoning and identification of sites** to meet the housing needs of all incomes
- Specific programs to **promote fair housing**



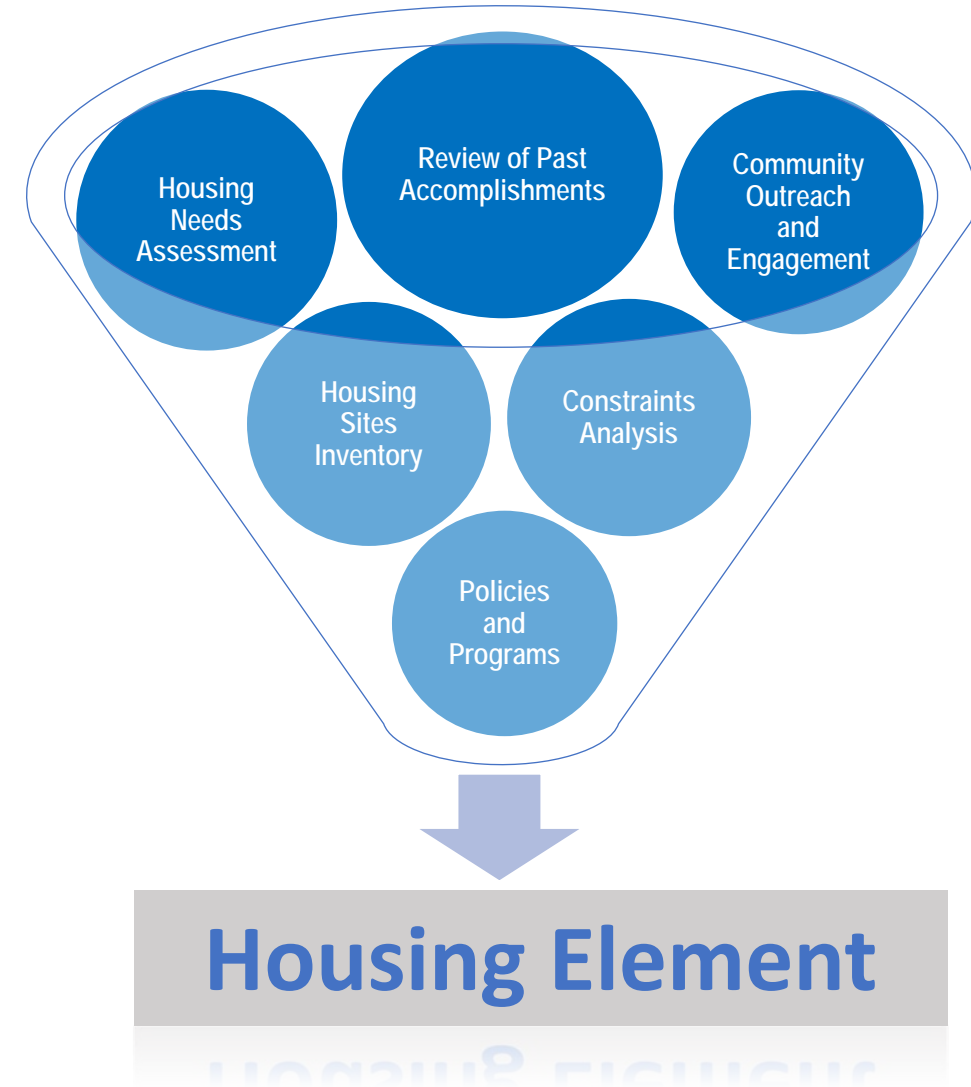
## Housing Element Overview

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- State-mandated update schedule: 8-year cycle (2023-2031)
- Adoption Deadline: January 31, 2023 (120-day grace period through May 31, 2023)
- Review and certified by State HCD for compliance with State law
- Plan for accommodating a jurisdiction's Regional Housing Needs Allocation (RHNA)

# Housing Element Contents

- **Review of Accomplishments:** Evaluation of previous housing element
- **Needs Assessment:** Analysis of existing and projected housing needs
- **Housing Resources:** Inventory of available land, funds, grants and incentives for housing. (RHNA)
- **Constraints:** Anything that deters or increases cost of housing production
- **Fair Housing:** Assessment of fair housing conditions, commitment to “meaningful actions” that improve fair housing.
- **Implementation Plan:** Goals, policies, and implementation programs to meet unmet housing needs, remove constraints, provide zoned capacity, and improve fair housing conditions



# Key Recent Housing Element Legislation

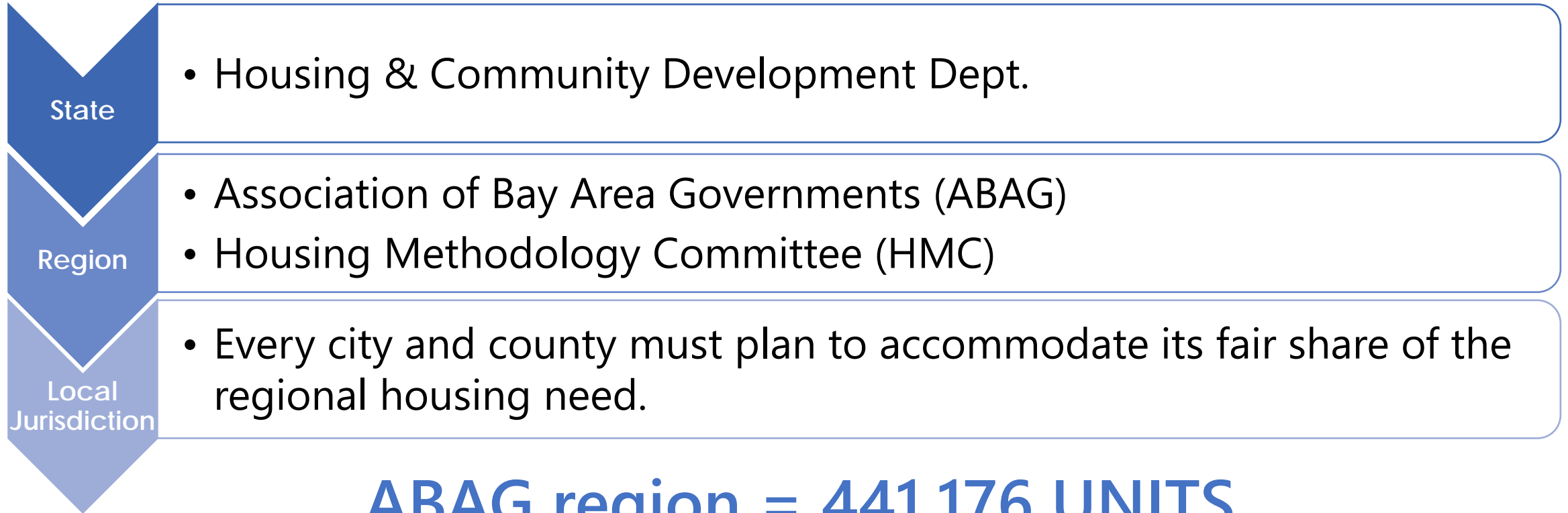
**AB 1398** (2021) – Rezone in 1 year (vs 3) if Housing Element isn't certified by HCD by May 31, 2023.

**AB 215** (2021) – 4.5-month mandatory HCD and Public Review period

**AB 1397** (2018) – More stringent requirements for eligible RHNA sites

**SB 166** (2017) – “No Net Loss” - Cities must maintain adequate capacity for all income levels through the cycle

# Regional Housing Needs Allocation (RHNA)

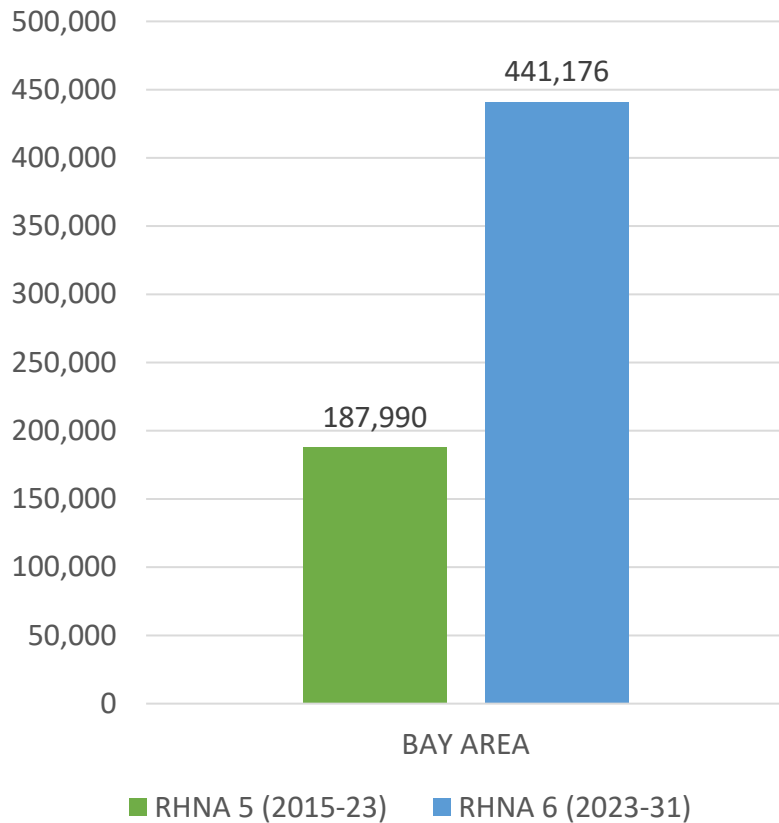


**ABAG region = 441,176 UNITS**

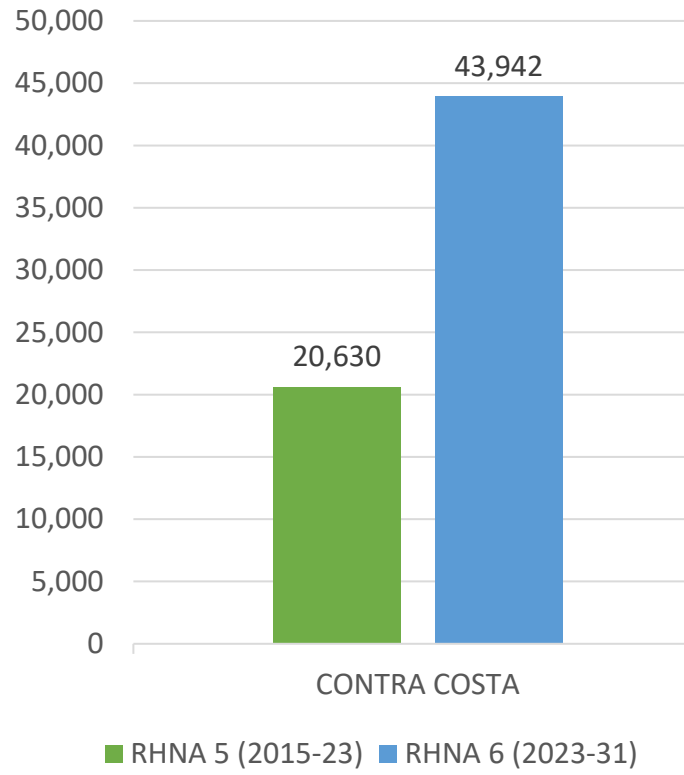
**City of Pinole = 500 UNITS**

# Comparison with previous RHNA

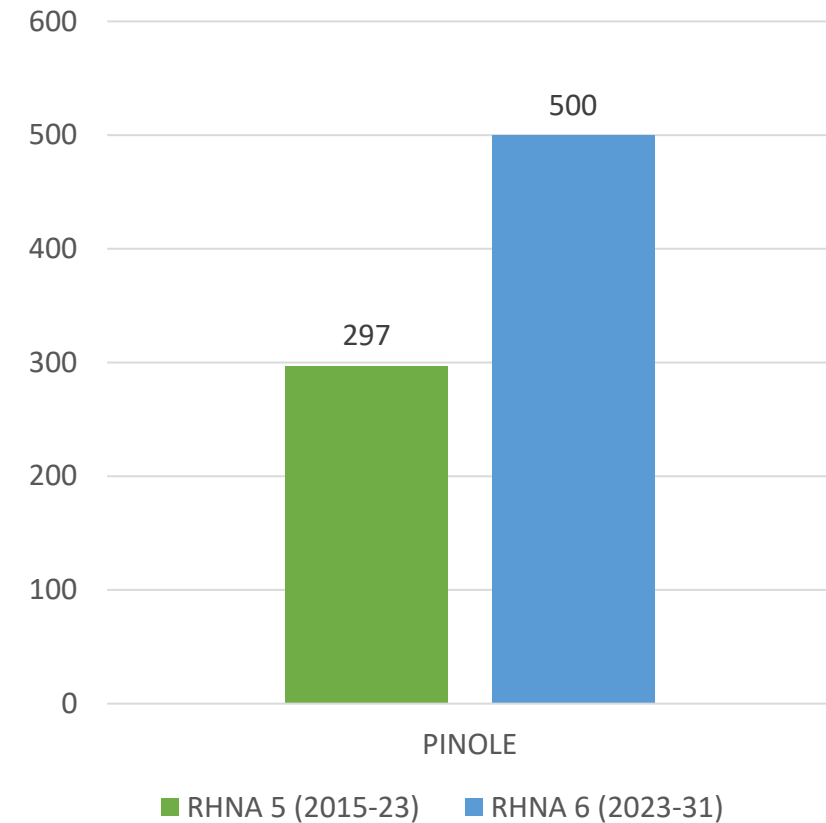
**BAY AREA**



**CONTRA COSTA COUNTY**



**PINOLE**



# RHNA Buffer & No Net Loss



The City must always maintain enough sites to meet the RHNA during the planning period

500-unit RHNA  
(190 extremely-low to low income)



Any site developed at lower density or different income than was projected must replace (rezone) the lost capacity within 6 months



Buffer Sites

Buffers are not mandated by law, but strongly encouraged by HCD

20% buffer is recommended to protect the City from continuously rezoning to replace “lost” units

# Regional Housing Needs Allocation

This table compares the City's upcoming (2023-2031) RHNA allocation to the 5th Cycle (2015-2023) RHNA allocation.

	Very-Low Income	Low Income	Moderate Income	Above-Mod Income	Total RHNA
5th Cycle RHNA	80	48	43	126	<b>297</b>
6th Cycle RHNA	121	69	87	223	<b>500</b>
6th Cycle + 20% Buffer	145	83	118	302	<b>600</b>
<b>Percent Change*</b>	<b>+51%</b>	<b>+44%</b>	<b>+102%</b>	<b>+77%</b>	<b>+68%</b>

Source:

1. Pinole 5<sup>th</sup> Cycle Housing Element
2. Final RHNA Allocation Report ABAG

\* Does not account for buffer

# Regional Housing Needs Allocation Breakdown

The City's obligation is to provide sufficient land, zoned appropriately, to accommodate the RHNA.

Income Category	2021 Annual Income 4-person household	RHNA City of Pinole
<b>Very Low Income</b> < 50% of Median Income	\$68,500	121 units
<b>Low Income</b> 50 - 80% of Median Income	\$109,600	69 units
<b>Median Income</b> Moderate Income: 80-120% of Median Income	\$125,600	87 units
<b>Above Moderate Income</b> >120% of Median Income	\$150,700	223 units
<b>TOTAL</b>		<b>500 units</b>

Source:  
1. HCD 2021 Income Limits  
2. Final ABAG RHNA Allocation Report

# Income Levels and Minimum Density

- Minimum density to meet Low and Very-Low-income levels is 20 dwelling units per acre (du/acre).
- Could increase to minimum 30 du/ac with increased population

Income Levels	Minimum Density (DU/acre)
Very Low income	20
Low income	20
Moderate income*	12*
Above Moderate income	N/A

*\* Not a statutory requirement*

# Sites Inventory Requirements

## Capacity

- Use a “realistic capacity” that accounts for multiple factors

## Size

- Lower Income sites must be between 0.5 and 10 acres.

## Infrastructure

- Served by Water, Wastewater, and Dry Utilities
- Above Moderate-Income sites may rely on septic

## Developable Land

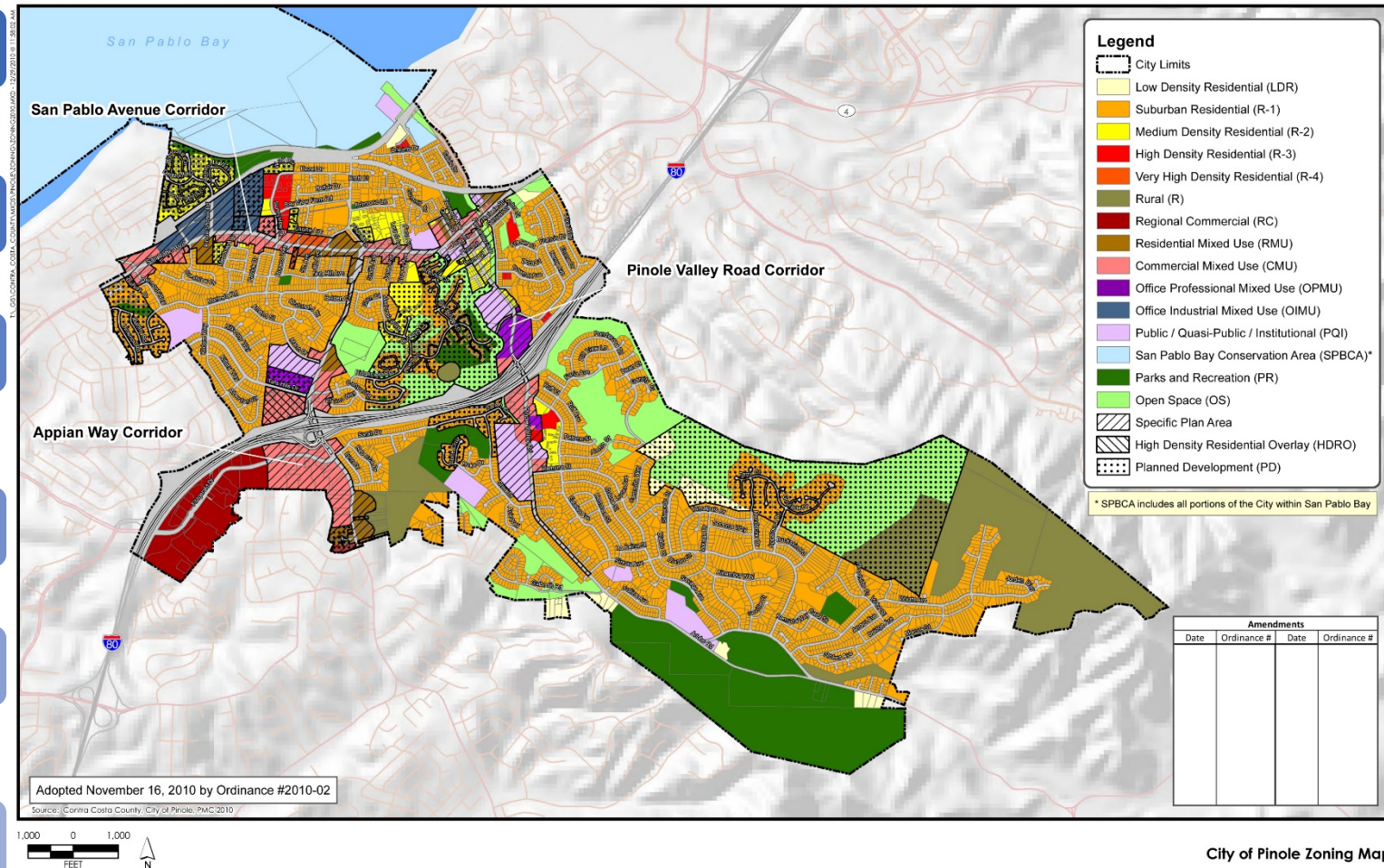
- Account for Environmental Constraints

## Near Term Development Opportunity

- Owner or Developer Interest
- Vacant or Underutilized Land

## Further Fair Housing

- The City must demonstrate that the sites further fair housing conditions



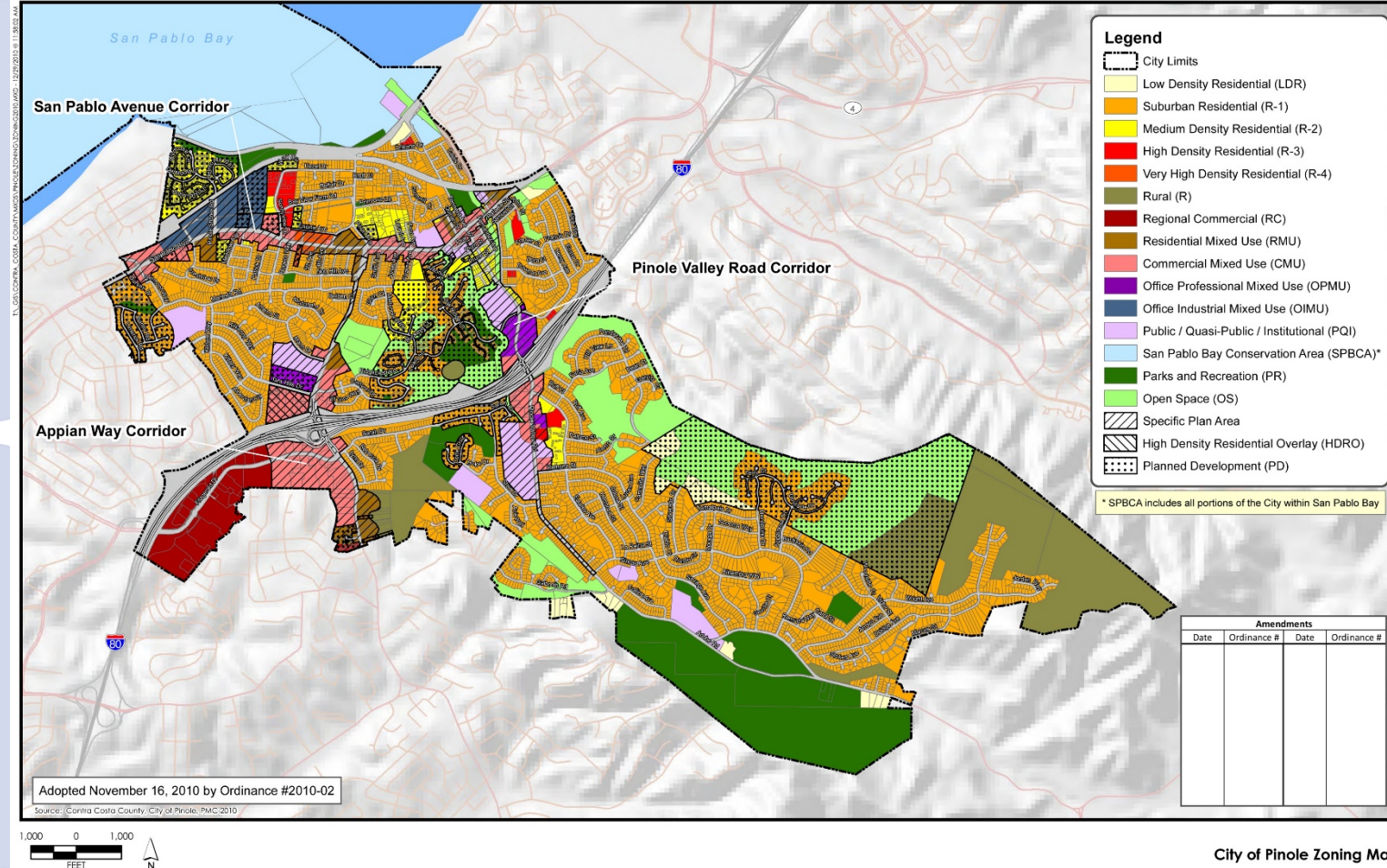
# Constraints to Site Capacity and Selection

## Land Use / Zoning

- Densities
- Limited Vacant Land
- Parking
- Setbacks

## Environmental

- Terrain
- Flood
- Fire hazard
- Habitat



City of Pinole Zoning Map

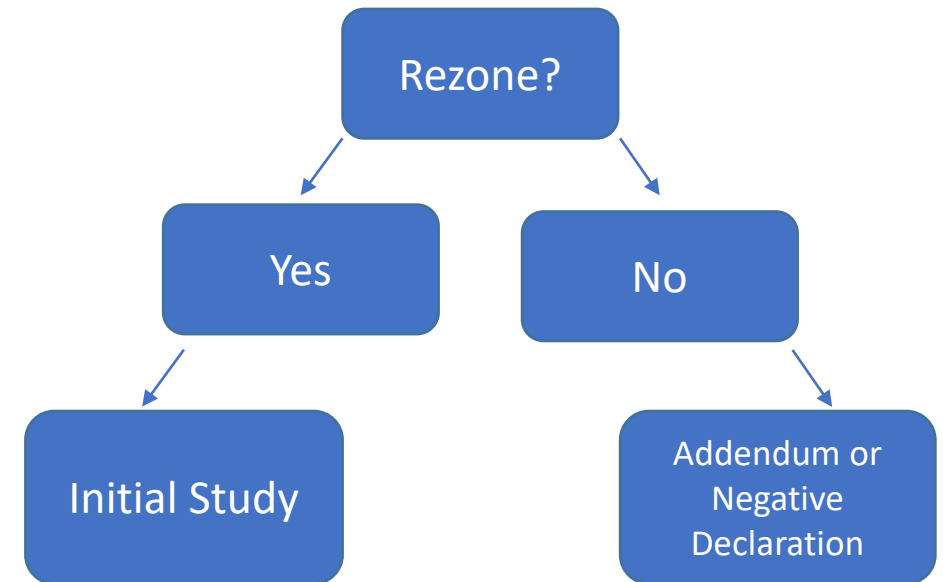
# California Environmental Quality Act (CEQA)



The Housing Element requires evaluation under CEQA



CEQA process will be defined by RHNA strategy (summer 2022)



# Example Housing Program Areas

Adequate Sites and Zoning (RHNA Compliance)

Accessory Dwelling Units

Education

Constraint Removal

Affirmatively Furthering Fair Housing

# Affirmatively Furthering Fair Housing (AFFH)

“Taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities...” \*

- Fair Housing Enforcement and Outreach Capacity
- Segregation and Integration Patterns
- Racially and Ethnically Concentrated Areas of Poverty and Affluence
- Disparities in Access to Opportunity
- Disproportionate Housing Needs and Risk of Displacement
- **Meaningful Goals, Policies, and Actions**
  - Specific Metrics, Timelines, and Evaluation Criteria



# Consequence of Non-Compliance

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Disqualification from State Funding

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Carryover of RHNA Unit Allocation to next cycle (GC 65584.09)

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Fines and Penalties

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Court Receivership/Loss of Local Control

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**HCD recently added a new “Housing Accountability Unit” to proactively enforce state laws.**

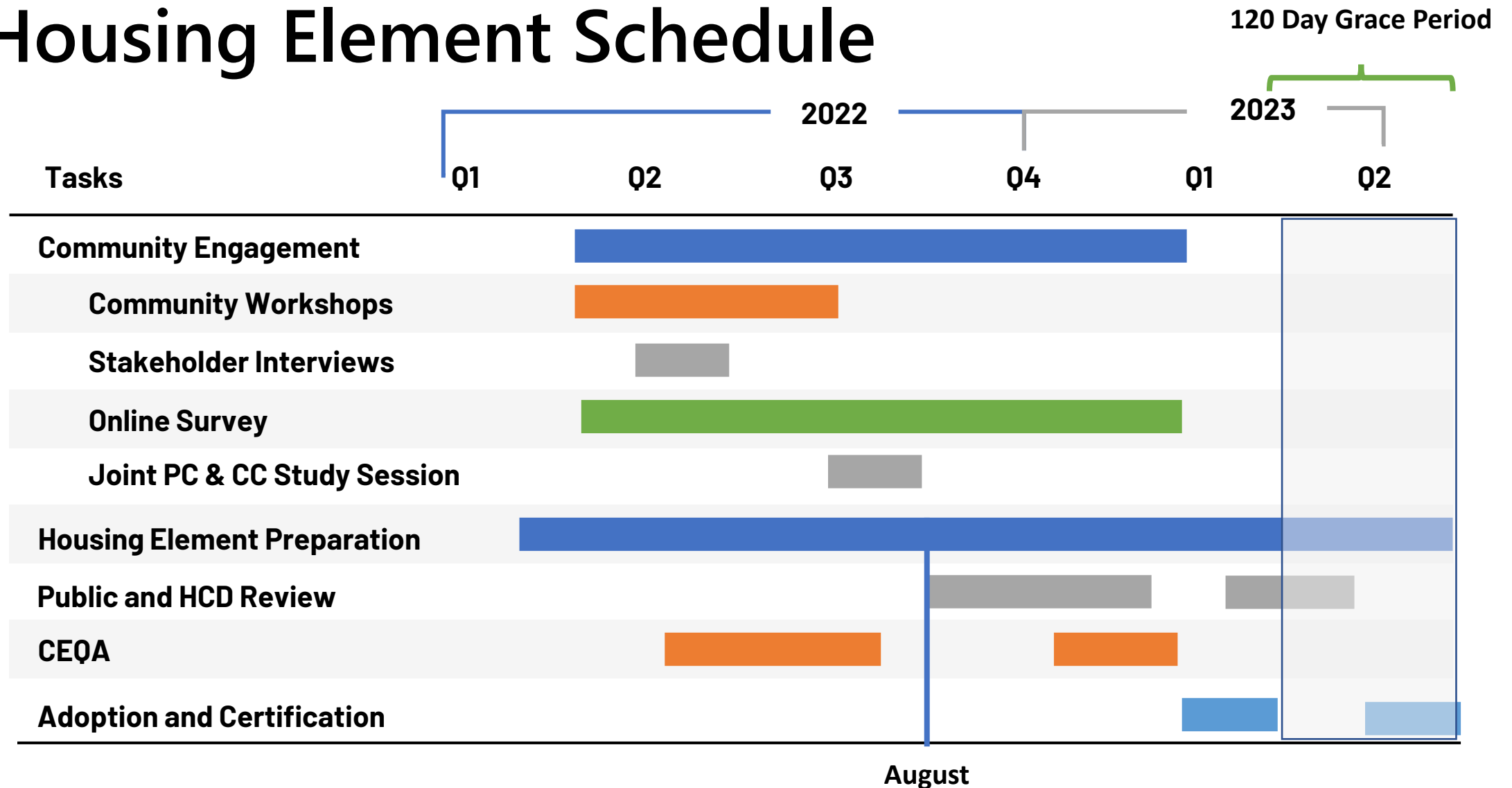


Street view of old downtown Pinole - photo by Earl Combs

## Community Outreach Strategy

- Project Website in development: [CityofPinoleHousingElement.com](http://CityofPinoleHousingElement.com)
- Online Housing Needs Survey (March – August, 2022+)
- Stakeholder Focus Groups/Interviews (April-May)
- Community Workshops (2)
  - April & June
- Joint Planning Commission and City Council Study Session (July)

# Housing Element Schedule



# Health & Safety Element

# Required Health & Safety Element Updates

California adopted laws requiring the City to:

Update the Health & Safety Element at the time as the Housing Element update

Identify and update information related to:

- Seismic and geologic hazards
- Flood hazards and erosion control
- Fire hazards
- Emergency Preparedness
- Hazardous Materials
- Climate Adaptation
- Evacuation Routes

Prepare vulnerability assessment and develop climate adaptation and resilience policies.

Prepare an evacuation route study to identify evacuation routes and their capacity, safety, and viability.

# Health & Safety Element

- Consultation with Cal Fire and approval of plan by State Board of Forestry and Fire Protection
- Other policies related to hazardous materials, crime, public awareness and education
- Relevant policies related to health element will be included such as multimodal transportation, access to food, parks, schools, community facilities and transit, air and water quality and so on.

# Environmental Justice Element

# Background

- State passed Senate Bill 1000 in 2016 requiring cities and counties with any “**disadvantaged communities**” to incorporate Environmental Justice related goals, policies, and objectives into their general plans.
- CalEPA identifies disadvantaged communities as:
  - Uses definition in Section 39711 of the Health and Safety Code, or
  - Low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure or environmental degradation
- Must happen upon adoption or revision of two or more elements on or after January 1, 2018

# Required Environmental Justice Element Components



**Identify disadvantaged communities** within the planning area.

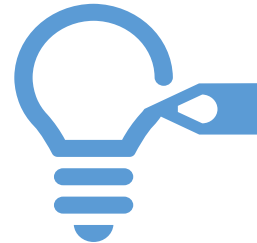
\*\* City will use the term: Environmental Justice Communities (EJCs)



Identify objectives and policies to **reduce unique or compounded health risks**. To include 5 EJ Topic Areas: Pollution Exposure, Public Facilities, Safety & Sanitary Homes, Food Access, Physical Fitness.

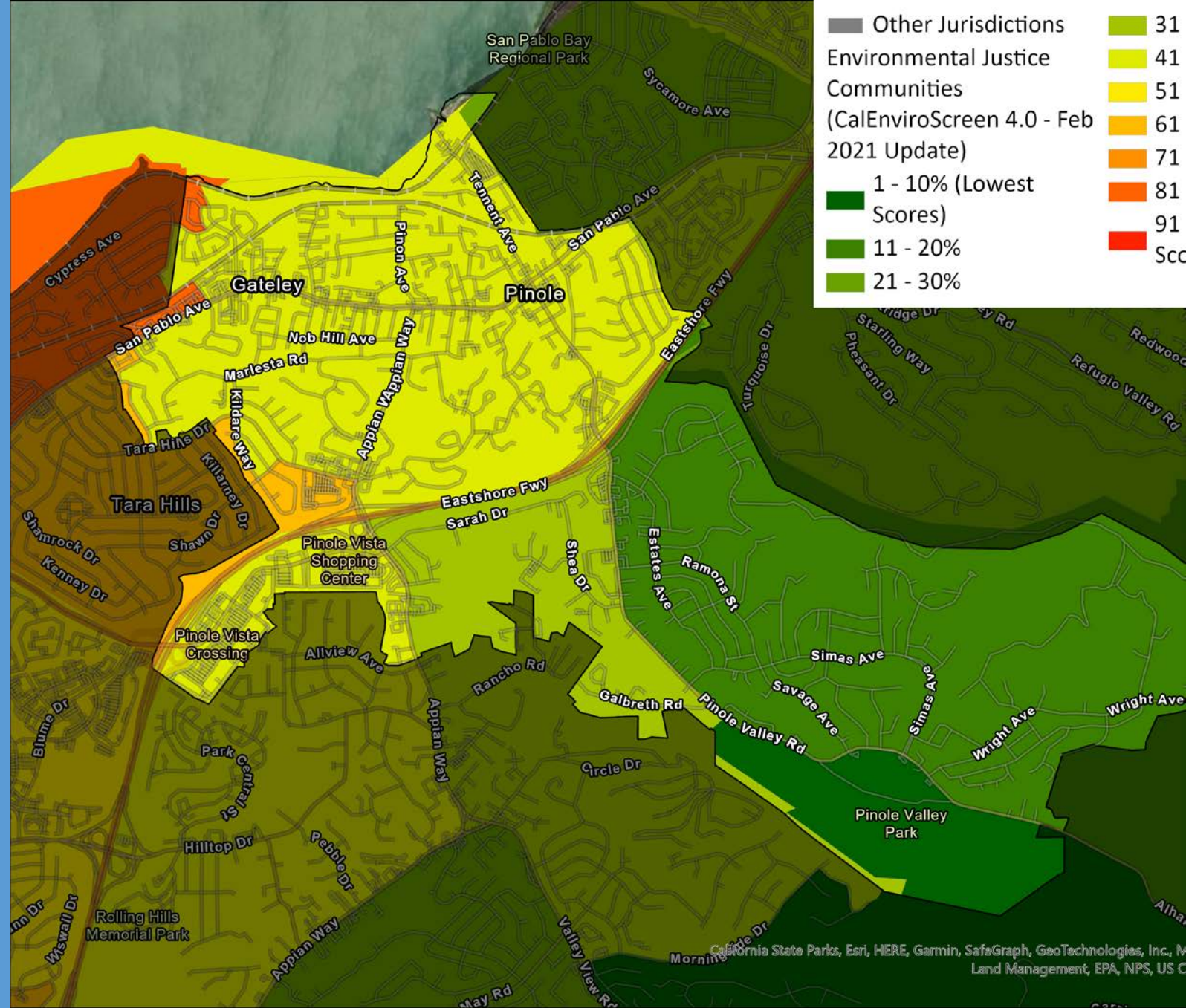


Identify objectives and policies to **promote civic engagement** in public decision making.

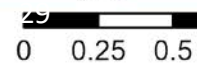


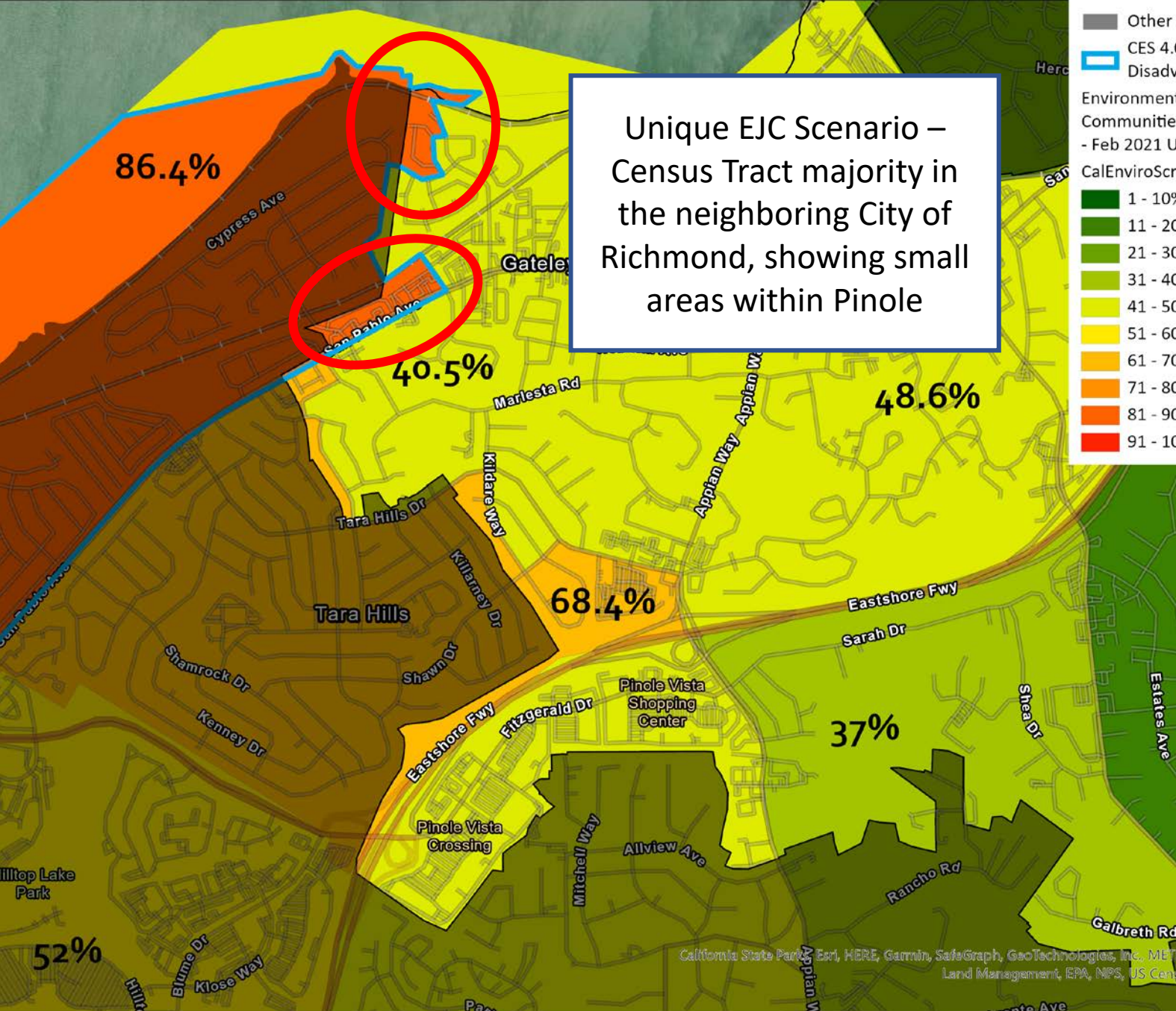
Identify objectives and policies to **prioritize improvements and programs**.

# CalEnviroScreen 4.0 Analysis



## Cal EnviroScreen 4.0 Scores





# Disadvantaged community screening analysis:

CalEnviroScreen Census Tracts with score of 75 or higher

Census Tracts at or below the statewide median income

Census Tracts at or below HCD's state income limits

## Equity in Access

- Access to healthy food, public facilities, nature, public transit, employment centers, services, quality schools and childcare

## Equity in Medical Care

- Availability and access to quality medical care (doctors, dentists, hospitals, mental health)

## Equity in Environment

- Air quality, water quality, pollution, safe and sanitary homes, health risks associated with climate vulnerability

## Equity in Civic Engagement

- Availability and accessibility of information, opportunities to participate, access to ballot boxes and polling places

## Equity in Generations

- Preserving the right of future generations to live, work and enjoy Pinole

# COMMUNITY INPUT

YOUR INPUT IS VALUABLE TO  
US!

**Community workshops**  
**Stakeholder Focus Groups**  
**/ Interviews**  
**Social Media Posts**  
**Public Hearings**  
**Videos**  
**Online Surveys**



# Question & Answer Session

- Please email additional comments, questions and suggestions.
- Please complete the on-line community survey.

Please Email Feedback to:  
[Courtney.Long@mbakerintl.com](mailto:Courtney.Long@mbakerintl.com)



**Thank You!**

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# Extra Slides

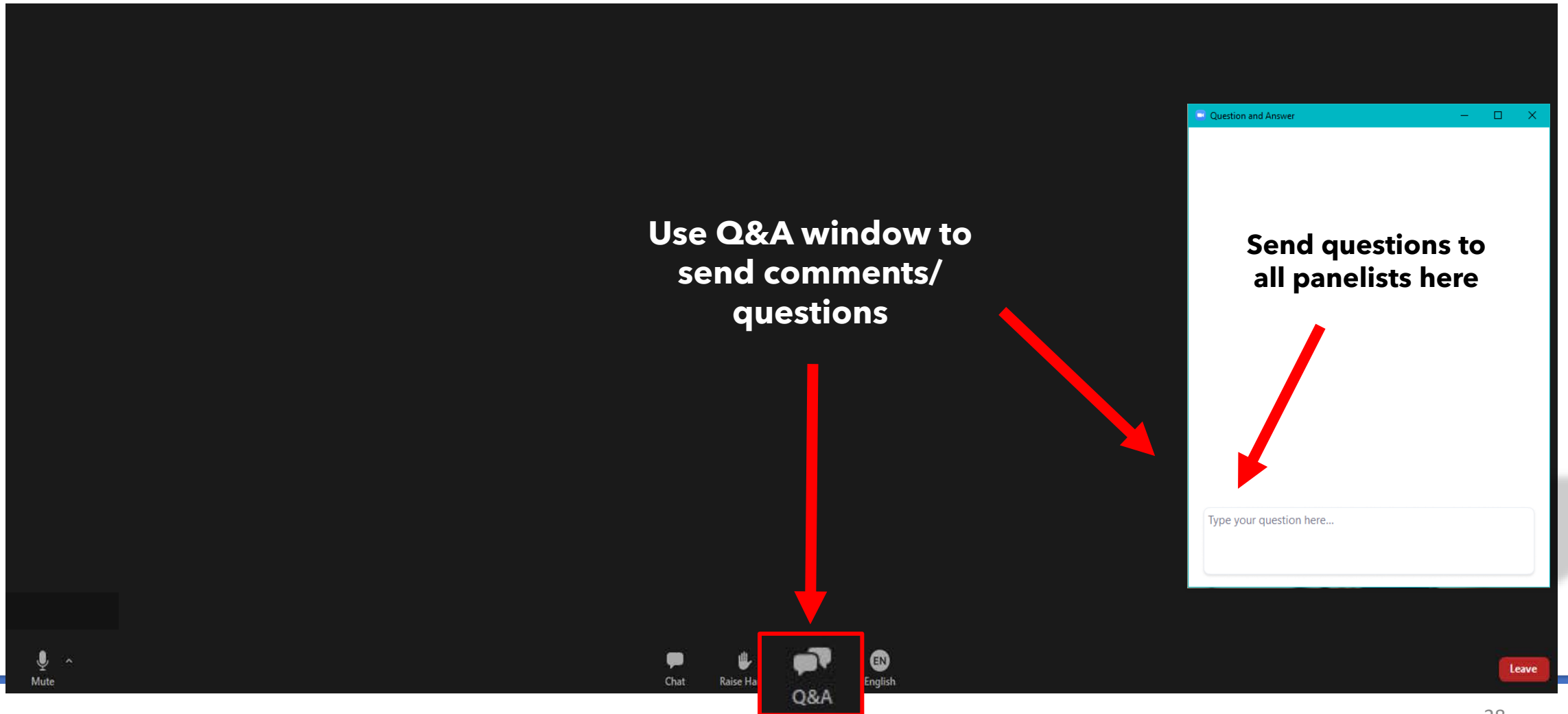
# Zoom Controls - Phone

- Anyone calling in to the meeting via phone is muted
- During the Q&A period, we will set aside time for those on the phone to leave a verbal comment or question
- When it is time for verbal comment, press Star (\*) 9 to indicate you would like to speak
- Listen for the message: “The host would like you to unmute your microphone.” You can press Star (\*) 6 to unmute
- When you are done with your comment, please press Star (\*) 6 to re-mute

# Zoom Controls

**Use Q&A window to send comments/questions**

**Send questions to all panelists here**



The image shows a Zoom interface with a dark background. At the bottom, there is a toolbar with icons for Mute, Chat, Raise Hand, and Q&A. The Q&A icon is highlighted with a red box. A red arrow points from the text 'Use Q&A window to send comments/questions' to this icon. Another red arrow points from the same text to a 'Question and Answer' window that is open on the right side of the screen. This window has a title bar with a close button and a text input field with the placeholder 'Type your question here...'. A third red arrow points from the text 'Send questions to all panelists here' to the text input field in the Q&A window.

Mute

Chat

Raise Hand

Q&A

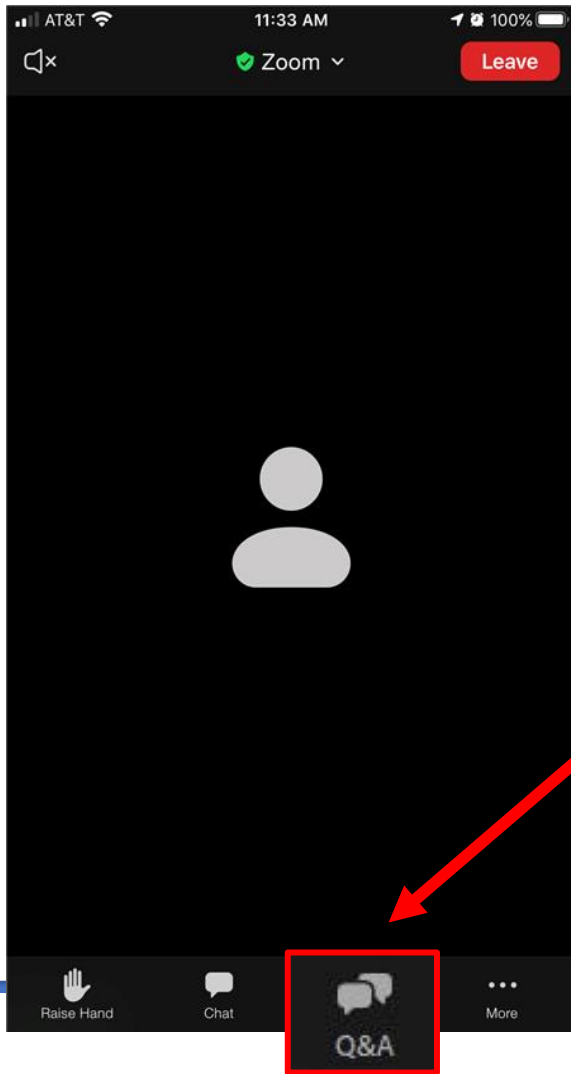
EN English

Leave

Question and Answer

Type your question here...

# Zoom Controls



First click,  
**"More"**

Access the Q&A  
window to send  
comments/  
questions

