



City of Pittsburg Special Planning Commission Agenda

05/16/2023

**City Hall Council Chamber
65 Civic Avenue, Pittsburg, CA 94565**

**Special Meeting
7:00 P.M.**

Planning Commission Members

**Ivelina Popova, Chair
Arlene Kobata, Vice-Chair
Sarah Foster, Commissioner
Alvin Jackson, Commissioner
Donna Smith, Commissioner
Elissa Robinson, Commissioner**

Any member of the public who wishes to address the Commission should complete a Speaker's Card, available on the public counter below the dais. Please note on the card the agenda item number, or, for items not listed on this agenda, a brief description of the issue on which you would like to address the Commission. Give the completed form to the Minutes Clerk or a staff member, who will give the card to the Commission Chair. The Chair will invite the speaker(s) to the podium at the appropriate time during the meeting. Each individual will be given three minutes to address the Commission, unless additional time is allowed as provided for spokespersons. Prior to speaking, each speaker is requested to state his or her name and business and city of residence in a clear and audible tone of voice. For items listed under the "Public Hearings" or "Commission Consideration" portions of this agenda, the public hearing or public comment period will follow a brief presentation on the item by Planning Department staff and/or the project applicant.

A decision by the Planning Commission is not final until the appeal period expires 10 calendar days after the date the decision occurred. The applicant, City Council member(s), City Manager, or any affected person may appeal the denial, approval, recommendation, or any condition of approval of an item within the 10-day appeal period. A completed appeal form and the applicable filing fee must be filed with the City Planner, 65 Civic Avenue, Pittsburg. The appeal form must include the name and address of the appellant and state the reasons for the appeal. The appeal will be set for City Council consideration and appropriate public notification given.

The Commission requests that you refrain from disruptive conduct during the meeting and that you observe the order and decorum of the Council Chamber. Please turn off or set to vibrate all cellular phones, and refrain from making personal, impertinent or slanderous remarks. Boisterous or disruptive behavior while the Commission is in session, and the display of signs in a manner that violates the rights of others or prevents others from watching or fully participating in the Planning Commission meeting is considered counterproductive and will not be tolerated, and the Commission Chair can order any person who engages in such conduct to leave the Council Chamber.

This agenda was posted in City Hall on Friday, May 12, 2023

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE

PUBLIC HEARINGS

**1. Housing Element Update for the 2023-2031 Reporting Period
(6th Cycle)(AP-23-0021(GP))**

This is a City-initiated update of the City's Housing Element for the reporting period of 2023-2031. The Planning Commission will consider the most recent Draft Housing Element. At this meeting, the Planning Commission will be asked to make a recommendation on the Draft Housing Element to the City Council.

Environmental Determination: This draft of the Pittsburgh Housing Element for the 2023-2031 reporting period is essentially an updated Housing Element which is prepared as part of the requirements under State Law and HCD regulations.

None of the updates proposed as part of the 2023-2031 Housing Element Update would result in substantial changes to the existing General Plan policies. No specific development projects are proposed as part of the 2023-2031 Draft Housing Element. The city currently has adequate housing sites to meet its Regional Housing Needs Allocation (RHNA). As a result, staff determined that this project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under General Rule Exception (14 CCR 15061(b)(3).

State Housing Law (Government Code Section 65580 [et. seq.]) mandates that local governments must adequately plan to meet the existing and projected housing needs of all economic segments of the community, including accommodating its assigned Regional Housing Needs Allocation (RHNA) as determined by the Association of Bay Area Government and approved by the State Department of Housing and Community Development. The purpose of the Project is to comply with the State-mandated requirements for the Housing Element of the General Plan.

STAFF COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT OF SPECIAL PLANNING COMMISSION MEETING

NOTICE TO PUBLIC

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the city of Pittsburg will provide special assistance for disabled citizens. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Commission meetings. If you need special assistance to participate in this meeting, or are requesting a specially formatted agenda, please contact the City Clerk at 925-252-4850. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)

GENERAL INFORMATION

Copies of the open session agenda packets that are distributed to the Planning Commission are on file in the office of the Planning Department, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning no fewer than 72 hours in advance of the meeting, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except city holidays). Additionally, if any reports or documents that are public records are distributed to the Planning Commission fewer than 72 hours before the meeting, those reports and documents will also be available for public inspection in the city's Planning Department and at the Commission meeting. The Pittsburg Library is also provided a full agenda packet for your convenience. As a courtesy, the agenda is also located on the city's website at www.ci.pittsburg.ca.us.

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 16, 2023**

**ITEM: Housing Element Update for the 2023-2031 Reporting Period (6th Cycle)
(AP-23-0021(GP))**

ORIGINATED BY: City of Pittsburg, Planning Division, 65 Civic Avenue, Pittsburg, CA 94565

SUBJECT: This is a City-initiated update of the City's Housing Element for the reporting period of 2023-2031. The Planning Commission will consider the most recent Draft Housing Element. At this meeting, the Planning Commission will be asked to make a recommendation on the Draft Housing Element to the City Council.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the attached resolution recommending Council adoption of the proposed General Plan amendment for the Housing Element Update.

BACKGROUND:

Pursuant to State Government Code section 65300, cities and counties are required to prepare and adopt general plans to guide them in the long-range development of their communities. General plans must include eight mandatory, internally consistent elements including land use, circulation, conservation, open space, safety, noise, environmental justice, and housing. Only the housing element is reviewed and certified by the State.

State law requires that each housing element accommodate and facilitate the development of housing to meet a city or county's fair share housing needs. The housing element must also identify and address the housing needs of special needs groups, mitigate potential constraints or barriers to housing, and contain a detailed implementation plan of how the city intends to meet its housing needs. The current housing element cycle extends from 2023-2031. Under the 6th Cycle, jurisdictions face several new consequences for not having a certified Housing Element. Cities and counties must get their housing element updates adopted no later than May 31, 2023, in order to be eligible for several important State grant funding programs.

The City of Pittsburg initiated its housing element update in the Summer of 2021. Since then, the city has held a number of public meetings and workshops to encourage public participation by all segments of the community. Public workshops were held on November 30, 2022, in person and via Zoom. City staff also facilitated discussions about housing issues during several the City utilized a variety of methods to advertise the project, engage the community, and solicit input on the Housing Element.

Planning Commission Staff Report

These efforts are summarized herein to demonstrate the City's meaningful commitment to community collaboration. The City prepared and implemented the following general advertisements:

- Emails to interested individuals and stakeholders
- Workshop flyer (in English and Spanish)
- Posted on the City Homepage
- Social media posts via Facebook, Twitter, Nextdoor, etc. (in English and Spanish)
- Emails to stakeholders requesting involvement and providing flyers and outreach information in English and Spanish

Also, staff conducted a robust in-person and community outreach program with several pop-up events on the following dates at:

- Small World Park– October 31, 2022
- Lumpy's Fundraiser Event and Oldtown Pittsburg businesses – November 2, 2022
- Pittsburg High Football Game – November 11, 2022
- Oak Hills Shopping Center – December 20, 2022
- Century Plaza – December 21, 2022
- Home Depot, Winco, DD's Discounts – December 21, 2022
- Atlantic Plaza – December 21, 2022
- Cardenas Plaza – December 23, 2022
- Pittsburg High School Winter Track Meet – January 28, 2023

In January 2023, individual local housing stakeholder interviews were held with several different individuals and/or entities. A public survey was also made available on the city's website in English and Spanish from October 3, 2022, to January 24, 2023. The survey was announced by way of social media, on the city's website and Facebook pages, at the Pittsburg Library, at the Pittsburg Senior Center and was directly emailed to major stakeholders and community-based organizations that operate within the city. A total of 146 individuals, including 134 residents of Pittsburg 92%, responded to the survey, which focused on home maintenance, affordability, home type, living conditions and homelessness. A summary of the key survey results is provided in the Affirmatively Furthering Fair Housing Analysis.

All of the public input that was collected between October 2022 and January 2023 culminated into the March 2023 version of the Draft Pittsburg Housing Element. This initial draft was released for public review on March 1, 2023. Staff on March 20, 2023, held a joint City Council/Planning Commission workshop and two community workshops (one via Zoom and one in person) on March 29, 2023, to receive comments on the Draft Housing Element. Based on the comments received, revisions were incorporated into a revised draft.

PROJECT DESCRIPTION:

The proposed project consists of a General Plan amendment to update Chapter 13 (Housing Element) of the City of Pittsburg General Plan. The final draft of the Pittsburg Housing Element Update incorporates revisions based on comments received from the public, the Planning Commission, and the City Council. The final updated draft is included as Attachment 2 of this report.

Additional zoning text amendments related to proposed programs identified in the Housing Plan Background Report will be needed to implement housing element policies and advance housing opportunities for all income groups; however, those zoning text amendments will be brought to the Planning Commission and City Council for recommendation and adoption, respectively, at a later date. Additionally, any further comments received from HCD will be incorporated into an updated document.

New Requirements for the 6th Cycle Housing Element Update: Pursuant to recent State legislation, the following items are now required as part of the Housing Element Update process:

- Affirmatively Furthering Fair Housing (AFFH). Assembly Bill (AB) 686, passed in 2018, created new requirements for jurisdictions to affirmatively further fair housing. According to AB 686, affirmatively furthering fair housing means to take “meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics” and is Federally mandated by the 1968 Fair Housing Act. The four main goals are to:
 - Address significant disparities in housing needs and in access to opportunity
 - Replace segregated living patterns with truly integrated and balanced living patterns
 - Transform racially and ethnically concentrated areas of poverty into areas of opportunity Foster and maintain compliance with civil rights and fair housing laws

This updated draft Housing Element adequately addresses the States new requirements to address impediments to Fair Housing. Goal H-4 as identified in the updated Draft Housing Element, *Advancing Housing Opportunities*, promotes equal and fair housing opportunities for all residents, “including Pittsburg’s special needs population”, and all classes protected under Federal and State fair housing laws, so safe and decent housing is available to all persons and all income levels throughout the community and residents can reside in the housing of their choice.

Required Findings: The California Government Code (Government Code) and Pittsburg Municipal Code (PMC) identify the Planning Commission as the advisory body to the City Council on amendments to the General Plan. Government Code section 65353(a), and PMC section 18.48.030 require that the Commission conduct at least one public hearing prior to making its recommendation on a General Plan amendment.

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Under Government Code section 65358, the legislative body (City Council) of a local government may amend its General Plan, in whole or in part, if it finds that the amendment would be in the public interest. No more than four General Plan amendments to each element may be adopted within one calendar year. During this calendar year, the City Council has adopted one amendment to the General Plan.

Environmental: This draft of the Pittsburg Housing Element for the 2023-2031 reporting period is essentially an updated Housing Element which is prepared as part of the requirements under State Law and HCD regulations.

None of the updates proposed as part of the 2023-2031 Housing Element Update would result in substantial changes to the existing General Plan policies. No specific development projects are proposed as part of the 2023-2031 Draft Housing Element. The city currently has adequate housing sites to meet its Regional Housing Needs Allocation (RHNA). As a result, staff determined that this project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under General Rule Exception (14 CCR 15061(b)(3).

State Housing Law (Government Code Section 65580 [et. seq.]) mandates that local governments must adequately plan to meet the existing and projected housing needs of all economic segments of the community, including accommodating its assigned Regional Housing Needs Allocation (RHNA) as determined by the Association of Bay Area Government and approved by the State Department of Housing and Community Development. The purpose of the Project is to comply with the State-mandated requirements for the Housing Element of the General Plan.

Public Notice: On May 6, 2023, in accordance with PMC section 18.14.010, a “Notice of Public Hearing” for the May 16, 2023, public hearing on this item was published as a 1/8-page legal advertisement in the East County Times; was delivered for posting at the Pittsburg Library; was posted at City Hall and on the “Public Notices” section of the city’s website; and was mailed via first class or electronic mail to individuals and organizations who either attended a previous housing element workshop, responded to the public survey, previously filed written request for such notice, or otherwise expressed interest in the project in accordance with Government Code section 65090.

ANALYSIS:

As noted in the ‘Background’ section above, the proposed General Plan amendment to update the Pittsburg Housing Element is required by State law. The updated draft of the housing element is consistent with the other elements of the Pittsburg General Plan.

Key input from the community workshops conducted during the update process includes comments related to inclusionary housing requirements, funding for affordable housing, housing needs, lot coverage requirements, environmental sustainability, the distribution of affordable housing, and availability of multi-generational and move-up housing. Responses to comments received were all incorporated into the final draft of the

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Pittsburg Housing Element Update. Appendix C of the Housing Element Background Report contains all public comments received and responses.

Staff believes that the Planning Commission can make the findings to recommend approval for the proposed General Plan amendment, as the final draft of the Pittsburg Housing Element Update sufficiently reflects the city's and community's goals with regard to the development of housing for all members of the community.

ACTION REQUIRED:

The Commission should open the public hearing, accept testimony, close the public hearing, then adopt a Resolution recommending that the City Council adopt the Pittsburg Housing Element Update for the 2023-2031 reporting period.

ATTACHMENTS:

1. Resolution
2. Revised Draft Housing Element (May 2023)
3. Public Hearing Notice

Prepared by: John Funderburg, Assistant Director of Planning

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Recommending that the City Council)
Amend the Housing Element of the)
General Plan for the 6th Cycle)
(2023-2031))

Resolution No. _____

The Planning Commission DOES Resolve as follows:

Section 1. Background

- A. Pursuant to State Government Code section 65300, cities and counties are required to prepare and adopt general plans to guide them in the long-range development of their communities. General plans must include seven mandatory, internally consistent elements including land use, circulation, conservation, open space, safety, noise, and housing. Only the housing element is reviewed and certified by the State Department of Housing and Community Development (HCD).
- B. The current 6th Cycle Housing Element extends from 2023 to 2031. State Housing Element Law (Government Code Section 65580 et seq.) requires that the City of Pittsburgh adopt for the eight-year period 2023-2031 to accommodate the Regional Housing Needs Allocation ("RHNA") of 2,052 housing units.
- C. Public workshops were held on November 30, 2022, in person and via Zoom. City staff also facilitated discussions about housing issues during several community pop-up events and outreach meetings conducted between October 2022 and March 2023.
- D. A public survey was also made available on the city's website in English and Spanish from October 3, 2022, to January 24, 2023. The survey was announced by way of social media, on the city's website and Facebook pages, at the Pittsburgh Library, at the Pittsburgh Senior Center and was directly emailed to major stakeholders and community-based organizations that operate within the city. A total of 146 individuals, including 134 residents of Pittsburgh 92%, responded to the survey, which focused on home maintenance, affordability, home type, living conditions and homelessness.
- E. All of the public input that was collected between October 2022 and January 2023 culminated into the March 2023 version of the Draft Pittsburgh Housing Element. This initial draft was released for public review on March 1, 2023. Staff on March 20, 2023, held a joint City Council/Planning Commission workshop and

two community workshops (one via Zoom and one in person) on March 29, 2023, to receive comments on the Draft Housing Element.

- F. The final Draft Housing Element is consistent with and supports the guiding principles of the General Plan to prioritize residential development within City limits, to promote infill development and support a compact urban form; to promote downtown as a residential and commercial node; to focus development in areas in close proximity to transit and commercial and public services; and, to support a diversity of housing types for a range of income types.
- G. None of the updates proposed as part of the 2023-2031 Housing Element Update would result in substantial changes to the existing General Plan policies. No specific development projects are proposed as part of the 2023-2031 Draft Housing Element. The city currently has adequate housing sites to meet its Regional Housing Needs Allocation (RHNA). As a result, staff determined that this project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under General Rule Exception (14 CCR 15061(b)(3).
- H. Under Government Code section 65358, the legislative body (City Council) of a local government agency may amend its general plan, in whole or in part, if it finds that the amendment would be in the public interest. No more than four General Plan amendments to each element may be adopted within one calendar year. During this calendar year, the City Council has adopted one General Plan amendment to the General Plan.
- I. California Government Code and the Pittsburg Municipal Code identify the Planning Commission as the advisory body to the City Council on amendments to the general plan. Government Code section 65353(a) and PMC section 18.48.030, require that the Commission conduct at least one public hearing prior to making its recommendation on a general plan amendment.
- J. On May 6, 2023 in accordance with PMC section 18.14.010, a "Notice of Public Hearing" for the May 16, 2023 public hearing on this item was published as a 1/8-page legal advertisement in the East County Times; was delivered for posting at the Pittsburg Library; was posted at City Hall and on the "Public Notices" section of the city's website; and was mailed via first class or electronic mail to individuals and organizations who either attended a previous housing element workshop, responded to the public survey, previously filed written request for such notice, or otherwise expressed interest in the project in accordance with Government Code section 65090.
- K. On May 16, 2023, the Planning Commission held a public hearing on this project, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, "Housing Element Update for the 2023-2031 Reporting Period," dated May 16, 2023, and based on all the information contained in the Planning Division files on the project, adopted, and incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and incorporated herein by reference.
 2. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under General Rule Exception (14 CCR 15061(b)(3). State Housing Law (Government Code Section 65580 [et. seq.]) mandates that local governments must adequately plan to meet the existing and projected housing needs of all economic segments of the community, including accommodating its assigned Regional Housing Needs Allocation (RHNA) as determined by the Association of Bay Area Government and approved by the State Department of Housing and Community Development. The purpose of the Project is to comply with the State-mandated requirements for the Housing Element of the General Plan.
 3. Amending the General Plan to incorporate the Draft Housing Element as the revised Chapter 13 (Housing Element) of the General Plan is in the public interest in that it is required by State law, and in that the proposed Housing Element reflects the City and community's goals with regard to the development of housing for all income groups.

Section 3. Recommendation

- A. Based on the findings set forth above, the Commission hereby recommends that the City Council amend the General Plan to incorporate the Draft Housing Element (Exhibit A) as the revised Chapter 13 (Housing Element) of the General Plan.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 16th day of May, 2023, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

I hereby certify that the above Resolution was adopted by the Planning Commission of the City of Pittsburg on May 16, 2023.

JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

Exhibit A
Housing Element Update for the 2023-2031 Reporting Period (6th Cycle)
(AP-23-0021(GP))



Draft Housing Element available online at:
<https://www.pittsburgca.gov/home/showpublisheddocument/15073>

NOTICE OF PUBLIC HEARING FOR SPECIAL MEETING

The Pittsburg Planning Commission will hold a public hearing on:

Date: May 16, 2023

Time: 7:00 p.m.

Place: City Council Chambers of City Hall,
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Housing Element Update for the 2023-2031 Reporting Period (AP-23-0021(GP))

This is a City-Initiated update of the City's Housing Element for the reporting period of 2023-2031. The Planning Commission will consider the most recent Draft Housing Element. At this meeting a recommendation will be forwarded to the City Council.

Environmental Determination: This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under General Rule Exception (14 CCR 15061(b)(3). State Housing Law (Government Code Section 65580 [et. seq.]) mandates that local governments must adequately plan to meet the existing and projected housing needs of all economic segments of the community, including accommodating its assigned Regional Housing Needs Allocation (RHNA) as determined by the Association of Bay Area Government and approved by the State Department of Housing and Community Development. The purpose of the Project is to comply with the State-mandated requirements for the Housing Element of the General Plan.

For further details on this matter, contact John Funderburg, Assistant Director of Planning at 65 Civic Avenue, Pittsburg, by telephone at (925) 252-4043, or through e-mail at jfunderburg@pittsburgca.gov or by fax at (925) 252-4814.



JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION