

City of Piedmont
CALIFORNIA



MEMORANDUM

DATE: May 12, 2022

TO: Planning Commission

FROM: Kevin Jackson, Planning & Building Director
Pierce Macdonald, Senior Planner

SUBJECT: Supplemental Staff Report: Recommendation -
Draft 6th Cycle Housing Element

AGENDA ITEM NUMBER 1

RECOMMENDATION:

Recommend City Council authorize staff to send the Draft 6th Cycle Piedmont Housing Element (Draft Housing Element) to California Department of Housing and Community Development (HCD) for its review.

ADDITIONAL INFORMATION:

A draft resolution for the consideration of the Planning Commission is provided as Attachment H. The Planning Commission may reference the draft resolution in making a recommendation on the Draft Housing Element. It is provided to help organize and facilitate the meeting deliberations and provide a few administrative corrections for the Draft Housing Element. The purpose of the draft resolution is to give Commissioners a starting point in preparing a possible motion for the meeting on May 12, 2022, and additional revisions may be added by the Planning Commission.

Project Schedule and Public Comments

Public comment received from May 6 to May 11, 2022, is included as Attachment G. Some of the public comment received to date requests a public comment period longer than 60 days. The State Department of Housing and Community Development (CA HCD) establishes deadlines for adoption of a city's Housing Element. Piedmont is part of the Association of Bay Area Governments (ABAG). The deadline for adoption for all ABAG cities is January 31, 2023. The CA HCD allows a 120-day grace period for adoption, meaning a final deadline of May 30, 2023.

New for the 6th housing element cycle, per Assembly Bill 1398, all cities must be *found to be in substantial compliance* with all State laws *prior* to the adoption. This means that all cities must submit their draft Housing Elements to HCD for review and approval before the deadline. Adopting before receiving HCD's approval may risk penalties for non-compliance.

Given the number of new laws and complexity of 6th cycle requirements, cities throughout the State are having to submit and revise their Housing Elements two or three (or sometimes more) times before the State HCD finds the document in substantial compliance with all requirements. CA HCD review periods are 90-days for the first review and 60-days for any subsequent review.

To account for the likely scenario of three cycles of review and revision (as has been observed in other California regions), time for staff to address CA HCD comments, and time to publicly discuss any changes to the draft Housing Element, the City of Piedmont has outlined an aggressive Housing Element schedule in order to comply with State law:

- April – June 2022 – Draft Review and Public Comment (note: State requirement for public review is only 30 days)
- Mid-July 2022 – Submit Draft Housing Element to CA HCD
- Mid-July – Mid-October 2022 – CA HCD 90-day Review
- October – November 2022 – Address CA HCD comments and Public Notice
- Mid-November 2022 – Mid-January 2023 – CA HCD 60-day Review
- January – February 2023 – Address CA HCD comments and Public Notice
- Mid-February – Mid-April 2023 – CA HCD 2nd 60-day Review (if needed)
- April – May 2023 – Adoption Hearings
- May 30, 2023 – Adoption Deadline

Public comment is accepted throughout the Housing Element process. Changes to any drafts must be consistent with State law and approved by HCD.

ATTACHMENTS:

- | | | |
|---|---------------|---|
| A | <i>Online</i> | Draft 6 th Cycle Piedmont Housing Element
https://www.piedmont.ca.gov/government/city_news_notifications/draft_housing_element_released |
| B | Pages 20-31 | Index and List of Housing Plan Policies and Programs |
| C | Pages 32-76 | Public Comment, received since March 24, 2022 |
| D | Pages 77-90 | Balancing Act Engagement Report, dated May 6, 2022 |
| E | <i>Online</i> | Housing Advisory Committee Meeting Summary, April 19, 2022
https://static1.squarespace.com/static/5fdea2c9d61098631976bacc/t/62745190de9b6a29481e4808/1651790224319/5.4.22_Piedmont_HEU_HAC%232_Summary.pdf |
| F | <i>Online</i> | Park Commission Meeting Video, May 4, 2022
https://piedmont.granicus.com/MediaPlayer.php?view_id=3&clip_id=2526 |
| G | Pages 108-116 | Public Comment, received May 6 to May 11, 2022 |
| H | Pages 117-121 | Draft Resolution for Planning Commission Consideration |

Public Correspondence Regarding Draft Housing Element

Received May 6 to May 11, 2022 at 5:00 PM

Joyce and I have been residents since 1972 and have lived in our current home since 1979. We are enthusiastic about many of the civic improvements Piedmont has done, and can't remember a time when I was more concerned about the direction some of the leaders are suggesting in the proposed new housing plan. Below are some of our concerns:

Environmental Impact.

Several of the proposals have the potential for adverse impact on the environment. For example, adding 100+ housing units to the Blair Park/Corporation Yard Area will increase automobile traffic which will add to both noise and air pollution. Has there been an impact study to assess the effect such housing would have on the environment? Regarding the possible use of Blair Park for additional housing I have the same question. It is my recollection that when this area was being considered for a soccer field, the Environmental Impact Report showed that on many levels the soccer complex idea was unsound and unsafe and the project was stopped.

Safety:

For both the Corporation Yard, and Blair Park Projects, the increase in traffic presents a serious challenge to safety. In the past few years, the traffic on Moraga Way has steadily increased so much that often it is difficult for me to make a left turn either onto Estates or Harbord because of the steady flow of traffic. What increased amount of traffic is expected with the proposed new housing? Children biking to and from school is only one of many considerations that need to be carefully considered. From my own experience as a road cyclist, I often bike up Moraga on Saturday and Sunday mornings returning from my bike ride. Even as early as 9:30am on the weekends, there is a steady flow of cars. If additional housing units are added there will be increased bicycle traffic (children and adults). This will be unavoidable and the City needs to clearly plan for how the safety of bikers will be addressed. It is currently not safe.

Financial Impact:

Several of the proposed projects have fiscal implications. How are these projects to be paid for and who is to assume the burden for the cost? Piedmont has recently begun a major swimming pool/recreation project. This obligation is financed through bonds. Is the City planning to incur more public debt and if so, such debt needs to be vetted with the Piedmont Citizens who will be ultimately responsible? Question: Without passing more assessments or bonds, how will these proposed projects be paid for and by whom?

Public Meetings:

Something as important as what is being proposed needs to be discussed at several town hall meetings. I know that many residents have expressed concerns. We, the citizens of Piedmont need the opportunity to address the concerns rather than rush through what may turn out to be a serious mistake for our City,

I urge you to slow down in what seems to be a rapid push for changes that may change the City of Piedmont for the foreseeable future.

Sincerely, Joyce & Kenneth Polse

Hi, we recently moved to Piedmont. I agree these changes should be voted on. It's the least you could ask from people trying to govern their local communities.

Best, Eitan Anzenberg

Apologies if I am sending this a day late, I hope our comments can still be accounted for in the public comment process.

Our main concern with the housing plan is the number of houses (and therefore cars and traffic) that will be part of converting City Hall and Veterans Buildings to Low-Income Housing.

Background on our perspective:

- Our two children attend Havens Elementary
- This past year there has been extensive education and discussion amongst Havens staff, teachers and parents in partnership with the Piedmont Police Department (PPD) and other city groups about the dangerous traffic and concerns for child pedestrian safety on Highland Avenue.
- There are already very serious concerns about pedestrian safety - with so many children walking to school (and being encouraged to do so because it alleviates an already serious traffic issue).
- The Piedmont Police Dept has shared that speeding and poor driving has dramatically increased on Highland over the last 2 years.
- The city workers who can provide the data and insights on the dangerous traffic situation are: PPD Captain Monahan, PPD Officer Petit and Public Works Director Daniel Gonzales who have spoken with the Havens parents community and staff.

Our comments:

- I don't know the number of units that are being considered for City Hall / Veterans - but I think understanding the current traffic safety challenges is paramount in this process and partnering with PPD to understand this is necessary.
- **I strongly disagree with adding significant housing and therefore traffic in an area where there is a high concentration of child pedestrians in Piedmont (with 4 of the city's schools located within a 2 block radius). This is even more concerning considering the known traffic safety issues and dangers in this area.**

Thank you for taking into account my public comment, Rita Fabi

I would like to understand who is creating and developing the proposed sites for this new housing?

Removing our Veterans Hall which is used for classes for children, adults and the elderly does not seem like a wise decision. As it stands, our city has very few venues for classes and gathering spaces.

Removing the few we have left to create more density of housing is not something that adds value to the current 10,000 residents of Piedmont.

The center of town is currently very dense with activity around our tiny commercial district, our schools and our community park. Is this really a location where we want to create more density, more traffic and more congestion? Where would these new residents park their cars?

I am curious to know for the proposed housing at Couches Field, does the field get removed as well? I have received feedback from all the field sports in Piedmont that we don't have enough available fields. Removing another would be very unfortunate.

Will there be a vote in our community on these huge decisions that will impact our lives?

Thank you, Christina Maybaum

As I think everyone knows, it's been a very busy spring in Piedmont. My husband and I have two young children in the district, as well as a time-consuming job and care of our elderly parents. We have admittedly not had the bandwidth to focus on the city proposals for zoning and housing changes, but now that I am seeing some of what is being proposed, I have VERY serious concerns.

Most importantly, I don't think the community is fully aware of what is being proposed — I think we need more time for Piedmont residents, especially families busy with children and careers in this pandemic, to take time to digest all of this. PLEASE do not rush this decision process. I do believe that we need to expand housing in this town, but some of the current proposals are NOT the way to do it.

City Hall and Veteran's Hall should not be converted to low-income housing — we need those structures, both literally for the many uses they provide the community, but also symbolically for what they represent as the center of our town and community. I'm also very concerned about the increase in traffic around our largest elementary school and our middle and two high schools in the center of town. There have already been a lot of traffic and safety concerns for students walking to school — this will only make the center of town busier, more hectic and crowded with cars.

I'm also very concerned about the proposed "transitional home for 6 homeless individuals." Where would this home be located? Are there plans to address the drug use and mental health challenges that are sadly endemic to the homeless community? What is the actual goal of providing housing for only 6 homeless people other than performative liberalism?

I do strongly support the goal to "create additional local housing opportunities for persons employed within Piedmont" — both for a reduction in greenhouse gases from long commutes but also so they are more fully a part of our community.

Coaches' field does in some ways seem like an ideal location for more affordable housing, but again, I worry about significant increased traffic on already busy Moraga. How much is traffic flow being factored into these plans?

The bottom line is that I think we need more time to consider these changes and hear from a larger portion of the community. Please give us the time do so.

Sincerely, Laura Maestrelli

Our family vehemently opposes the proposition below to abolish our limited community parks and replace with housing. Field space is at an absolute premium in Piedmont. As a family of 3 sport-playing children, we are constantly negotiating to get field space/practice time due to the limited capacity of Piedmont fields. Destruction of our valued park space is not family-friendly and will certainly drive families of school age children out. Is it any surprise that Piedmont School enrollment is down when the community does not value parks and recreation for children. Suggestions such as this will send our family, and many other, through the tunnel in search of more family-friendly communities.

Rezone the Corporation Yard and areas around Coaches Field to accommodate 130 housing units. Fifty high density units would be built in the Coaches Filed overflow parking lot and 50 units on the slope below the third base line of the field. If this plan is infeasible, develop 200 high density units in Blair Park. (Appendix B-14)

The Brozowski Schrader family

We are Piedmont residents who live on Waldo Avenue and wanted to provide some comments on certain parts of the proposed Housing Element under consideration by the Planning Commission. We would appreciate it if you could circulate these comments to the full Planning Commission members and appropriate staff.

We recognize that meeting the State's housing requirements will mean increasing housing density in Piedmont but believe this increase in density should be focused primarily on Piedmont's mixed-use areas so that existing Piedmonters' quality of life will not be significantly diminished. These mixed-use areas, such as the city center near City Hall, Veteran's Hall, Piedmont Community Church, the arts center, the tennis courts, and the fire and police department buildings, and Grand Avenue, including the synagogue there, could be converted to mixed housing and commercial/religious use. These areas could readily incorporate mid-rise apartment complexes providing many new housing units, all of which would be in walking distance to schools, transportation, and other services.

Instead, the draft Housing Element, while mentioning these as options, focuses on a proposal to permit construction of 130 housing units on the Corporation Yard and adjoining sites on Moraga Avenue, as well as potentially allowing even more units to be constructed at Blair Park, also on Moraga Avenue. While these are city-owned and generally undeveloped, they are undeveloped for good reasons, all

related to our three main objections to this aspect of the proposal: (1) wildfire risk, (2) traffic and infrastructure issues, and (3) remoteness of the site. We echo comments we have read by our neighbors who live above the Corporation Yard and elsewhere in the Moraga Avenue area.

First, as we understand it, this area is in the part of Piedmont already identified to be at the greatest risk of wildfire. As climate change and drought continue to increase — not decrease — wildfire risk, intentionally building housing in an area of heightened wildfire risk makes no sense. Also, given the traffic issue discussed below, it would also endanger all the families who would live in the proposed units plus those already living in surrounding areas.

Second, Moraga Avenue is a narrow, two-lane road, divided into single lanes in part. Adding 130 or more housing units and families, who would have to rely on Moraga Avenue for their primary egress and ingress, would make Moraga Avenue a bumper-to-bumper traffic zone throughout the day. This would cause major traffic problems not just for those living in the new housing units, but for us and everyone else in Piedmont who rely on Moraga Avenue to get to Highway 13, Montclair, Pleasant Valley, and other areas. Such a development would seriously and negatively impact the quality of life for residents in the entire central Piedmont area who use Moraga Avenue daily. And as noted above, in the event of a wildfire, it would be nearly impossible for families to evacuate the area due to the inadequate traffic infrastructure of the two-lane Moraga Avenue, creating a risk of loss of life.

Third, this area is on the far edge of Piedmont, at considerable distance from the city center, Havens Elementary, PMS, and PHS/MHS, and has no sidewalks or convenient public transportation options. Those factors would work together to isolate the new Piedmont residents we are trying to incorporate into our community, magnify the traffic issues since they would have to drive to get anywhere (including schools), defeat a key goal of the Housing Element, all while creating the major issues raised above.

Finally, while there are benefits from increasing Piedmont housing, there are also costs and burdens to increased housing and density. It is only fair to spread both the benefits and burdens across the entire city as a whole, through adding apartment buildings in the existing mixed-use city center and Grand Avenue areas, and by building more ADUs, duplexes, and similar housing units in all areas of the city. The proposal to place most of the new housing units in just one small area of Piedmont without adequate road and other infrastructure and services is contrary to the equitable goals of this process. It should not be the path Piedmont takes.

Thank you for your consideration of these important issues.

Bob and Barbara Eisenbach

In regards to the proposal: **Establish a transitional home for 6 homeless individuals in a residential neighborhood. Collaborate with a nonprofit affordable housing organization to convert a home or homes to transitional housing for six persons. This would require changing current residential zone restrictions to allow transitional housing throughout the city. (page 74),**

As a physician who started her career working at the Berkeley Free Clinic treating the homeless population, I strongly oppose the proposal of bringing 6 homeless persons into a community with no mental health or chemical dependency treatment facilities. Homeless individuals are not simply 'down on their luck.' The overwhelming majority have chemical dependency and/or mental health disease which brings with it unpredictable behavior. This is NOT compatible with a community where young children play unsupervised at parks. Piedmonters who want to help with the homeless crisis should donate funds towards the proposed homeless projects in the City of Berkeley, esp. the upcoming People's Park project. Berkeley has a hospital, mental health hospital, free health clinics and chemical dependency programs; Piedmont has none of the above.

Piedmont already suffers from a reduction in school enrollment. We now must pull in children from Oakland to reach a sufficient school population because families do not choose to move here. Making neighborhoods and parks unsafe for young children will send more families through the tunnel to find safe parks and streets for children to play in.

As a last comment, several of the Planning Commission current proposals are uber liberal and prioritize low income residents over children, reflective of views of a small segment of voters. The United States has become very polarized and it is frustrating to see Piedmont move so far left as to alienate some residents. Two of my neighbors (both long term residents) recently sold their houses to move out-of-the-area specifically because of Piedmont politics. Changing current residential zoning to allow transitional housing must be put on the ballot. This is not a decision that should be changed by a small group of people, esp. those who apparently have no young children at PUSD who play at our limited, valuable parks.

Yours, Christine Brozowski, M.D.

I am pleased that the City of Piedmont has embraced a plan to create more housing. I participated in one of the Piedmont Housing Element Focus Group interviews in July 2021 and was excited to discuss possible ways to expand affordable, equitable housing opportunities in Piedmont.

I recently tried to participate in the Housing Puzzle Map; however, each time I thought about adding housing on the interactive map I was stumped. I did not understand why only certain locations were selected for housing, including some locations that are occupied, such as the Ace Hardware Store on Grand Ave. or church properties. If Piedmont is to create 587 new housing units, I believe the city needs to create housing throughout the community, in all zones, rather than in just one or two areas, primarily in lower Piedmont or on the borders of the city. Moreover, the city should consider allowing duplexes, triplexes, and small multifamily buildings in single-family zones. Around the corner from our house is a duplex that fits in well with the neighborhood. However, lots sizes in lower Piedmont are small and homes are close together, Allowing more multifamily buildings on the larger lots in upper Piedmont would allow for more options.

I appreciate the difficulties of finding space in an already built-up community for more housing. But if Piedmont spreads the new housing throughout the community in various forms of living arrangements, not only ADUs, but also duplexes, triplexes, and two homes on a large lot, I believe the goal can be achieved.

Alison Kuehner

As we know, Piedmont has a shortage of available land for new housing, but the City does NOT have a shortage of existing homes. So I wonder if you would consider some different, perhaps more creative approaches to finding new housing sites.

The link below is to a recent article in the San Francisco Chronicle that describes how a senior homeowner in Marin is selling her home to a community trust for a steep discount that allows her to stay in her home as long as she lives. When she dies the trust can develop the property or sell it to a developer to create affordable housing.

Why couldn't Piedmont offer a similar kind of program that would provide financial incentives to older homeowners who could stay in their Piedmont homes a few more years with less financial overhead if they agree to sell at a steep discount when they move or die? Perhaps the City could obtain a grant to launch a housing trust that would allow participating homeowners to forego school and/or other local taxes in exchange for reducing the final sale price of their homes.

<https://www.sfchronicle.com/realestate/article/Point-Reyes-home-land-trust-17145987.php>

Another idea: Does Piedmont track, or have an inventory, of unoccupied houses in the City? For example, the house at 637 Moraga Ave. has been unoccupied for 2 years. It was a rental property for many years until the owner passed away. The house has been neglected and appears to be in very poor shape. The property would be an ideal site for a duplex or even a fourplex. Can the City approach the homeowner family to see if they would be willing to sell it to a developer? Perhaps there are other unoccupied Piedmont homes in similar circumstances.

I would appreciate your letting me know if either of these ideas is feasible and worth pursuing.

Thank you for your consideration.

-Marj Blackwell

I am reaching out ahead of the May 12 Special Planning Commission Meeting regarding the Housing Element and by copy of John Tulloch, request this sent to city council member emails.

I appreciate the challenges City Council faces to balance RHNA with our aims for an inclusive community, for support of our current residents, and for our children to experience an education that centers justice, equity, diversity, dignity and inclusion.

And I am concerned with the pace and the current direction of the housing element.

I've been on a parallel track. Just weeks before the murder of George Floyd, I co-founded and launched the J.E.D.I Collaborative (Justice Equity, Diversity, Inclusion), an industry wide DEI platform for food and CPG products. I launched this on the heels of launching a highly successful Climate Collaborative which has thousands of food companies engaged. I am passionate about the work because justice, equity, dignity and inclusion are at the center of every issue we face, including the climate crisis.

And launching the JEDI Collaborative has taken a toll on our core community. When the BLM movement grew, we reacted to the call from our industry to come up with a lot of answers and solutions quickly. Rushed solutions about complex issues guided in reaction to a vocal few is a recipe for big missteps.

The biggest learning I've had is that you cannot force or rush this kind of Equity work without significant harm to the core community as well as the folks we are trying to serve (in this case lower income people of all identities). And rush does not mean to make a decision and then say we have 10 years to implement the decision. Rush means to rush through a proposal that the core community has barely noticed and does not include folks of marginalized backgrounds in the decision making process. I am worried after reading the basics of this proposal.

Many "woke " privileged folks get highly activated to "lead" change that is not for them to lead and it does more damage than good. The best advice from DEI experts across the country I have consulted is "Slow Down." Our country is built on the back of slave labor and stolen land...and this kind of reparation does not take years to achieve, it takes decades. It takes decades because to do it right, it needs extreme consideration, education, and checking all egos at the door.

While I do not know most of the players, I do not doubt the good intentions of every person at the table. BUT diversity of perspective is the biggest asset we have. That is what informs the best decisions and most successful outcomes. ***And right now, it seems that a vocal few organized special interest groups are making a lot of demands while we are moving through a rushed process.*** When only a vocal few are represented...then we are feeding egos rather than making fair, considerate, or informed decisions about the values of the community perspective and interest at large.

Yes...we have a housing element and 587 new homes to identify in a very small area. How much of the community have we heard from beyond a couple of organizations? I realize that the city council has worked hard to elevate this issue, and people are nervous to comment on something they do not fully understand. Particularly when many folks still participate in a call out versus call in culture. This is a time to listen to new voices and give every voice the dignity it deserves...not just a vocal few.

There are many options out there. What do people in low income neighborhoods want from a life in Piedmont? Their answers may be different than we assume. What does our community want? What do our teachers want? What is the best experience for our students? Do we want to put up high rises in the center of town or create more integrative opportunities across and throughout Piedmont?

I am hearing a lot about the housing element but not a lot about the vision for Piedmont. I'd like to hear that before making a decision on where to put hundreds of new units. Are the schools still going to be the center of our community or are we reimagining our community?

I request that we conduct studies and come up with thoughtful paced solutions. I understand that some studies have been done...but we have not truly heard from a broad cross section of Piedmont or of folks outside of Piedmont who need affordable houses.

I appreciate your consideration

In Community, *Lara Dickinson*

Please extend the review time for the proposed Piedmont Housing Element to the end of this year. This 300+ page proposal, updated April 2022 mandates significant changes to the inclusion of 587 housing elements into the City of Piedmont. The consequences of the policies and programs in the proposal have not had enough exposure with the residents of this community nor have they been fully vetted. Given the limited detail provided in the plan, it is not possible to fully comprehend these consequences. The community review time should be extended to the end of this year - it is not due to the State until 2023. Please organize city meetings that are well advertised (and not just banners on Highland) so that those of us here in Piedmont are part of the process, our concerns heard, further details behind the proposed build-outs are addressed and the impact on the community further addressed - before approving this plan! Sixty days is hardly enough.

Pam Hirtzer

RESOLUTION No. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PIEDMONT
RECOMMENDING THAT THE CITY COUNCIL
AUTHORIZE STAFF TO SEND THE DRAFT HOUSING ELEMENT TO
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

WHEREAS, enacted in 1969, the State of California housing element law, as set forth in Government Code §§ 65302 and 65580, et seq., requires all cities and counties in California to prepare detailed plans to meet the housing needs of everyone in the community, and requires cities and counties to obtain California Department of Housing and Community Development (CA HCD) certification of each Housing Element; and

WHEREAS, Piedmont's prior Housing Element was last certified by CA HCD in 2014, and Government Code section 65588 requires local agencies to update their housing element at least every eight years; and

WHEREAS, in February 2021, the City Council established a Housing Advisory Committee to provide feedback on fair housing issues and on the conduct of the next Housing Element update; and

WHEREAS, the Association of Bay Area Governments (ABAG) adopted a final methodology and Regional Housing Needs Allocation (RHNA) for every local government in the Bay Area Region in May 2021, and the RHNA assigned to Piedmont was 587 new housing units across various income categories; and

WHEREAS, on May 3, 2021, the City Council approved a contract with Lisa Wise Consulting, Inc. (LWC), to prepare the next Housing Element update in conformance with State of California 6th housing element cycle requirements, and in July 2021, LWC representatives began stakeholder interviews; and

WHEREAS, the City has undertaken an innovative and robust public engagement process, using a wide variety of media and formats, in support of the Housing Element update process; and

WHEREAS, in March 2021, City of Piedmont launched a citywide Fair Housing Community Survey, a citywide postcard mailing, an interactive pinnable mapping tool on Social Pinpoint software, and Piedmontishome.org, a fair housing website and clearinghouse for Housing Element information, updates, and resources for community members; and

WHEREAS, in September 2021, the Planning Commission and the Housing Advisory Committee held a joint meeting to receive information about the requirements for Housing Elements and fair housing law, in September 2021, City decision-makers and staff participated in person at Piedmont community events to increase public awareness of the Housing Element process, and City staff hosted the Housing Element Community Workshop #1 on December 2, 2021, at which 80 people attended; and

WHEREAS, public engagement continued in 2022, as follows: in March 2022, the City installed 30 publicity banners for the Housing Element update on Grand Avenue, Highland Avenue, and Moraga Avenue with Piedmontishome.org website information and text inviting the broader Piedmont community to participate in the Housing Element update; and a few days later, the City hosted the second Housing Element Community Workshop #2, at which the City launched the web-based Piedmont Housing Puzzle, a community planning tool with opportunities to comment on potential sites and allocate the RHNA housing units to selected sites and at various residential densities, and at which 73 people attended; and

WHEREAS, public engagement conducted for the Housing Element update has included regular news stories in local media, email newsletters to over 4,000 email subscribers, emails to the School District employees and City employees (Piedmont's largest employers), correspondence with Piedmont religious institutions, meetings with property owners in Zones A, B, C, and D, regular updates at public meetings of the Planning Commission, and posters at local businesses; and

WHEREAS, on April 8, 2022, the Draft 6th Cycle Piedmont Housing Element (Draft Housing Element) was published to the City of Piedmont homepage and the City's housing website, Piedmontishome.org; and

WHEREAS, on March 15 and April 19, 2022, the Housing Advisory Committee met to consider the progress of the Draft Housing Element; and

WHEREAS, on May 4, 2022, City staff and the consultant team presented the Draft Housing Element at a regular meeting of the Park Commission; and

WHEREAS, due to the physical changes anticipated by the City's draft new housing policies and programs planned in the Draft Housing Element in order to satisfy the Regional Housing Needs Allocation (RHNA) of 587 new housing units by 2031, as determined by the Association of Bay Area Governments (ABAG), the City has begun the preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) that will study comprehensive potential environmental impacts of the Draft Housing Element; and

WHEREAS, the Planning Commission considered the Draft Housing Element at a special meeting on May 12, 2022, received a report by staff and the consultant team, and received verbal public comment from ___ members of the Piedmont community, and, after reviewing the report, presentation, and any and all testimony and documentation submitted in connection with public comment, the Piedmont Planning Commission finds:

1. The public engagement conducted for the Draft Housing Element has successfully reached all segments of the Piedmont community, including residents in affected neighborhoods and people working, attending school, and visiting Piedmont from other areas.
2. The Draft Housing Element presents a reasonable and equitable approach to work with the private sector to enable the construction of new housing to meet the Regional Housing Needs Allocation of 587 new housing units in all income categories.

3. The Draft Housing Element presents a thoughtful and careful consideration of the potential obstacles to growth in Piedmont and presents new policies and programs to remove or reduce these obstacles.
4. The Draft Housing Element utilizes a sufficient realistic capacity for growth projections by using an 80% cap on projected growth, resulting from Draft Housing Element policies and programs, and by including a 12% buffer of surplus units above the RHNA of 587 housing units (71 housing units).
5. The Draft Housing Element affirmatively furthers fair housing by providing sites, policies, and programs that assure households of all incomes and social and racial backgrounds have access to high resources areas, economic and educational opportunities, and areas with low exposure to environmental hazards.
6. As outlined in the staff report and presentation, the Draft Housing Element complies with housing element law, as set forth in Government Code §§ 65302 and 65580, et seq.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Piedmont does hereby resolve, declare, determine, and order as follows:

SECTION 1. The Piedmont Planning Commission incorporates the findings set forth in this Resolution and recommends that the City Council authorize staff to transmit the Draft Housing Element with the revisions delineated in Section 2 of this resolution to the California Department of Housing and Community Development for its review.

SECTION 2. The Planning Commission recommends that the City Council incorporate the following revisions into the Draft Housing Element prior to its transmission to CA HCD as follows:

1. As described on pages B-4 and B-5 of Appendix B of the Draft Housing Element, the new residence proposed for 139 Lexford Road will not be included in the category of pipeline projects and instead will be included in the vacant land inventory due to the expiration of the building permit for the prior approved residence.
2. Table B-9: Draft 6th Cycle Housing Element Sites Inventory by Income Category on page B-21 of Appendix B of the Draft Housing Element shall be revised to correctly identify a proposed maximum density of 60 dwelling units per acre for 801 Magnolia Avenue as this site is in Zone B. The resulting maximum capacity is 18 moderate-income dwelling units with a realistic capacity of 13 moderate-income dwelling units.
3. The description of properties included in the sites inventory for the low and very low income category, as described in part B.2.5, page B-8 of Appendix B of the Draft Housing Element shall be revised to read as follows (change shown in bolded and underlined font),
“B.2.5 Suitability of Nonvacant Sites

Since residential land in Piedmont is generally built out, the sites inventory includes nonvacant sites. Nonvacant sites are relied on to accommodate more than 50 percent of the City's lower income RHNA. Therefore, the City conducted an analysis to determine if substantial evidence exists to support the premise that housing can be accommodated on these sites and/or existing uses on these sites will be discontinued during the planning period (2023-2031). Nonvacant parcels primarily include **relatively large properties (over 0.5 acres) irrespective of current use**, underutilized sites with surface parking and commercial buildings where the existing uses are of marginal economic viability, or the structures are at or near the end of their useful life. Screening for potential sites considered market conditions and recent development trends throughout the Bay Area and the State and utilized conservative assumptions in projecting units well below observed densities for residential and mixed-use projects."

4. The Regional Resources information on page 24 of the Draft Housing Element will be revised to read as follows (changes shown in bold and underlined font):

"Regional Resources - Alameda County

• **Measure A1:** Measure A1 is a **low-interest loan** program funded through a countywide parcel tax and administered by the Alameda County Department of Housing and Community Development (Alameda HCD). In 2016, Alameda County residents voted to adopt Measure A1, a \$580 million property tax revenue bond for affordable housing. The City's Measure A-1 allocation (\$2.2 million) project application was originally set to be approved by the County of Alameda by December 31, 2021, with the funds be spent within 5 years after the application is approved. City staff have received an extension of the application deadline to December 2022, and are requesting a second extension in **June 2022.**"

5. The description of sustainability programs on page 32 of the Draft Housing Element shall be revised to read as follows (change shown in bolded and underlined font)

"An implementing policy of CAP 2.0 is to monitor effectiveness of policies on greenhouse gas (GHG) emissions. The GHG inventory was last updated in 2021. Piedmont's municipal and residential accounts were enrolled into EBCE's 100% renewable energy plan in November of 2018. The City and its residents being enrolled into a 100% renewable energy plan helps to reduce GHGs emissions the City produces; therefore, making significant steps towards reaching the CAP 2.0 objectives. The City of Piedmont has adopted Reach Codes which require all new **detached** dwelling units to be electric and requires energy improvements at certain building permit cost and size thresholds. Other conservation programs available on a regional, State, and federal level are described below."

6. The description of program 1.J, SB 9 Facilitation Amendments, on page 40 of the Draft Housing Element shall be revised to read as follows (change shown in bolded and underlined font):

"1.J SB 9 Facilitation Amendments

Senate Bill (SB) 9, adopted in 2021, requires proposed housing developments containing no more than two residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain criteria. SB 9 also requires local agencies to ministerially approve a parcel map for an urban lot split subject to certain criteria. **The goals of the City's program to implement SB 9 are to encourage duplexes, triplexes, and fourplexes in single-family zoning districts like Piedmont's Zone A and Zone E."**

7. **New Housing Program 1.Q – Density Bonus Ordinance. Consider development of a local density bonus ordinance that is inclusive of State of California density bonus incentives and considers local goals for affordable housing above the minimum requirements of State density bonus law.**

SECTION 3. All portions of this resolution are severable. If an individual component of this Resolution is adjudged by a court to be invalid and unenforceable, then the remaining portions will continue in effect.

[END OF RESOLUTION]