

PLANNING COMMISSION RESOLUTION NUMBER #19-22

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UNION CITY
RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN
AMENDMENT, AG-22-003, ASSOCIATED WITH DRAFT 2023-2031 HOUSING
ELEMENT**

WHEREAS, by Resolution No. 5549-19, duly adopted by the City Council of Union City on December 10, 2019, there was adopted documents consisting of text, maps, and charts, entitled Union City 2040 General Plan, dated December 10, 2019, which included the reports in support thereof as the General Plan of Union City; and

WHEREAS, the Housing Element is a mandatory element of the General Plan required to be updated every eight years; and

WHEREAS, the State of California Government Code Section 65588 requires the review and adoption of a Housing Element that may be updated according to the Association of Bay Area Governments Regional Housing Needs Assessment ("RHNA") planning cycle; and

WHEREAS, the City is required to report to the State Department of Housing and Community Development ("HCD") on how the RHNA can be accommodated within the planning period; and

WHEREAS, the City has prepared a draft 2023-2031 Union City Housing Element ("Draft Housing Element") for the sixth cycle planning period; and

WHEREAS, the Draft Housing Element evaluates housing needs and issues in the City for all income levels, and contains goals, policies, objectives, implementation programs, and an inventory of opportunity sites; and

WHEREAS, amendments to the General Plan, Zoning Ordinance, and Zoning Map are required to be adopted in advance of certification of the Housing Element in order for the City to accommodate its RHNA by January 31, 2023 of 2,728 housing units, including 1,358 lower-income units; and

WHEREAS, amendments to the General Plan (AG-22-003) are proposed for consistency with the Draft Housing Element and include the following components:

- Land Use Element: amending Figure LU-1, removing a reference to Program SA-7A, and removing Policy LU-5.9
- Special Areas Element: amending Figure SA-1, amending Figure SA-7.1, amending Policy SA-7.3, removing Program SA-7.A, amending Figure SA-11.1, and amending Figure SA-11.2
- Economic Development Element: modifications to Policy ED-1.4 and Program ED-1.B; and

WHEREAS, amendments to Title 18, Zoning, (AT-22-006) are proposed, for consistency with the Draft Housing Element; and

WHEREAS, amendments to the Zoning Map (A-22-003) are proposed for consistency with the Draft Housing Element; and

WHEREAS, the City circulated the Draft Housing Element for a 30-day public review period from June 13, 2022 to July 13, 2022 in compliance with State of California Government Code Section 65583. The Draft Housing Element was available for review on the City's website; and

WHEREAS, the Planning Commission reviewed a Staff Report dated July 7, 2022 and the Draft Housing Element and amendments, prior to initial submittal to HCD, at a noticed meeting on June 7, 2022 during the 30-day comment period; and

WHEREAS, the public and the Planning Commission had the opportunity to present written and oral comments on the Draft Housing Element and amendments; and

WHEREAS, the Draft 2023-2031 Housing Element was revised and posted on the City's website on July 28, 2022 and submitted to HCD for a 90-day review period; and

WHEREAS, the General Plan amendments are shown Exhibit A and B, attached hereto and made part hereof; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Addendum to the 2040 General Plan was prepared for the Draft Housing Element amendments; and

WHEREAS, pursuant to Section 65854 of the Government Code, the Planning Commission held a duly noticed public hearing on the Project on October 20, 2022 at which time all interested parties had the opportunity to be heard. The Planning Commission considered the Draft Housing Element amendments and EIR Addendum, a staff report dated October 20, 2022, and all written and oral testimony; and

WHEREAS, a staff report, dated October 20, 2022 and incorporated herein by reference, described and analyzed the Draft Housing Element amendments and EIR Addendum for the Planning Commission; and

WHEREAS, the Planning Commission adopted Resolution No. 18-22 recommending that the City Council Adopt an Addendum to the General Plan Environmental Impact Report

NOW, THEREFORE, BE IT RESOLVED, that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Union City hereby recommends to the City Council adopt a resolution approving General Plan Amendment, AG-22-003, to amend the General Plan as contained in Exhibit A and B and does hereby find as follows:

1. Pursuant to Government Code Section 65358(a), that the proposed General Plan Amendment is in the public interest because the amendment will further the goals and policies of the General Plan to promote a mix of housing types and affordability throughout the city that meets the needs of existing and future residents, and include a mix of housing types within neighborhoods to promote a diversity of household types and housing choices for residents of all ages and income levels.

I HEREBY CERTIFY that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission of the City of Union City held on October 20, 2022 by the following vote:

AYES: MANN, LEW, SAKAKIHARA, AGBUYA

NOTES:

ABSTAINED:

ABSENT:

MOVED: SAKAKIHARA

SECONDED: AGBUYA

APPROVED

DocuSigned by:

Harpal Mann

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HARPAL MANN, CHAIRPERSON

ATTEST:

DocuSigned by:

Carmela Campbell

6BAC25912775466

CARMELA CAMPBELL, SECRETARY

PLANNING COMMISSION RESOLUTION NUMBER #20-22

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UNION CITY
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONING TEXT
AMENDMENT (AT-22-006) TO UPDATE TITLE 18, ZONING, FOR CONSISTENCY
WITH THE 2023-2031 DRAFT HOUSING ELEMENT INCLUDING CREATION OF
CHAPTER 18.27 AND RELATED MISCELLANEOUS UPDATES TO CHAPTERS
18.35 and 18.36**

WHEREAS, by Resolution No. 5549-19, duly adopted by the City Council of Union City on December 10, 2019, there was adopted documents consisting of text, maps, and charts, entitled Union City 2040 General Plan, dated December 10, 2019, which included the reports in support thereof as the General Plan of Union City; and

WHEREAS, the Housing Element is a mandatory element of the General Plan required to be updated every eight years; and

WHEREAS, the State of California Government Code Section 65588 requires the review and adoption of a Housing Element that may be updated according to the Association of Bay Area Governments Regional Housing Needs Assessment ("RHNA") planning cycle; and

WHEREAS, the City is required to report to the State Department of Housing and Community Development ("HCD") on how the RHNA can be accommodated within the planning period; and

WHEREAS, the City has prepared a draft 2023-2031 Union City Housing Element ("Draft Housing Element") for the sixth cycle planning period; and

WHEREAS, the Draft Housing Element evaluates housing needs and issues in the City for all income levels, and contains goals, policies, objectives, implementation programs, and an inventory of opportunity sites; and

WHEREAS, amendments to the General Plan, Zoning Ordinance, and Zoning Map are required to be adopted in advance of certification of the Housing Element in order for the City to accommodate its RHNA by January 31, 2023 of 2,728 housing units, including 1,358 lower-income units; and

WHEREAS, amendments to the General Plan (AG-22-003) are proposed for consistency with the Draft Housing Element; and

WHEREAS, amendments to the Zoning Map (A-22-003) are proposed for consistency with the Draft Housing Element; and

WHEREAS, Zoning Text Amendment, AT-22-006, updates the Zoning Ordinance for consistency with the Draft Housing Element and includes the following components:

- Addition of Chapter 18.26, Village Mixed Use Zoning District

- Miscellaneous updates to Chapters 18.35 and 18.36 for consistency with the General Plan and Draft Housing Element programs and policies; and

WHEREAS, the City circulated the Draft Housing Element for a 30-day public review period from June 13, 2022 to July 13, 2022 in compliance with State of California Government Code Section 65583. The Draft Housing Element was available for review on the City's website; and

WHEREAS, the Planning Commission reviewed a Staff Report dated July 7, 2022 and the Draft Housing Element and amendments, prior to initial submittal to HCD, at a noticed meeting on June 7, 2022 during the 30-day comment period; and

WHEREAS, the public and the Planning Commission had the opportunity to present written and oral comments on the Draft Housing Element and amendments; and

WHEREAS, the Draft 2023-2031 Housing Element was revised and posted on the City's website on July 28, 2022 and submitted to HCD for a 90-day review period; and

WHEREAS, the Zoning text amendments are labeled Exhibit A and B (Redlined), attached hereto and made part hereof; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Addendum to the 2040 General Plan was prepared for the Draft Housing Element amendments; and

WHEREAS, pursuant to Section 65854 of the Government Code, the Planning Commission held a duly noticed public hearing on the Project on October 20, 2022 at which time all interested parties had the opportunity to be heard. The Planning Commission considered the Draft Housing Element amendments and EIR Addendum, a staff report dated October 20, 2022, and all written and oral testimony; and

WHEREAS, a staff report, dated October 20, 2022 and incorporated herein by reference, described and analyzed the Draft Housing Element amendments and EIR Addendum for the Planning Commission; and

WHEREAS, the Planning Commission adopted Resolution No. 18-22 recommending that the City Council Adopt an Addendum to the General Plan Environmental Impact Report

NOW, THEREFORE, BE IT RESOLVED, that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Union City hereby recommends to the City Council to adopt an ordinance approving Zoning Text Amendment AT-22-006 and does hereby find as follows:

1. **That the proposed Zoning text amendment should be granted** to ensure consistency with State law which requires consistency between the General Plan, Housing Element, and Zoning Ordinance and to provide housing opportunity for all income levels.
2. **That the proposed Zoning text amendment is consistent with the General Plan** because the proposed amendment replaces an existing zoning district, Specialty Commercial (CS) in Chapter 18.32 (Commercial Districts), with a new zoning district, Chapter 18.27, Village Mixed Use (VMU), to align with the General Plan and updates existing zoning districts to implement the vision, goals and policies of the Housing Element and General Plan, as amended, to facilitate the development of projects that mix housing, commercial, or employment uses to enable residents to live close to businesses and employment and continue to provide opportunities for a variety of housing types at varying densities and affordability levels.
3. **That the proposed Zoning text amendment is necessary and desirable to achieve the purpose of Title 18** because the amendments will facilitate development opportunities for housing at multiple income levels, which aligns with the purpose to encourage the provision of a variety of housing types and prices to meet the needs of all economic segments of the City and fix reasonable standards to which buildings and building additions shall conform.

I HEREBY CERTIFY that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission of the City of Union City held on October 20, 2022 by the following vote:

AYES: MANN, LEW, SAKAKIHARA, AGBUYA

NOTES:

ABSTAINED:

ABSENT:

MOVED: SAKAKIHARA

SECONDED: AGBUYA

APPROVED

DocuSigned by:

Harpal Mann

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HARPAL MANN, CHAIRPERSON

ATTEST:

DocuSigned by:

Carmela Campbell

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CARMELA CAMPBELL, SECRETARY

PLANNING COMMISSION RESOLUTION NUMBER #21-22

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UNION CITY
RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF UNION CITY
APPROVE ZONING MAP AMENDMENT (A-22-003) TO UPDATE THE ZONING MAP
FOR CONSISTENCY WITH THE DRAFT 2023-2031 HOUSING ELEMENT**

WHEREAS, by Resolution No. 5549-19, duly adopted by the City Council of Union City on December 10, 2019, there was adopted documents consisting of text, maps, and charts, entitled Union City 2040 General Plan, dated December 10, 2019, which included the reports in support thereof as the General Plan of Union City; and

WHEREAS, the Housing Element is a mandatory element of the General Plan required to be updated every eight years; and

WHEREAS, the State of California Government Code Section 65588 requires the review and adoption of a Housing Element that may be updated according to the Association of Bay Area Governments Regional Housing Needs Assessment ("RHNA") planning cycle; and

WHEREAS, the City is required to report to the State Department of Housing and Community Development ("HCD") on how the RHNA can be accommodated within the planning period; and

WHEREAS, the City has prepared a draft 2023-2031 Union City Housing Element ("Draft Housing Element") for the sixth cycle planning period; and

WHEREAS, the Draft Housing Element evaluates housing needs and issues in the City for all income levels, and contains goals, policies, objectives, implementation programs, and an inventory of opportunity sites; and

WHEREAS, amendments to the General Plan, Zoning Ordinance, and Zoning Map are required to be adopted in advance of certification of the Housing Element in order for the City to accommodate its RHNA by January 31, 2023 of 2,728 housing units, including 1,358 lower-income units; and

WHEREAS, amendments to the General Plan (AG-22-003) are proposed for consistency with the Draft Housing Element; and

WHEREAS, amendments to Title 18, Zoning (AT-22-006) are proposed for consistency with the Draft Housing Element; and

WHEREAS, Zoning Map Amendment, A-22-003, updates the Zoning Ordinance for consistency with the Draft Housing Element and includes the following components:

- Rezoning APNs 475-141-13-2, 475-141-2, 87-36-148, and 87-36-149 from Neighborhood Commercial (CN) to Corridor Mixed Use (CMU)

- Rezoning APNs 486-18-59, 486-18-60, 486-18-61, 486-18-62, 486-18-63, 486-18-64, 486-18-65-2, 486-18-69, and 486-18-71 from Neighborhood Commercial (CN) to RM 1500
- Rezoning APN 486-18-70 from R 5000 to RM 1500
- Rezoning APN 486-6-30 from Community Commercial (CC) to Corridor Mixed Use (CMU)
- Rezoning APN 483-10-12-1 from RS 6000 to RM 2500
- Rezoning APNs 483-10-22-3, 483-10-21-1, 483-10-20, and 483-10-19-1 and all other parcels currently zoned Specialty Commercial (CS) to Village Mixed-Use (VMU)
- Rezoning APN 482-27-16-1 from Light Industrial (ML) to RM 1500
- Rezoning APNs 483-5-11-2, 483-5-12, 483-5-9-2, 483-5-10, 483-5-7-7, and 483-5-8-1 from Special Industrial (MS) to Village Mixed-Use (VMU)

WHEREAS, the City circulated the Draft Housing Element for a 30-day public review period from June 13, 2022 to July 13, 2022 in compliance with State of California Government Code Section 65583. The Draft Housing Element was available for review on the City's website; and

WHEREAS, the Planning Commission reviewed a Staff Report dated July 7, 2022 and the Draft Housing Element and amendments, prior to initial submittal to HCD, at a noticed meeting on June 7, 2022 during the 30-day comment period; and

WHEREAS, the public and the Planning Commission had the opportunity to present written and oral comments on the Draft Housing Element and amendments; and

WHEREAS, the Draft 2023-2031 Housing Element was revised and posted on the City's website on July 28, 2022 and submitted to HCD for a 90-day review period; and

WHEREAS, the proposed Zoning Map Amendment is shown in Exhibit A, attached hereto and made part hereof; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Addendum to the 2040 General Plan was prepared for the Draft Housing Element amendments; and

WHEREAS, pursuant to Section 65854 of the Government Code, the Planning Commission held a duly noticed public hearing on the Project on October 20, 2022 at which time all interested parties had the opportunity to be heard. The Planning Commission considered the Draft Housing Element amendments and EIR Addendum, a staff report dated October 20, 2022, and all written and oral testimony; and

WHEREAS, a staff report, dated October 20, 2022 and incorporated herein by reference, described and analyzed the Draft Housing Element amendments and EIR Addendum for the Planning Commission; and

WHEREAS, the Planning Commission adopted Resolution No. 18-22 recommending that the City Council Adopt an Addendum to the General Plan Environmental Impact Report

NOW, THEREFORE, BE IT RESOLVED, that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Union City hereby recommends the City Council adopt an ordinance approving Zoning Map Amendment A-22-003 and does hereby find as follows:

1. **That the proposed Zoning map amendment should be granted** to ensure consistency with State law which requires consistency between a jurisdiction's General Plan, Housing Element, and Zoning Ordinance.
2. **That the proposed Zoning map amendment is consistent with the General Plan.** The proposed map amendment replaces an existing zoning district, Specialty Commercial (CS), with a new zoning district, Village Mixed Use (VMU), to align with the General Plan land uses, and applies existing zoning districts to new parcels to implement the vision, goals and policies of the General Plan and Housing Element.
3. **That the proposed Zoning map amendment is necessary and desirable to achieve the purpose of Title 18** because the amendment will encourage the provision of a variety of housing types and prices to meet the needs of all economic segments of the City and fix reasonable standards to which buildings and building additions shall conform.

I HEREBY CERTIFY that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission of the City of Union City held on October 20, 2022 by the following vote:

AYES: MANN, LEW, SAKAKIHARA, AGBUYA

NOTES:

ABSTAINED:

ABSENT:

MOVED: SAKAKIHARA

SECONDED: AGBUYA

APPROVED

DocuSigned by:

Harpal Mann

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HARPAL MANN, CHAIRPERSON

ATTEST:

DocuSigned by:

Carmela Campbell

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CARMELA CAMPBELL, SECRETARY

PLANNING COMMISSION RESOLUTION NUMBER #18-22

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UNION CITY RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ADDENDUM TO THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT

WHEREAS, by Resolution No. 5549-19, duly adopted by the City Council of Union City on December 10, 2019, there was adopted documents consisting of text, maps, and charts, entitled Union City 2040 General Plan, dated December 10, 2019, which included the reports in support thereof as the General Plan of Union City; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, an Environmental Impact Report (EIR) (State Clearinghouse No. 2018102057) for the 2040 General Plan was prepared and certified by the City in November 2019;

WHEREAS, the Housing Element is a mandatory element of the General Plan required to be updated every eight years; and

WHEREAS, the State of California Government Code Section 65588 requires the review and adoption of a Housing Element that may be updated according to the Association of Bay Area Governments Regional Housing Needs Assessment ("RHNA") planning cycle; and

WHEREAS, the City is required to report to the State Department of Housing and Community Development ("HCD") on how the RHNA can be accommodated within the planning period; and

WHEREAS, the City has prepared a draft 2023-2031 Union City Housing Element ("Draft Housing Element") for the sixth cycle planning period; and

WHEREAS, the Draft Housing Element evaluates housing needs and issues in the City for all income levels, and contains goals, policies, objectives, implementation programs, and an inventory of opportunity sites; and

WHEREAS, amendments to the General Plan, Zoning Ordinance, and Zoning Map are required to be adopted in advance of certification of the Housing Element in order for the City to accommodate its RHNA by January 31, 2023 of 2,728 housing units, including 1,358 lower-income units; and

WHEREAS, amendments to the General Plan (AG-22-003) are proposed for consistency with the Draft Housing Element; and

WHEREAS, amendments to Title 18, Zoning, (AT-22-006) are proposed, for consistency with the Draft Housing Element; and

WHEREAS, amendments to the Zoning Map (A-22-003) are proposed for consistency with the Draft Housing Element; and

WHEREAS, the City circulated the Draft Housing Element for a 30-day public review period from June 13, 2022 to July 13, 2022 in compliance with State of California Government Code Section 65583. The Draft Housing Element was available for review on the City's website; and

WHEREAS, the Planning Commission reviewed a Staff Report dated July 7, 2022 and the Draft Housing Element and amendments, prior to initial submittal to HCD, at a noticed meeting on June 7, 2022 during the 30-day comment period; and

WHEREAS, the public and the Planning Commission had the opportunity to present written and oral comments on the Draft Housing Element and amendments; and

WHEREAS, the Draft 2023-2031 Housing Element was revised and posted on the City's website on July 28, 2022 and submitted to HCD for a 90-day review period; and

WHEREAS, Section 15164 of the CEQA Guidelines provides that an addendum to a previously adopted environmental impact report or mitigated negative declaration may be prepared if only minor technical changes or additions to the project are necessary or none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent environmental impact report or negative declaration have occurred; and

WHEREAS, the City has prepared an Addendum to the 2040 General Plan EIR for the draft Housing Element amendments ("Addendum"), which determined that none of the conditions described in CEQA Guidelines section 15162 will occur; and

WHEREAS, the Addendum was posted to the City's website and referenced in the public notice for the October 20, 2022 Planning Commission public hearing; and

WHEREAS, a staff report, dated October 20, 2022 and incorporated herein by reference, described and analyzed the Draft Housing Element amendments and Addendum for the Planning Commission; and

WHEREAS, pursuant to Section 65854 of the Government Code, the Planning Commission reviewed the staff report, and the Addendum at a noticed public hearing on October 20, 2022 at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Addendum, reflects the City's independent judgment and analysis on the potential for environmental impacts; and

WHEREAS, none of the conditions requiring preparation of a subsequent EIR or

negative declaration have occurred, and that the changes that are part of the Draft Housing Element amendments identified in the Addendum would not result in any significant impacts not considered under the original 2040 General Plan EIR; and

WHEREAS the Addendum is available for review on the City's website at <https://www.unioncity.org/347/Planning-Documents>, and at the Economic and Community Development Department at City Hall during normal business hours. The location and custodian of the Addendum and other documents that constitute the record of proceedings for Draft Housing Element amendments is the City of Union City Economic and Community Development Department, 34009 Alvarado-Niles Road, Union City, CA 94587.

NOW, THEREFORE, BE IT RESOLVED, that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Union City hereby recommends the City Council adopt an Addendum to the 2040 General Plan Environmental Impact Report in compliance with CEQA and the CEQA Guidelines and does hereby find as follows

- A. The Planning Commission has reviewed and considered the Addendum to the 2040 General Plan Final Environmental Impact Report and finds that none of the conditions requiring preparation of a subsequent EIR or negative declaration have occurred, and that the changes that are part of the project would not result in any significant impacts not considered under the original EIR.
- B. The Addendum to the 2040 General Plan Final Environmental Impact Report is the appropriate CEQA document for the project and has been prepared in compliance with CEQA and the CEQA Guidelines. The Addendum has been prepared as required by law and the document reflects the independent judgement and analysis of the City of Union City, which has exercised overall control and direction of its preparation.

I HEREBY CERTIFY that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission of the City of Union City held on October 20, 2022 by the following vote:

AYES: MANN, LEW, SAKAKIHARA, AGBUYA

NOES:

ABSTAINED:

ABSENT:

MOVED: SAKAKIHARA

SECONDED: AGBUYA

APPROVED

DocuSigned by:

Harpal Mann

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HARPAL MANN, CHAIRPERSON

ATTEST:

DocuSigned by:

Carmela Campbell

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CARMELA CAMPBELL, SECRETARY