



Agenda Item

DATE: MARCH 2, 2023
TO: PLANNING COMMISSION
FROM: CARMELA CAMPBELL, ECONOMIC, AND COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: 2022 GENERAL PLAN AND HOUSING ANNUAL PROGRESS REPORT UPDATE

Staff is requesting that the Planning Commission recommend the City Council accept the attached annual report on the progress of the implementation of the General Plan, Exhibit A, and the annual Housing Element Annual Progress Report, Exhibit B, and submit to the Office of Planning and Research (OPR) and the State Housing and Community Development (HCD).

California Government Code Section 65400(a)(2) requires that the General Plan Annual Progress Report and the Housing Element Annual Progress Report must be submitted by April 1 of each year to the State Office of Planning and Research and the State Department of Housing and Community Development.

I. BACKGROUND

California Government Code Section 65300 requires each city and county to adopt a general plan for the physical development of the jurisdiction. On December 10, 2019, the City Council adopted the Union City 2040 General Plan. The housing element, a plan to meet the existing and projected housing needs, is one of several mandated elements of a general plan. The City's 2015-2023 Housing Element was adopted January 27, 2015. California Government Code §65400 (a) (2) requires that the local planning agency provide an annual progress report on the General Plan and the annual Housing Element to the legislative body, which is the City of Union City's City Council. Staff is also bringing the documents to the Planning Commission for their review.

California Government Code Section 65400 mandates local agencies to:

“Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan...so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.”

The same Government Code section requires local agencies to:

“Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes...the progress in meeting its share of regional housing needs...and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing.”

The Union City’s 2040 General Plan Annual Progress Report (Exhibit A) includes the following required elements:

- A. The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan;
- B. An overview of the City’s General Plan status and progress;
- C. A summary of recently completed and active General Plan and Development Code amendments;
- D. The progress of the city or county in adopting or amending its general plan or local open-space element in compliance with its obligations to consult with California Native American tribes.

The Housing Element Annual Progress Report (Exhibit B) includes the progress in meeting its share of regional housing needs and is prepared using standards, forms, and definitions adopted by the Department of Housing and Community Development.

II. DISCUSSION

Staff has developed the General Plan and Housing Element APRs summarizing the City's activities for 2022, which address progress toward meeting programs and goals of the 2040 General Plan and the 2015-2023 Housing Element. After review and acceptance by the City Council, each report is required to be submitted to OPR and HCD by April 1 of each year. The General Plan Annual Progress Report, included as Exhibit A, includes each implementation program as listed in Chapter 10, "Specific Implementation Programs" of the 2040 General Plan. The Housing Element Annual Progress Report, included as Exhibit B, comprises progress of the 2015-2023 Housing Element for 2022 as required by HCD's RHNA reporting requirement.

The contents of the reports are briefly summarized in sections A through C below.

A. General Plan Annual Report

Consistency with State General Plan Guidelines

The 2040 General Plan, adopted in 2019, was prepared in compliance with the State's General Plan Guidelines (Government Code 65040.2). The General Plan APR describes how the updated General Plan complies with the guidelines by laying out a plan for the physical development of the city and any land outside its boundaries that bears relation to its planning" (California Government Code Section 65300). The Background section describes the process of shaping the 2040 General Plan and the implementation programs to guide the plan's goals.

Government Code section 65302 requires general plans to include 7 elements which are listed below along with the corresponding Union City General Plan element in parenthesis:

- Land use Element (Chapter 3 - Land Use Element);
- Circulation Element (Chapter 5 – Mobility Element);
- Conservation Element (Chapter 8 - Resource Conservation);
- Open Space Element (Chapter 8 - Resource Conservation);
- Noise Element (Chapter 6 – Safety Element);
- Safety Element (Chapter 6 – Safety Element);

- Environmental justice (Chapter 2 - Health and Quality of Life); and
- Housing Element (under a separate cover from the General Plan).

The General Plan also includes five optional elements: Economic Development (Chapter 1), Health and Quality of Life (Chapter 2), Community Design (Chapter 4), Public Facilities and Services (Chapter 7), and Special Areas (Chapter 11).

Specific implementation programs are contained in each element and summarized in Chapter 10, “Specific Implementation Programs” for ease of review. The following sections provide an overview of each element and progress towards implementing its various actions.

Status of the General Plan Implementation Progress

The General Plan APR provides the status of implementation of the General Plan. A description of each element is provided followed by programs that implement each element. There are a total of 122 implementation programs, which implement the General Plan’s nine (9) elements. The bulk of the report focuses on the status of the various implementation programs. Due to the large number of programs, staff prepared a summary table to assist with the Commission’s review (Attachment 1).

Consultation with California Native American Tribes

A description of the City’s consultation with California Native American tribes is provided in the General Plan APR. Chapter 905 of the Statutes of 2004 requires that when preparing or amending a general plan or adopting a specific plan, opportunities for involvement of citizens of the California Native American tribes must be provided by cities and counties. complies with. The General Plan APR provides a detailed overview of compliance.

B. General Plan and Development Code Amendments

The City has made several substantive amendments to the General Plan since its adoption in December of 2019, and to the Zoning Ordinance and Zoning Map for the same time period. Amendments have been made to be consistent with the Station District Specific Plan; to update uses in the Union Landing Commercial (CUL) District; to accommodate new legislation related to housing; and for the Lazuli Landing Project. Additional minor updates are detailed in the General Plan APR.

C. Housing Element Annual Progress Report

The Housing Element APR provides progress on housing development and housing-related programs for 2022. The State requires detailed and specific reporting of the City's progress in meeting its share of the regional housing need allocation (RHNA). The City Council adopted the 5th Cycle 2015 – 2023 Housing Element January 27, 2015, and the Element was certified by the State as being compliant with state law on February 19, 2015.

In addition to the progress in meeting its share of regional housing needs, the reporting requirements also request information related to discretionary applications for new housing development, compliance with various state requirements including identification of the City's surplus lands and projects that were processed consistent with SB 35, and status on State grants that the City received.

The APR tracks housing progress by reporting on the number of housing applications submitted and through an annual building activity report summary that looks at the number of development projects that have been entitled, building permits issued, and certificates of occupancy that have been issued which is the final step in the building permit process. For housing projects completed or building permits issues, the reporting requires the units to be broken into affordability categories based on Area Median Income (AMI) for households. The categories include: Very Low Income (0-50% AMI), Low Income (50%-80% AMI), Moderate (80%-120% AMI), and Above-moderate (Above 120% AMI). AMI for 2022 for a family of four for Very Low Income was between \$21,400 – \$71,400, Low Income was between \$71,400 - \$109,600, Moderate Income was between \$109,600 - \$171,350, and Above-moderate Income was \$171,350 or more. For 2022, the City issued building permits for 32 units including 31 Moderate Income units and one (1) Above-moderate income unit. The Moderate-Income units were accessory dwelling units (ADU) and the Above-moderate unit was a single -family residence. Of the 31 units, five (5) of the Moderate income ADU's have completed construction. The City also received 4 housing applications with 12 units of housing approved.

As part of the APR, the City also includes a Housing Programs Progress Report that provides a summary of the implementation of the Housing Element programs. Some of the more notable programs for the City include:

- **Program HE-B.b. Support Affordable Housing Development.** The City is continuing to review funding opportunities and coordinate with local non-profit organizations and affordable housing developers to create new affordable housing, including extremely low-income housing.
- **HE-F.b Partnerships to Address Homeless Needs.** The City will continue to support its CAREavan program and coordinate with other organizations providing homeless services in neighboring jurisdictions and throughout Alameda County to address homelessness in the City.
- **HE-D.c. Code Enforcement,** The City utilizes its code enforcement process to work with property owners to rehabilitate substandard residential properties. In 2022, there were 221 code enforcement cases closed in the city which is an increase from the previous year.

III. RECOMMENDATION

It is recommended that the Planning Commission recommend the City Council accept the attached annual report on the progress of the implementation of the General Plan, Exhibit A, and the annual Housing Element Annual Progress Report, Exhibit B, and submit to the Office of Planning and Research (OPR) and the State Housing and Community Development (HCD).

Prepared by

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Attachments

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| Exhibit A: | General Plan Annual Progress Report |
| Exhibit B: | Housing Element Annual Progress Report |
| Attachment 1: | Summary table of General Plan Annual Progress Report |