



CITY of BRISBANE

Planning Commission Meeting Agenda

Thursday, August 25, 2022 at 7:30 PM • Virtual Meeting

This virtual meeting is compliant with the Ralph M. Brown act as amended by California Assembly Bill No. 361 effective September 16, 2021 providing for a public health emergency exception to the standard teleconference rules required by the Brown Act. The purpose of this is to provide a safe environment for staff, Planning Commissioners, and the public while allowing for public participation. The public may address the Commission using exclusively remote public comment options which are detailed below.

The Commission may take action on any item listed in the agenda.

The Planning Commission Meeting will be an exclusively virtual meeting. Members of the public may view the meeting by logging into the Zoom webinar listed below or on Comcast Channel 27 and the City's YouTube channel at www.youtube.com/Brisbaneca. The agenda materials may be viewed online at www.brisbaneca.org/meetings.

Join Zoom Webinar: www.brisbaneca.org/webinar-pc

Meeting ID: 970 0458 3387

Passcode: 215153

TO ADDRESS THE COMMISSION:

Members of the public are encouraged to submit written comments before the meeting to the project planner. See posted public notices at www.brisbaneca.org/cd/page/public-notice for planner contact information. For items that are not public hearings, refer to the staff report for planner contact information. Members of the public who join the live Zoom webinar may address the Commission in the meeting when called upon by the Chairperson. Please use the "Chat" box in Zoom to alert staff that you want to address the Commission.

Members of the public watching the meeting on YouTube or Channel 27 may email or text comments **prior to the start of the particular agenda item** to the below email and text line:

Email: jswiecki@brisbaneca.org

Text: 415-713-9266

A call-in number is also available for those watching the meeting on YouTube or Channel 27 for oral communications and public hearing items:

Phone Number: +1 (669) 900-9128

Meeting ID: 970 0458 3387.

After entering the meeting ID and pressing #, simply press # a second time to enter the meeting waiting room. No participant code is required. Please wait to call until the Chairperson and/or staff announces that the phone line is open. When you are let into the meeting, press *6 on your phone to unmute yourself before addressing the Commission. To avoid feedback, please turn off the volume of the meeting broadcast on your TV or computer. You will still be able to hear the Commissioners through your phone.

SPECIAL ASSISTANCE

If you need special assistance to participate in this meeting, please contact the Community Development Department at (415) 508-2120 in advance of the meeting. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Commissioners: Funke, Gooding, Lau, Patel, and Sayasane

CALL TO ORDER

ROLL CALL

ADOPTION OF AGENDA

CONSENT CALENDAR

Please Note: Items listed here as Consent Calendar Items are considered routine and will be acted upon collectively by one motion adopting the Planning Department's recommendation unless a member of the public, the Commission, or its staff asks to remove an item to discuss it. Prior to the motion, the Chairperson will ask if anyone wishes to remove an item from the Consent Calendar.

ORAL COMMUNICATIONS (Limited to a total of 15 minutes)

WRITTEN COMMUNICATIONS

OLD BUSINESS

None

NEW BUSINESS

PUBLIC HEARING: Citywide; General Plan Amendment 2022-GPA-1; 2023-2031 Housing Element Update; City of Brisbane, applicant

- A. [PUBLIC HEARING: Citywide; General Plan Amendment 2022-GPA-1; 2023-2031 Housing Element Update; City of Brisbane, applicant](#)

ITEMS INITIATED BY STAFF

ITEMS INITIATED BY THE COMMISSION

ADJOURNMENT

- B. Adjournment to the regular meeting of September 8, 2022

APPEALS PROCESS

Anyone may appeal the action of the Planning Commission to the City Council. Except where specified otherwise, appeals shall be filed with the City Clerk not later than 15 calendar days following the Planning Commission's decision. An application form and fee is required to make a formal appeal. For additional information, please contact the City Clerk at 415-508-2110.

INTERNET & OTHER ACCESS

Agendas and adopted minutes for meetings of the Planning Commission are posted on the Internet at: www.brisbaneca.org/meetings. Meetings are broadcast live on Comcast Channel 27 and by streaming video on the City's YouTube channel (www.youtube.com/user/BrisbaneCA). Meeting video archives are available on the City's YouTube channel. Rebroadcasts on Channel 27 are during weeks following the meetings, on Fridays at 5 pm and Sundays at 1 pm. For a DVD copy, please contact the Community Development Department.

WRITINGS THAT ARE RECEIVED AFTER THE AGENDA HAS BEEN POSTED

Any written communication that is received after the agenda has been posted but before 4 p.m. of the day of the meeting will be available for public inspection at the front lobby in City Hall and online at www.brisbaneca.org/meetings. Any writings that are received after the agenda has been posted but after 4 p.m. of the day of the meeting will be available on the internet at the start of the meeting (www.brisbaneca.org/meetings), at which time the materials will be distributed to the Planning Commission.

NOTICE OF DISCLOSURE

Written information or comments that may include a person's name, address, email address, etc. submitted to the City, Planning Commission, and/or City staff are public records under the California Public Records Act, are subject to disclosure and may appear on the City's website.

File Attachments for Item:

A. PUBLIC HEARING: Citywide; General Plan Amendment 2022-GPA-1; 2023-2031 Housing Element Update; City of Brisbane, applicant



PLANNING COMMISSION AGENDA REPORT

Meeting Date: August 25, 2022

From: Planning Staff

Subject: Citywide; 2022-GPA-1; 2023-2031 Housing Element Update; City of Brisbane, applicant.

REQUEST:

The Planning Commission's review and recommendation to City Council on the draft 2023-2031 Housing Element.

RECOMMENDATION:

Recommend that City Council submit the draft 2023-2031 Housing Element (Element) to the California Department of Housing and Community Development (HCD) for review, via adoption of Resolution 2022-GPA-1.

ENVIRONMENTAL DETERMINATION:

The input provided by the Planning Commission on the draft Element is not a project subject to CEQA, because the City is not taking action at this time and it can be seen with certainty that the Planning Commission's input will not cause a physical change in the environment (Public Resources Code Section 21065). Additionally, the residential development described by the draft Element for the Baylands subarea was analyzed under a certified Environmental Impact Report (EIR) for General Plan Amendment GPA-1-18 (State Clearinghouse #2006022136; certified via Brisbane City Council Resolution 2018-61) and EIR Addendum for General Plan Amendment GPA-1-19 (adopted via Brisbane City Council Resolution 2020-1).

APPLICABLE CODE SECTIONS:

California Government Code Sections 65580 to 65589.11 contain a number of requirements applicable to Housing Elements. Staff's analysis of the draft Housing Element's compliance with the Government Code requirements is included in the draft Element as Appendix F.

DISCUSSION:

The draft 2023-2031 Housing Element was published on August 8, 2022 on the City's website with hard copies available to view at City Hall and the Brisbane Library (see Attachment A). While the Element features some new policy topics and data on fair housing, the bulk of the draft Element's content and format is similar to the 2015-2022 Housing Element, updated to reflect current conditions.

As discussed in a number of Planning Commission workshops leading up to the preparation of this draft Element, updates are proposed to comply with the latest RHNA requirement, to improve upon the previous policies and programs, to respond to changes in State law, and to incorporate new data such as 2020 Census data. Prior workshop meeting videos and agenda materials are attached for the Commission's reference.

RHNA Requirements:

Each Housing Element update cycle begins with HCD assigning shares of the State housing needs, based upon its population projections, to the various regional government planning organizations throughout the State, including the Association of Bay Area Governments (ABAG) which governs the nine Bay Area counties. This process is referred to as the Regional Housing Needs Allocation (RHNA for short). ABAG then distributes the Bay Area's RHNA amongst the nine Bay Area counties, based on ABAG's own regional growth projections and planning. In San Mateo County, C/CAG (a regional government association comprised of the County and all cities in San Mateo County) oversees the final distribution of the "fair-share" allocation of the Countywide RHNA to individual jurisdictions within the County.

Brisbane's RHNA for the 2023-2031 planning period is a total of 1,588 housing units, divided between household income categories as shown in the table below (excerpted from Chapter 2 of the draft Element).

Table 2.30
Brisbane's Regional Housing Needs Allocation and Shortfall
(2023-2031)

	<i>Very Low Income</i>	<i>Low Income</i>	<i>Moderate Income</i>	<i>Above-Moderate Income</i>	<i>Total</i>
Percentage of Area Mean Income	<50%	51-80%	81-120%	>120%	-
2023-2031 RHNA (Cycle 6)	317	183	303	785	1,588
Currently Zoned Capacity	172	103	16	135	426
Housing Shortfall, prior to 6th Cycle Rezoning	145	80	287	650	1,162

As shown in the excerpted table and discussed in Chapter 3 of the draft Element, the City's current inventory of residentially zoned land does not accommodate the total RHNA for the planning period. Accordingly, State law requires the City to identify sites that will be rezoned to meet that shortfall no later than May 31, 2026, per Government Code Section 65583(c)(1)(A). The draft Element identifies the Baylands subarea for rezoning to meet the RHNA shortfall, consistent with Measure JJ, which was approved by the Brisbane voters in 2018, along with the subsequent General Plan Amendment GPA-1-18 in 2019 allowing for 1,800- 2,200 housing units in the Baylands subarea. A draft Baylands specific plan was submitted to the City this Spring and is in process for review by City Council in 2023.

Goals, Policies and Programs:

As described in detail in the July 28, 2022 workshop memo (attached), an overarching objective of the 2023-2031 Housing Element update is to make the goals, policies, and programs more streamlined and straightforward, resulting in a more effective plan that is easier to understand and implement, and better align with State law. The draft goals are:

1. Affirmatively further fair housing opportunities for all persons.

2. Facilitate and support the production of housing at all income levels, but especially affordable housing.
3. Preserve existing affordable housing.
4. Protect residents from displacement.
5. Increase public awareness of housing programs and resources.
6. Conserve natural resources and reduce greenhouse gas emissions in existing and new residential development.
7. Avoid unreasonable government constraints to the provision of housing.

New and updated policies and programs falling under these updated goals commit the City to actionable and trackable programs that meaningfully implement its housing goals, consistent with State law.

New State Regulations:

Given the Statewide housing crisis, a number of new Housing Element requirements have been imposed on cities for the current Housing Element cycle. Those that directly affect Brisbane are outlined in Chapter 1 of the draft Element and are addressed throughout the Element. Many of these have already been addressed through Brisbane's local ordinances, such as requirements to relax the development regulations and streamline the approval process for accessory dwelling units. Another new requirement is for the draft Element to provide in-depth analyses, data, and policies related to actions the City will take to affirmatively further fair housing (AFFH). This is interwoven throughout the Element, but specific AFFH analysis is provided in Appendix C, with specific policies provided in Chapter 5 – Housing Plan under Goal 1. Finally, a notable new procedural requirement is the State-mandated 30-day public comment period for the draft Housing Element, followed by at least 10 days to address comments in the draft Element, before City Council's review and approval for submittal to HCD.

Next Steps:

Following the Commission's public hearing(s) and recommendation to City Council, staff will agendize a public hearing at City Council, which would include the Commission's recommendation. The formal 30-day public comment period is ongoing through September 9th; however, comments received up until Council's approval of the draft Element for submission to HCD will be provided to Council for consideration. Council's first public hearing on the draft Element is tentatively scheduled for October 6, 2022.

Once City Council approves the draft Element for HCD review, HCD has up to 90 days to review and provide comments on the first submittal of a jurisdiction's draft element, then up to 60 days on each subsequent submittal. The statutory due date for the Element to be "certified" is January 31, 2023; however, a 120-day grace period is allowed. **As such, the final deadline for adoption of the final Element by Council and HCD certification is May 31, 2023.** Based on the experiences of jurisdictions in other regions of the State who have already gone through the

2022-GPA-1
8/25/2022 Meeting

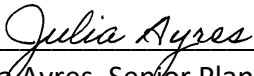
Housing Element review process, staff expects to have at least two review cycles with HCD prior to certification.

ATTACHMENTS

- A. Draft Resolution 2022-GPA-1
- B. [Draft 2023-2031 Housing Element](#) (hyperlink)
- C. [August 11, 2022 Planning Commission workshop video and agenda materials](#) (hyperlink)
- D. [July 28, 2022 Planning Commission workshop video and agenda materials](#) (hyperlink)
- E. [March 10, 2022 Planning Commission workshop video and agenda materials](#) (hyperlink)
- F. [February 24, 2022 Planning Commission workshop video and agenda materials](#) (hyperlink)
- G. [February 10, 2022 Planning Commission workshop video and agenda materials](#) (hyperlink)
- H. [January 27, 2022 Planning Commission workshop video and agenda materials](#) (hyperlink)
- I. [December 16, 2021 Planning Commission workshop video and agenda materials](#) (hyperlink)



Jeremiah Robbins, Associate Planner



Julia Ayres, Senior Planner



Ken Johnson, Senior Planner

Draft
RESOLUTION **2022-GPA-1**
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF BRISBANE
RECOMMENDING THAT THE CITY COUNCIL SUBMIT
THE DRAFT 2023-2031 HOUSING ELEMENT TO
THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR REVIEW

WHEREAS, the draft 2023-2031 Housing Element of the General Plan was prepared consistent with the California Government Code requirements applicable to Housing Elements and was published for public review on August 8, 2022; and

WHEREAS, on August 25, 2022, the Planning Commission held a public hearing to consider the draft 2023-2031 Housing Element and make a recommendation to the City Council regarding submittal of the draft 2023-2031 Housing Element to the State Department of Housing and Community Development (HCD) for review prior to adoption of the Element; and

WHEREAS, the minutes of the Planning Commission meeting of August 25, 2022 are attached and incorporated by reference as part of this resolution.

NOW, THEREFORE, based upon the evidence presented, both written and oral, the Planning Commission of the City of Brisbane hereby RECOMMENDS that the City Council submit the draft 2023-2031 Housing Element to the California Department of Housing and Community Development for review prior to adoption.

ADOPTED this twenty-fifth day of August, 2022 by the following vote:

AYES:

NOES:

ABSENT:

SANDIP PATEL
Chairperson

ATTEST:

JOHN A. SWIECKI, Community Development Director