



December 2nd, 2022

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City of Pleasant Hill  
100 Gregory Lane  
Pleasant Hill, CA, 94523

RE: Draft Housing Element

Mr. Fujimoto:

East Bay for Everyone is a membership organization advocating for housing, transit, tenant rights, and long-term planning in the East Bay. We write to provide comments on the City of Pleasant Hill's 6th Cycle Housing Element Public Review Draft.

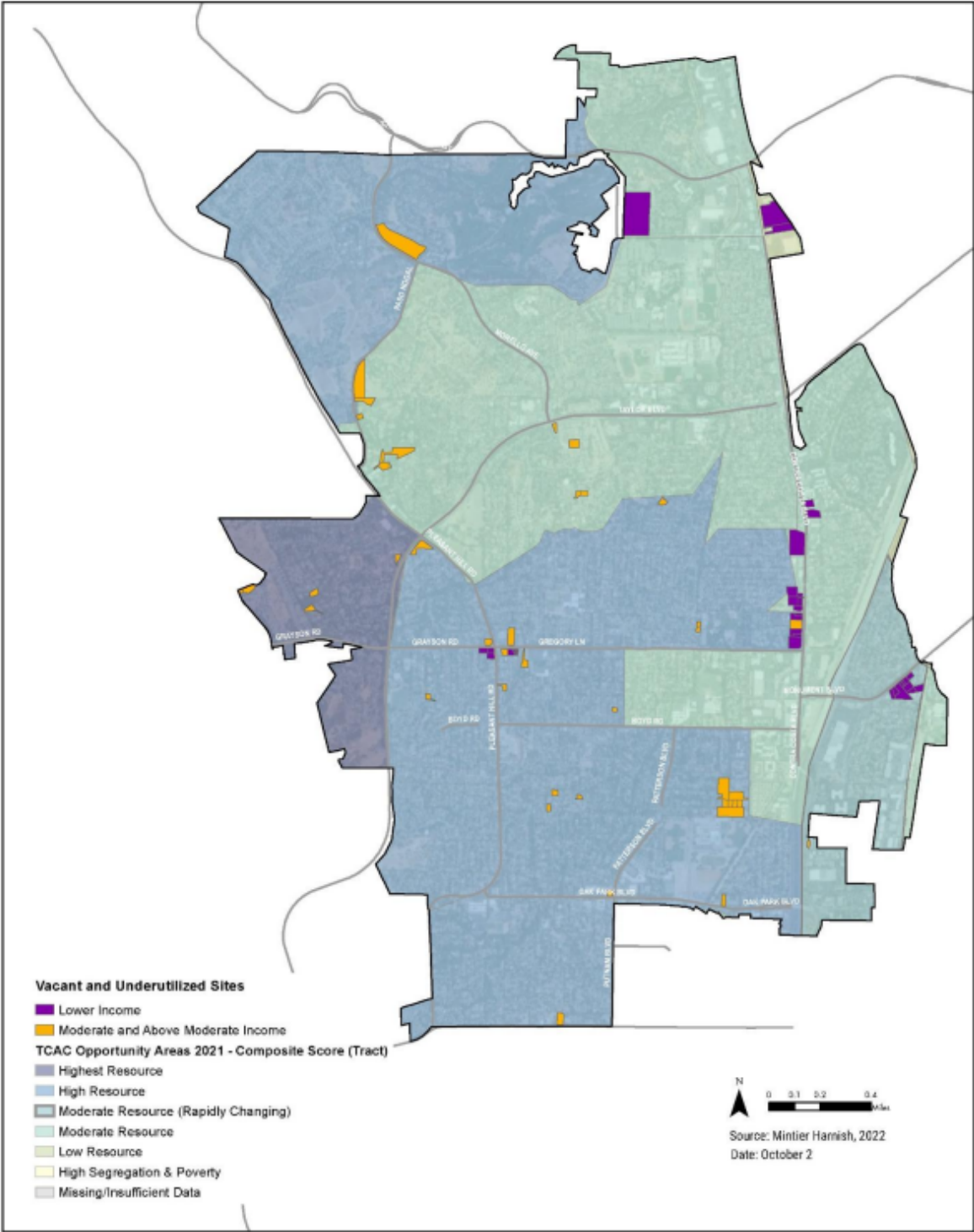
### Summary of feedback:

- Pleasant Hill did not plan for housing in line with AFFH and the proposed sites will exacerbate systemic inequality in the region.
- The programs in this draft will not enable more housing production unless revised
- The city must rezone more land for multifamily development throughout the city and reduce barriers to development.
- Site specific feedback

### Affirmatively Furthering Fair Housing concerns:

The draft states: "sites identified for lower income housing are spatially distributed throughout Pleasant Hill and are not concentrated in lower resource areas." However, the graphic (Figure A-33, copied below) shows the opposite, with Low Income sites concentrated in the lowest resource areas available and along large arterial roads. Furthermore, while the majority of the census tracts in the city are deemed racially concentrated areas of affluence (RCAA) by HCD, the draft makes no mention of RCAA or how the site locations will reduce or exacerbate the inequities of the region. The city should make broader rezonings to enable multifamily developments across the city, not just along commercial corridors in the lowest resourced areas of the city.

**Figure A-33 Sites Inventory: Vacant and Underutilized Sites by Income Category**



**Increased density in single family zones**

It's legal to construct buildings that are the size of duplexes or triplexes but only if they are for a single family. For example, 256 Douglas Lane is a recently constructed 5000 square foot house

with 6 bedrooms and 4 bathrooms that just sold for \$1.88 million, a price that is out of range of most families.

If it is legal to build a 5000 square foot house for one family it should also be legal to build two 2000 square foot homes or three 1300 square foot homes in the same building envelope throughout Pleasant Hill. Consider amending zoning to permit 5 DUA on all parcels. This can be achieved without an EIR thanks to Senate Bill 10.

## Programs are insufficient

Given that Pleasant Hill has built zero Low Income Housing in the last 7 years, the programs for this element must be ambitious. However, the programs in the draft largely begin with language like “The City shall continue to...” or “The city shall monitor...” which are either continuations of existing policies or have no clear goals other than “studying” and “monitoring” existing city policy. These programs should be modified to have concrete objectives and measurable and trackable results and be ambitious enough to spur new housing production.

In HCD's determination letter to Lafayette, this type of language was deemed insufficient (“Programs containing unclear language (e.g., “consider”; “review”, “conduct a study to assess” “create a plan”, “evaluate impacts” etc.) should be amended to include specific and measurable actions that will lead to actual housing outcomes”),<sup>1</sup> and should instead be replaced with language that relates to actual concrete goals, for example, the production of low-income housing, or reduction of housing costs below some target number.

The city plans to add new mixed-use zones (described as *Mixed Use Neighborhood*, *Mixed-Use*, *Mixed-Use High-Density*, and *Mixed-Use Very High-Density* in Program F) and references those zones in multiple programs and in the sites inventory, but the city has not provided clear details on those zoning categories and the requirements in the zoning, for example heights, setbacks, or required parking minimums.

Consider zero front setback to permit shade on the sidewalk and a minimum pedestrian travel time, and no more than 5 feet on other sides. Heights should be demonstrated to accommodate the highest allowable density in comparison projects in nearby cities.

## Freeways

A large number of apartments in Pleasant Hill are right next to the freeway and a preponderance of sites in the Sites Inventory are concentrated relatively close to the freeway.<sup>2</sup> Pollution from

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<https://eastbayforeveryone.org/wp-content/uploads/2022/09/2022-09-30-lafayette-hcd-determination.pdf>

<sup>2</sup> The highest density zone in a recent General Plan draft was the County-owned parcel on Ellinwood Road directly adjacent to the Highway 680 and Highway 242 interchange.

freeways leads to higher levels of stress, respiratory problems, and leads to issues such as low birth weight infants. Students who go to schools near the freeway perform worse on standardized tests than students who don't.

Consider adding a program to upgrade the air filters in existing buildings near the freeway to a MERV 13 standard, subsidize the purchase of air purifiers in apartments and schools, and educate residents about health risks and ventilation best practices.

## Analysis of Constraints is insufficient

The draft Housing Element does not take a serious look at the constraints to housing development in Pleasant Hill and states "There are no significant undue or uncommon governmental constraints to housing in Pleasant Hill." which seems unlikely considering the lack of recent development in the city.

### **Lack of land zoned for multi-family in High Resource areas and the need for by-right development**

Currently, Pleasant Hill does not have much land zoned for multi-family within its High Resource and Highest Resource areas. The areas that are zoned for multifamily housing are largely located adjacent to I-680. This is not aligned with AFFH, which requires distribution of housing income levels throughout the community. Rezoning more land for multi-family housing would be a strong commitment to Affirmatively Furthering Fair Housing.

Earlier drafts of the Housing Element identified Mangini Farm, a large undeveloped area in the Highest Resource area of Pleasant Hill and the removal of this site over large public backlash shows that Pleasant Hill will have an uphill battle to undo the historical patterns of racial segregation that exist in the region, and to meet its commitments to affirmatively furthering fair housing. This NIMBY opposition is a non-governmental constraint that the city should overcome by allowing by-right development of multifamily sites in the inventory. We urge you to add a program to this effect.

**Reduce minimum lot sizes.** Pleasant Hill's minimum lot sizes are very large, even for the region. The smallest minimum lot size is 6,000 square feet with most of the city zoned for 7,000 and 10,000 square foot minimum lot sizes. Much more housing could be built if lot sizes were reduced to 2-3,000 square feet. See for example Gray and Furth, "Do Minimum-Lot-Size Regulations Limit Housing Supply in Texas?" suggesting that lot sizes in this range frequently serve as a constraint to new development. [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3381173](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3381173)

### **Landscaping requirement**

Pleasant Hill's "Minimum Site Landscaping" requirements are uniquely large and constrain the developable area for multifamily housing. Please remove or reduce these requirements, especially to help make lower income housing feasible to construct.

**Increase FARs, building heights and eliminate setbacks in current multifamily zones** Setbacks decrease the amount of buildable area, increase the distance pedestrians need to travel to reach their destination, and reduce the sidewalk shadow on hot days. Pleasant Hill's set-backs requirements are larger than other high income areas in the region. To encourage development and non-car trip modes, Pleasant Hill should increase FARs and amend setbacks to make development more feasible and increase pedestrian comfort.

**Remove parking requirements from multifamily developments.** Given Pleasant Hill's strict height requirements, parking will likely need to be constructed underground, which can cost \$90,000 per space, a cost which gets passed on directly to developers and buyers, who need to take out larger loans and interest payments. Additionally, in the sites inventory the draft specifically mentions that Site B, Site C, Site D, Site F, Site G, Site H, Site L and Site I are considered underutilized specifically because of their large parking lots. Therefore it is clear that Pleasant Hill is "overparked" and the parking requirements do not align with real demands.

Parking minimums also encourage people to buy cars and drive cars, which crowd out other trip modes like walking, cycling or taking the bus. A key goal for Pleasant Hill's General Plan 2040 is to increase the share of non-car trip modes. Parking minimums impede progress toward this goal by subsidizing car usage.

Further, because parking must be cited on the ground floor or underground, high parking minimums make it difficult to offer ground floor retail, which is not only a more beneficial use of ground floor space than car parking, but contributes sales tax revenue that can be used for all sorts of other pro-social programs.

Pleasant Hill must study the impact of parking on development or remove parking minimums, leaving it up to the developer to decide the right balance of parking and housing at a site. Please consider lowering parking minimums to 1 space per unit, with no guest parking, throughout the entire city.

### Site specific feedback:

For all non-vacant sites:

- Please provide a copy of a letter from the property owners stating they are open to developing the site at the prescribed density
- Please provide evidence that the existing leases will end in time for development in this housing element cycle

Site A: DVC Overflow parking lot

- Please provide a copy of a letter from DVC stating they are open to developing the site at the prescribed density.

#### Site B: Former JC Pennys

- Consider shifting density from 40-70 to 70-100 du/acre to increase the feasibility of development, even these higher densities can still be achieved with 5-7 stories of wood frame over concrete and wouldn't require moving to more expensive concrete or steel construction, and thus would permit optimal development of those sites
- Consider adding the Wells Fargo, Burger King and pediatric dentistry at the corners of the site inventory after consultation with the property owners.

#### Site H: Monument Triangle

- Consider shifting density from 40-70 to 70-100 du/acre to increase the feasibility of development. These higher densities can still be achieved with 5-7 stories of wood frame over concrete and wouldn't require moving to more expensive concrete or steel construction, and thus would permit optimal development of those sites.

#### Mangini Farm

- We would like to see this site included in the Sites Inventory with a minimum permitted density of 30 DUA, which would permit the development of affordable housing on this site.

#### Southwest Pleasant Hill

- In general, the Sites Inventory is concentrated in the north and east of Pleasant Hill which are, comparatively speaking, the lower income parts of Pleasant Hill. All of the sites accommodating lower income housing are in the north and east parts of the city. Please increase the zoning and add additional sites in the southwest area of the city, which is also the closest area of the city to the BART station.

We look forward to continuing to engage with the City of Pleasant Hill in the Housing Element process.

Maxwell Davis and the 2500 members of East Bay for Everyone