



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-A COMMISSION MEETING 03-30-16
APPROVED BY
 DEPARTMENT DIRECTOR

March 30, 2016

FROM: DANIEL ZACK, AICP, Assistant Director 
Development and Resource Management Department

BY: SOPHIA PAGOULATOS, Planning Manager 
Development and Resource Management Department

SUBJECT

Consider Plan Amendment Application No. A-16-001 and related environmental findings filed by the Development and Resource Management Department Director pertaining to the following:

- 1. RECOMMEND APPROVAL (to the City Council)** of Environmental Assessment No. A-16-001, a Finding of Conformity to the Fresno General Plan Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) and an Addendum to the Finding of Conformity pursuant to CEQA Guidelines Section 15162 and 15164;
- 2. RECOMMEND APPROVAL (to the City Council)** of Plan Amendment Application No. A-16-001 to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment A-16-001 also includes amendments to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence and minor amendments to Chapter 9, the Noise and Safety Element, to comply with Government Code requirements related to the Housing Element.

RECOMMENDATION

- 1. RECOMMEND APPROVAL (to the City Council)** of Environmental Assessment No. A-16-001, a Finding of Conformity to the Fresno General Plan Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) and an Addendum to the Finding of Conformity pursuant to CEQA Guidelines Section 15162 and 15164;

- 1. RECOMMEND APPROVAL (to the City Council)** of Plan Amendment Application No. A-16-001 to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment A-16-001 also includes amendments to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence and minor amendments to Chapter 9, the Noise and Safety Element, to comply with Government Code requirements related to the Housing Element.

EXECUTIVE SUMMARY

Plan Amendment Application No. A-16-001 proposes to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. In order to comply with Government Code requirements related to the Housing Element, Plan Amendment A-16-001 also includes amendments to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence (see Exhibit A for Area of Applicability Map) and minor amendments to Chapter 9, the Noise and Safety Element related to flood protection. The City Council is also scheduled to consider this Plan Amendment on April 21, 2016.

BACKGROUND

The California Legislature has identified the attainment of a decent home and suitable living environment for every Californian as the State's main housing goal. Recognizing the important part that local planning programs play in pursuit of this goal, the Legislature has mandated that all cities and counties prepare a Housing Element as part of their comprehensive general plans. The Housing Element is a mandatory General Plan element. It identifies ways in which the housing needs of existing and future residents can be met. State law requires that all cities adopt a Housing Element.

The City's previous Housing Element covered the period 2008-2015. This Housing Element will cover the next 8 year cycle, from 2015 – 2023. The deadline for adoption of the Housing Element is April 30, 2016. If the Housing Element is not adopted by that date, State law requires that the housing element would need to be updated and re-adopted every 4 years instead of the current cycle of every 8 years.

Amendment of Chapter 11 of the General Plan: Housing Element

Outreach

State law requires that a diligent effort be made to engage the public in the housing element process. In addition to 9 community workshops held in public schools and the Center for New Americans in October and November of 2015, the first public draft of the Housing Element (January 2016) was presented to the Housing and Community Development Commission, Disability Advisory Commission, Airport Land Use Commission, Planning Commission and City Council during January and February of 2016. Also during this time, the Council District Plan Implementation Committees and Design Review Committees reviewed it twice. Both the first Public Draft (January 2016) and the Revised Draft (March 2016) were released broadly to the public through newspaper notices, emails to a list of over 500 stakeholders and community workshop participants, posting on the City's website, and dissemination through the Fresno libraries. More information is available related to outreach in the Housing Element Revised Draft (March 2016), Chapter 1 – Introduction. Comments received are located in Appendix A of the Housing Element Revised Public Draft (March 2016) and summarized below.

Public Notice and Comment

This hearing, along with the March 23, 2016 hearing before the Housing and Community Development Commission, was published as a display ad in English and Spanish in the Fresno Bee and Vida del Valle (see Exhibit B), as well as posted on the City's website and emailed to a list of over 500 stakeholders and workshop participants.

Housing and Community Development Commission

The Housing and Community Development Commission (HCDC) hosted two workshops on the Housing Element (January 27 and February 10) prior to hosting the March 23, 2016 public hearing to consider the Plan Amendment. Six members of the public spoke in opposition to adoption of the housing element and none spoke in favor. Many of the speakers requested more time to review the document. The HCDC unanimously recommended to deny approval of the Plan Amendment in order to provide more time for review of the revised draft (March 2016).

Council District Committees and Design Review Committees

As noted above, the Council District and Design Review Committees have reviewed the Housing Element at least twice. All of the committees except District 1 (quorum issues) and District 3 have recommended approval of the January 2016 Public Draft, and all of the committees have been sent the Revised Public Draft (March 2016) and have been given the opportunity to meet and make a recommendation on it if desired.

Council District 3 did not approve the Housing Element but asked for maps showing homelessness, rehabilitation projects, and recently developed accessible housing. The committee also asked about current neighborhood revitalization and code enforcement efforts, and the role of Fresno Green. Staff is responding to these requests.

Airport Land Use Commission

The Airport Land Use Commission (ALUC) reviewed the January 2016 Draft of the Housing Element at its February 1, 2016 meeting and found it consistent with airport plans and policies. The ALUC is scheduled to review the March 2016 Revised Public Draft and revisions to Chapters 3 and 9 of the General Plan at its upcoming April 4, 2016 regular meeting.

Written Comments

Eight comment letters and emails were received during the public comment period on the January 2016 Public Draft (January 7 – February 29, 2016). The authors of the letters and dates received are as noted below. The letters are contained in Appendix A of the Housing Element. A comment matrix itemizing each comment and a response is included as Exhibit C to this staff report.

Marilyn Borelli, Executive Director, Fair Housing Council of Central California	Jan. 13, 2016
John Cinatl, MCRP, Retires Caltrans District 6 Bicycle Coordinator	Jan. 13, 2016
Jeffrey Roberts, Granville Homes	Jan. 19, 2016
Araceli Bravo, Guellermina Leon, Maria Elena Suarez, and others	Jan. 29, 2016
Ashley Werner, Esq., Leadership Counsel for Justice and Accountability	Feb. 5, 2016
Shannon Mullhall, Certified Americans with Disabilities Act Coordinator	Feb. 16, 2016
Ashley Werner, Esq., Leadership Counsel for Justice and Accountability	Feb. 26, 2016
Patience Milrod	Feb. 29, 2016

It should also be noted that one email has been received on the March 2016 Revised Public Draft as noted below. The letter is included in Exhibit C with the comment matrix.

Guidance from the California Department of Housing and Community Development

The State Department of Housing and Community Development (HCD) must review and certify the Housing Element. Comments on the January Public Draft of the Housing Element were received from HCD on March 7, 2016 (see Exhibit E) and are summarized below. After each comment, an italicized page number reference to the redline version of the March 2016 Revised Public Draft points to revisions made in the draft:

- A. Housing Needs, Resources and Constraints (Chapters 3 and 4 of the Housing Element)
1. Include an analysis of unaccommodated need [of housing capacity/sites] from the prior planning period – See *pages 3-4 – 3-27*;
 2. Include analysis to demonstrate the feasibility of development of small and large sites – See *pages 3-11, 3-12*;
 3. Include a realistic capacity analysis which demonstrates the likelihood for 100 percent non-residential development occurring on mixed use sites – See *pages 3-5 – 3-11*;

4. Ensure the City has adequate sewer and water capacity to accommodate the total regional housing need – *See pages 3-29, 3-30;*
5. Analyze land use controls related to Downtown, since the Downtown plans and zoning code are still pending – *See pages 3-10 – 3-17, 4-19;*
6. Identify on/off site improvement requirements that could be constraints to the development of housing – *See pages 4-14, 4-15.*

B. Housing Programs (Chapter 6 of the Housing Element)

7. Provide definitive timing on Housing Programs 3,4,5 and 7 (Programs 5, 6, 7 and 9 in the Revised Public Draft) – *See pages 6-5 – 6-9;*
8. Program 11 (Program 16 in Revised Public Draft) – Agricultural Employee (Farmworker) housing needs a commitment to revise the code if necessary – *See page 6-13;*
9. Program 18 (Program 23 in Revised Public Draft) - At-Risk Housing recommended additional actions by the City with regard to tenant notification – *See pages 6-16, 6-17.*

C. Public Participation (Chapter 1 of the Housing Element)

10. The City must make diligent efforts to achieve public participation including from low and moderate income households and/or representative organizations by making information regularly available and considering and incorporating comments where appropriate – *See pages 1-5 – 1-10.*

D. Other

11. The City was encouraged to consider the San Joaquin Valley Fair Housing and Equity Assessment as part of the housing element update and utilize various resources available to the City, including mapping and GIS services – *See pages 3-18, 3-23 and 3-25;*
12. Other elements of the General Plan must be updated on or before the next adoption of the housing element, specifically the safety element in relation to flood hazard and the land use element with regard to disadvantaged unincorporated communities – *See staff report.*

March 2016 Revised Public Draft

The revised public draft reflects the City's diligent effort at effective public participation. The revisions can be summarized as follows:

Chapter 1 – Introduction was updated to include the public participation that occurred after the release of the first Housing Element Public Draft in January of 2016.

Chapter 2 – Housing Needs was updated to include new information on various City programs as well as information provided by the Disability Advisory Commission on terminology, services and needs related to individuals with disabilities.

Chapter 3 – Land for Housing was updated to include additional residential capacity in the sites inventory pursuant to Program 2.1.6A of the 2008 Housing Element and related description of the methodology. A bar graph and maps were added showing the sites by zoning classification and density and by racially/ethnically concentrated areas of poverty. In addition, the requested realistic capacity and small and large site development was discussed;

Chapter 4 – Constraints to Housing Production was revised to include clarifications about infrastructure, water and sewer capacity, on/off-site requirements and development requirements in Downtown.

Chapter 5 – Program Accomplishments was revised to include clarifications, additional information about previous program performance and program updates.

Chapter 6 – Housing Plan was revised to refine the proposed programs and add new programs. Program descriptions and timelines were updated to describe the details of the programs.

Other elements that require amendments triggered by adoption of the Housing Element are included with Plan Amendment A-16-001 and further described below.

Amendment to Chapter 3 of the General Plan: Urban Form, Land Use and Design

California Senate Bill 244 (Wolk, 2011; SB 244) requires local municipalities to identify Disadvantaged Unincorporated Communities (DUCs) within or adjacent to their Sphere of Influence (SOI), analyze the infrastructure needs of the DUCs (including water, wastewater, stormwater drainage, and structural fire protection), and evaluate potential funding mechanisms to make service extension feasible.

Disadvantaged Unincorporated Communities are defined as settled places not within City Limits where the median household income is 80 percent or less than the statewide median household income. Under the policy set forth by the Fresno Local Agency Formation Commission (LAFCO), a DUC must also have at least 15 residences with a density of one unit per acre or greater.

In 2015, Fresno LAFCO identified a total of 20 DUCs that are located within or adjacent to the City of Fresno SOI and which meet the full definition of a DUC (See Figure LU-3, in Exhibit F).

The proposed plan amendment would be inserted at the end of Chapter 3 as Section 3.7 Disadvantaged Unincorporated Communities. The amendment does not include any policy actions at this time; solely infrastructure analysis and potential funding sources. For the full text see Exhibit F.

Amendment to Chapter 9 of the General Plan: Noise and Safety

Government Code Section 65302 (g) requires that the safety element of a city's General Plan meet certain requirements related to flood protection. Any necessary updates are required to be made concurrently with that jurisdiction's next update of the Housing Element. Safety Element Section 9.4, Storm Drainage and Flood Control, is proposed to be amended to reference the City's recently adopted floodplain ordinance. For the full text, see Exhibit G.

Consistency with other General Plan Goals, Objectives and Policies

The California Government Code Section 65300 requires that General Plans be internally consistent. Therefore the Housing Element, as an element of the Fresno General Plan, must be consistent with the goals, objectives and policies of the other elements of the general plan. Key goals, objectives and policies from the Fresno General Plan are noted below to illustrate the Housing Element's consistency with the General Plan. Most of them are self-explanatory, but commentary is added where necessary to link it with the housing element.

General Plan Goals:

- Support a successful and competitive Downtown.
- Provide for a diversity of districts, neighborhoods, housing types (including affordable housing) residential densities, job opportunities, recreation, open space and educational venues that appeal to a broad range of people throughout the city.
- Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.
- Promote a city of healthy communities and improve the quality of life in established neighborhoods.
- Emphasize increased land use intensity and mixed-use development at densities supportive of greater use of transit in Fresno.
- Emphasize the City as a role model for good growth management planning, efficient processing and permit streamlining, effective urban development policies, environmental quality and a strong economy. Work collaboratively with other jurisdictions and institutions to further these values throughout the region.

Chapter 3, Urban Form, Land Use and Design:

Objective UF-1: Emphasize the opportunity for a diversity of districts, neighborhoods and housing types.

Policy UF-1-d: Range of Housing Types: Provide for diversity and variation of building types, densities, and scales of development in order to reinforce the identity of individual neighborhoods, foster a variety of market-based options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.

Policy UF-1-e: Unique Neighborhoods: Promote and protect unique neighborhoods and mixed use areas throughout Fresno that respect and support various ethnic, cultural and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnoans. Support unique areas through more specific planning processes that directly engage community members in creative and innovative design efforts.

Objective LU-2: Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Policy LU-2-b: Infill Development for Affordable Housing: Establish a priority infill incentive program for residential infill development of existing vacant lots and underutilized sites within the City as a strategy to help to meet the affordable housing needs of the community.

Commentary: Program 5, Housing Funding Sources, on page 6-5 of the redlined version of the Housing Element commits the City to actively pursue additional housing funding sources, including a potential Transit Oriented Affordable Housing Loan Fund, potential partnerships with non-profit entities to support the development of a land bank or community land trust to acquire properties for rehabilitation and/or development of affordable and mixed-income housing, and other possible sources.

Policy LU-4-c: Housing Task Force. Establish an interagency housing task force to coordinate the housing programs of the City with similar programs of other local jurisdictions and the Fresno Housing Authority to develop a coordinated affordable housing implementation plan.

Commentary: Program 3, Annual Reporting Program, on page 6-4 of the redlined version of the Housing Element commits the City to partner with housing advocates and organizations to provide annual information to the community on housing density and affordable housing.

ENVIRONMENTAL FINDINGS

Housing Element Public Draft, January 2016: Finding of Conformity to the General Plan Master Environmental Impact Report. Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project falls within the scope of the MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR. Relative to this specific project proposal, the environmental impacts noted in the MEIR, pursuant to the Fresno General Plan land use designation, include impacts associated with the above mentioned planned land use designation specified for the subject sites. Based on this Initial Study, the following findings are made: (1) The proposed project was identified as a

Subsequent Project in the MEIR because its, location, land use designation and permissible densities and intensities are set forth in Figure LU-1 of the Fresno General Plan; (2) The proposed project is fully within the scope of the MEIR because it will not generate additional significant effects on the environment not previously examined and analyzed by the MEIR for the reasons set forth in the Initial Study; and (3) there are no new or additional mitigation measures or alternatives required.

In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Moreover, as lead agency for this project, the Development and Resource Management Department, per Section 15177(d) of the CEQA Guidelines, has determined that all feasible mitigation measures from the MEIR shall be applied to the project as conditions of approval as set forth in the MEIR Mitigation Measure Monitoring Checklist (available upon request).

Housing Element Revised Public Draft, March 2016: Addendum to the General Plan Master Environmental Impact Report. Based on the environmental review contained in the Finding of Conformity to the General Plan MEIR noted above, the revisions made in the March 2016 Revised Public Draft of the Housing Element as described in the redline version of the document, and the minor amendment to General Plan Chapter 9, Noise and Safety Element, Section 9.4 related to flood protection (as described in Exhibit H) would not result in any new significant or substantial changes to the evaluation of the environmental resources within and outside of the Planning Area beyond those that were addressed in the Finding of Conformity filed on January 29, 2016.

Since the proposed project will not result in additional impacts, it may be determined that: (1) The project falls within the scope of Finding of Conformity prepared for Plan Amendment Application No. A-16-001; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the environmental finding for MEIR No. SCH 2012111015 was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to the Finding of Conformity prepared for Plan Amendment Application No. A-16-001 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines. See Exhibit H for complete environmental assessment.

LOCAL PREFERENCE

NA - No contracts or purchasing proposed.

FISCAL IMPACT

NA – No contracts, purchasing, or expenditures proposed.

Exhibits:

- A. Area of Applicability Map
- B. Public Hearing Notices
- C. Comment Matrix
- D. Amendment to Chapter 11 of the General Plan: Housing Element (under separate cover)
- E. California Department of Housing and Community Development Letter
- F. Amendment to Chapter 3 of the General Plan: Disadvantaged Unincorporated Communities Analysis
- G. Amendment to Chapter 9 of the General Plan: Floodplain Protection Reference
- H. Environmental Assessment

Exhibit A
Area of Applicability Map

City of Fresno Plan Amendment A-16-001 Area of Applicability Map



LEGEND

- Sphere Of Influence
- Disadvantaged Unincorporated Communities (DUCs)

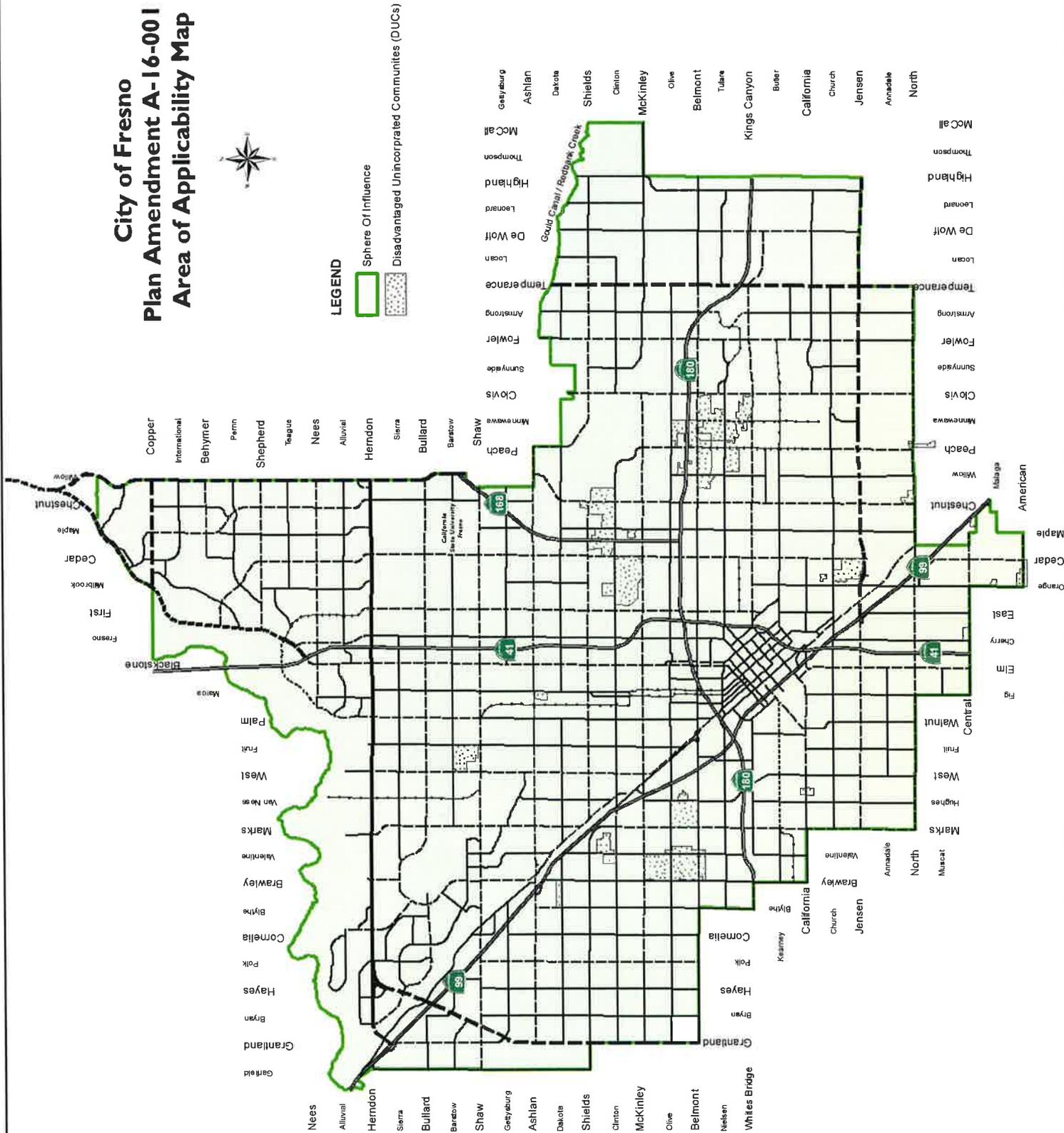


Exhibit B
Public Hearing Notices

NOTICE OF PUBLIC HEARING



HOUSING ELEMENT UPDATE

NOTICE IS HEREBY GIVEN THAT the Fresno Housing and Community Development Commission, the Planning Commission and the City Council, in accordance with Sections 65090 and 65091 (Planning and Zoning Law) of the Government Code and in accordance with the procedures of Chapter 15, Sections 5007 and 5801-5812 of the Fresno Municipal Code, will conduct public hearings to consider Plan Amendment Application No. A-16-001 and the related environmental finding. These applications have been filed by the City of Fresno Development and Resource Management Director. At the hearing, the following will be considered:

Environmental Assessment No. A-16-001 recommends approval of A Finding of Conformity to the Fresno General Plan Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act).

Plan Amendment Application No. A-16-001 proposes to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment A-16-001 also includes an amendment to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence.

More information about the Housing Element, the Housing Element Revised Public Draft, and the analysis of Disadvantaged Unincorporated Communities is available on line at www.fresno.gov/housingelement.

FRESNO HOUSING AND COMMUNITY DEVELOPMENT COMMISSION
 Date: Wednesday, March 23, 2016
 Time: 5:00 p.m., or thereafter
 Place: Room 2165-A, Second Floor, 2600 Fresno Street, Fresno, CA 93721

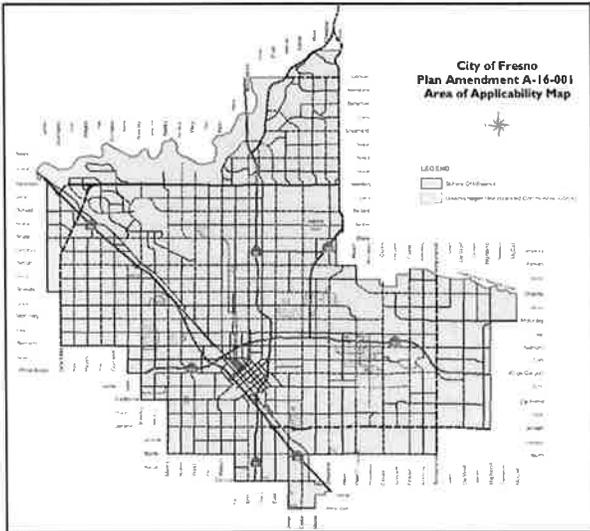
FRESNO PLANNING COMMISSION
 Date: Wednesday, March 30, 2016
 Time: 6:00 p.m., or thereafter
 Place: City Hall Council Chamber, Second Floor, 2600 Fresno Street, Fresno, CA 93721

FRESNO CITY COUNCIL
 Date: Thursday, April 14, 2016
 Time: 5:00 p.m., or thereafter
 Place: City Hall Council Chamber, Second Floor, 2600 Fresno Street, Fresno, CA 93721

Any interested person may appear at any or all of the public hearings and present written testimony, or speak in favor or against the project proposal. However, all documents submitted to the City Council for its consideration shall be submitted to the City Clerk at least **24 hours prior** to the Council Agenda item being heard, pursuant to the City Council's meeting rules and procedures, or they may be excluded from the administrative record of proceedings. If an individual challenges the above applications in court, they may be limited to raising only those issues that were raised at the public hearings described in this notice, or in written correspondence delivered to the Housing and Community Development Commission and/or Planning Commission or City Council consistent with their respective rules of procedure. The recommendations of the Housing and Community Development and Planning Commissions pertaining to the Environmental Assessment and Plan Amendment will be considered by the City Council.

Note: This public hearing notice is being posted pursuant to the requirements of the Fresno Municipal Code Section 15-5007-D.

For additional information on the proposed project, including copies of the proposed environmental finding, contact the City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721, or contact Sophia Pagoulatos at sophia.pagoulatos@fresno.gov. *Para información en español, comuníquense con Sophia Pagoulatos (al correo electrónico Sophia.pagoulatos@fresno.gov).*



AVISO DE AUDIENCIAS PÚBLICAS



ACTUALIZACIÓN DEL ELEMENTO DE VIVIENDA

POR LA PRESENTE SE NOTIFICA que El Comisión de Vivienda Para el Desarrollo de la Comunidad de Fresno, La Comisión de Planificación y el Consejo Municipal de la Ciudad de Fresno, de conformidad con lo dispuesto en las Secciones 65090 y 65091 (Codigos de Planificación y Zonificación) del Código de Gobierno y en conformidad con los procedimientos de Capítulo 15, Secciones 5007 y 5801-5812 del Código Municipal de las Ciudad De Fresno, conducirá audiencias públicas para considerar la Aplicación de la Enmienda del Plan núm. A-16-001, y el relacionado hallazgo medioambiental. Estas aplicaciones han sido archivadas por la Directora de la Administración del Departamento de Desarrollo y Recursos de la Ciudad de Fresno. En la audiencia, lo siguiente se considerará:

La Evaluación Ambiental núm. A-16-001 recomienda aprobación de Un Descubrimiento de Conformidad con Maestro Informe Final de Impacto Ambiental de del Plan General SCH núm. 2012111015 (MEIR) certificado por el Consejo Municipal de Fresno el 18 de diciembre de 2014 de acuerdo con el Seccion 21157.1 del Código del Recurso Público de California (Acto de Calidad Ambiental de California).

La Aplicación de la Enmienda del Plan núm. A-16-001 propone de enmendar el texto del Capítulo 11 del Fresno Plan General, el Capítulo de Constancia del Elemento de Vivienda, con una actualización del Elemento del Vivienda que sería válido hasta 2023. El Elemento de Vivienda es el documento de la política de la Ciudad para satisfacer sus necesidades de vivienda, incluso viviendas asequibles, los bajos - y casas de ingresos moderados y grupos con necesidades especiales. La Enmienda del Plan núm. A-16-001 también incluye una enmienda al texto de Capítulo 3 del Plan General de Fresno, Forma Urbana, Uso de la Tierra, y Diseño, para incorporar un análisis de Comunidades No incorporadas Desfavorecidas dentro de o contiguo a la Esfera de Influencia.

Más información sobre el Elemento del Vivienda, el Elemento del Vivienda Borrador Público Revisado y el análisis de Comunidades No incorporadas Desfavorecidas está disponible en línea en www.fresno.gov/housingelement.

COMISIÓN DE DESARROLLO DE VIVIENDA Y COMUNIDAD DE FRESNO
 Fecha: miércoles, 23 marzo, 2016
 Hora: 5:00 p.m. , o después de eso
 Lugar: Sala 2165-A, segundo piso, 2600 Fresno Street, Fresno, CA 93721

COMISIÓN DE PLANIFICACIÓN DE FRESNO
 Fecha: el miércoles, 30 de marzo de 2016
 Tiempo: 18:00, o a partir de entonces
 Lugar: sala consistorial del ayuntamiento, primer piso, 2600 Fresno Street, Fresno, California 93721

CONSEJO MUNICIPAL DE FRESNO
 Fecha: el jueves, 14 de abril de 2016
 Tiempo: 17:00, o a partir de entonces
 Lugar: sala consistorial del ayuntamiento, primer piso, 2600 Fresno Street, Fresno, California 93721

Cualquier persona interesada puede aparecer en algunas o todas de las audiencias públicas y presentar el testimonio escrito o hablar en el favor o contra la oferta de proyecto. Sin embargo, todos los documentos presentados al Ayuntamiento para su consideración deben ser presentados al Oficinista de la Ciudad al menos 24 horas antes del artículo de Orden del día del Consejo oído, de acuerdo con reglas de la reunión del Ayuntamiento y procedimientos, o pueden ser excluidos del registro administrativo de medidas.

Si un individuo desafía las susodichas aplicaciones en el tribunal, pueden ser limitados con el levantamiento de sólo aquellas cuestiones que fueron levantadas en las audiencias públicas descritas en este aviso, o en la correspondencia escrita entregada a la Comisión de Desarrollo de Vivienda y de Comunidad y y/o el Comisión de Planificación o Ayuntamiento consecuente con sus reglas respectivas del procedimiento. Las recomendaciones del la Comisión de Desarrollo de Vivienda y de Comunidad y Comisión de Planificación que pertenecen a la Enmienda del Plan y la Evaluación Ambiental serán consideradas por el Ayuntamiento.

Nota: Este aviso de audiencia pública es ser publicada conforme a los requisitos de la sección de Código Municipal de Fresno 15-5007-D

Para obtener información adicional sobre el proyecto propuesto, incluyendo copias de las propuestas ambientales diagnóstico, tomar contacto con la Ciudad de Fresno Departamento de Desarrollo y Gestión de los Recursos, Ayuntamiento, 2600 Fresno Street, Room 3076, Fresno, California, 93721, o Sophia Pagoulatos en at.sophia.pagoulatos@fresno.gov.

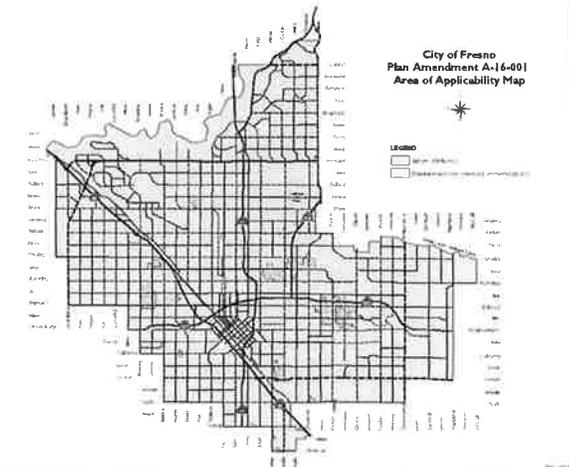


Exhibit C
Comment Matrix

<p>The City of Fresno has made a diligent effort to engage the public and has carefully considered each comment. The comments are not verbatim but are summarized from letters received by the commentators. The Response column directs the reader to the appropriate section in the Revised Public Draft of the Housing Element. The redline version has been referenced for ease of use in discerning the changes.</p>						HE Change (Y/N)
#	Ch.	Comment	Name	Date	Response	
1	2	Add a bicycle parking element to your multi-family discussion so that folks have a place to park their bicycles if they live in the units or visit someone living in apartment units. Bike storage would also be appropriate. See www.apbp.org for bike rack types and placement.	J. Cinatl	1.13.16	The Housing Element does not cover site specific design standards such as bicycle parking, however the City's newly adopted Development Code requires 1 space per 15 multifamily units. The city is currently updating its Active Transportation Plan and additional bicycle parking and storage requirements may be a recommendation of that plan.	N
2	4	The text states, "There is sufficient annexed and zoned land within the City to accommodate immediate housing needs and the housing needs for this Housing Element planning period." Question: Does the City state anywhere in the document that there is no need to rezone or annex additional land or is the City proposing to restrict annexations?	J. Roberts	1.19.16	The Housing Element is required to show that the city has enough zoned land within city limits to accommodate it's Regional Housing Needs Allocation for the current Housing Element cycle, which is eight years (2015-2023). This Housing Element accomplishes that goal, as described in Chapter 3, Land for Housing. The Housing Element is not proposing to restrict annexation.	N
3	4	There is a heading called "Excessive Land Value in Select Areas". The text states that this is an "unmanageable constraint" yet says that "The City is addressing excessive land value and its implications on affordability through the recent General Plan and development Code updates". From reading this text, it sounds as though the City IS trying to manage the value of land. Question: Please tell me how and where (in the text of the General Plan and Development Code) the words exist that address excessive land value?	J. Roberts	1.19.16	This section was deleted from Chapter 4 - Constraints to Housing Production, as it was no longer relevant.	Y

#	Ch. Comment	Name	Date	Response	HE Change (Y/N)
4	<p>There is a reference to the 2008 Housing Element entitled "Program 2.1.18 – Inclusionary and Alternative Housing Policy Programs". It states, "Also, the RDA, as required by California Redevelopment Law, shall utilize mandated inclusionary housing policies to assist in the production of low to moderate income housing units". The column next to this one explains what has happened since 2008 and what will occur during the life of the 2015 Housing Element. The text in this column states, "the RDA source is removed from the 2015 Housing Element. The intent of the program will be folded into a general affordable housing program". Question: Does the Housing Element contain a program, policy, or requirement for either "inclusionary" housing or an affordable housing program that does the same thing as an inclusionary housing policy?</p>	<p>J. Roberts</p>	<p>1.19.16</p>	<p>The Housing Element does not contain a program, policy or requirement for either "inclusionary" housing or inclusionary zoning. However, the city is facilitating mixed-income housing through several programs in the Housing Element. For example, to facilitate production of housing for lower income households, 3,516 additional units of capacity affordable to lower income households were added to the sites inventory in the revised public draft. In addition, Program 4 provides TOD Height and Density bonuses to developments proposed near public transit services. Programs 5, 6, and 7 will assist in identifying funding assistance for development of mixed-income neighborhoods and developments accommodating persons with special housing needs, and partnering with affordable housing developers to attract affordable housing developments. These are some, but not all of the ways the City seeks to encourage mixed-income housing.</p>	<p>N</p>

#	Ch. Comment	Name	Date	Response	HE Change (Y/N)
5	<p>2, 4, 6</p> <p>Not any thing in Housing Element that speaks to Housing Discrimination as a barrier to housing choice of Fresno residents. There is mention of our organization--but the City is not using the data in terms of equitable neighborhood/housing planning. Please note that pretty much all low income/subsidized housing is developed in low-income, minority neighborhoods. Fresno needs to examine how such planning coincides with HUD's new AFFH rule. The Housing Element should not be about how hard it is for these developer's to develop with all these zoning and land-use rules! It should be about the ability of all Fresno residents--regardless of race, color, national origin, religion, gender, disability, family status, source-of-income et al--to live in decent housing in the neighborhood of their choice. Deep in the heart of northeast Fresno neighborhoods, you would be hard-pressed to find a Seven-11, but in 93705, 93701-02-03-25-27-22, not only can you find mini-marts and gas stations, but Payday lenders by the gross. What rarefied atmospheres must exist in these predominately white neighborhoods...</p>	M. Borelli	1.13.16	<p>Government Code Section 65583(a)(5) requires an analysis of government constraints to housing production, so the discussion about development rules and processing in Chapter 4 - Constraints to Housing Production, is required.</p> <p>See Figure 3-1 on page 3-18 and maps on pages 3-23 and 3-25 for a bar chart of housing densities by development areas and mapping of the sites inventory by zoning/density and racially/ethnically concentrated areas of poverty. The figure and maps show housing affordable to lower income households is distributed across most areas of the city.</p> <p>In addition, even though the housing element is a planning document and not a housing production document per Government Code Sections 65580-65581, the Housing Element includes several programs to ensure that the city is facilitating the production of housing for lower income households throughout the city. For instance, Program 4 provides TOD Height and Density bonuses to developments proposed near public transit services. In addition, Programs 5, 6, and 7 will assist in identifying funding assistance for development of mixed-income neighborhoods and developments accommodating persons with special housing needs, and partnering with affordable housing developers to attract affordable housing developments. These are some, but not all of the ways the City seeks to encourage production of affordable housing.</p>	Y

#	Comment	Name	Date	Response	HE Change (Y/N)
6	<p>Also, the Housing Element absolutely excludes design and construction provisions mandated under the Fair Housing Act for any multi-unit complexes with first occupancy after March 21 of 1991. These design accessibility requirements apply to such housing units (unless otherwise exempted--such as pretty much all "loft" townhouse multi-unit developments by Granville/Assemi downtown; Mr. Assemi should be obliged to develop ACCESSIBLE housing, for a change). ADA is about public access (outside the front door and off property), whereas FHA design and construction is applicable (and the law) to all multi-unit housing from 1991 on forward. One of the City's HOME fund recipients, Arbor Court Apartments--a HUD 811, no less, was sued by us on behalf of their disabled residents for violations of FHA (their first occupancy was in January of 2010!) and had to retrofit certain common areas on the property--just one of many examples that our office seeks to remedy. Once gain--review the new AFFH rule.</p>	M. Borelli	1.13.16	<p>The City's Certified Access Specialist has clarified that the city does not review plans for compliance with, nor does it have the authority to enforce, Federal accessibility legislation (ADA, FHA). This is the responsibility of the designer to ensure compliance. The City does review plans for and enforce the California Building Code Chapter 11A as it addresses privately funded multi-family projects and 11B for publicly funded multi-family projects. Regarding the Assemi projects, several of them were designed as triplex condominium developments and as such are not considered "covered multi-family dwelling units" for the purpose of applying adaptability requirements per 1102A.1. See Chapter 6 - Housing Plan, Program 7 - Special Needs Housing, and Program 20 - Neighborhood Infrastructure Program for accessibility-related programs.</p>	Y

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
7	1,6	The city should enhance it's outreach efforts to inform community about affordable housing planning processes and resources available by 1) passing out fliers at residences; 2)attending school parent coffee hours and other community events; 3) post information about all available resources and requirements with respect to affordable housing on a city web page in English, Spanish and other languages spoken by residents.	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	Government Code Section 65583(c)(8) requires that the city make a diligent effort to encourage public participation. See Chapter 1, pages 1-5 - 1-9 for a complete description of the outreach process and methods employed, which included trilingual (Spanish, Hmong and English) fliers distributed to the 8 schools where workshops were held, to the Fresno Bee, and to a list of approximately 500 advocates, stakeholders and interested persons. Spanish and Hmong interpreters were also provided at all community workshops held. In addition, through January and February of 2016, the city also provided for public comment on the draft Element at 19 meetings of various city commissions, such as the city council and planning commission. Future public comment opportunities will be available in March and April at commission meetings, such as the planning commission's March 30, 2016 meeting.	N
8	6	Expand financing available to help first-time home buyers.	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	See Chapter 6 - Housing Plan, Program 8: Home Buyer Assistance	N
9	6	Expand financing available to support remodeling for old delapidated homes	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	See Chapter 6 - Housing Plan, Program 21: Housing Rehabilitation, and Program 12: Home Energy Tune-Up Program. This program was added to the Revised Draft and provides free energy inspections to residents and possible financing programs to help pay for energy upgrades.	Y
10	6	Create an inspection & [sic] code enforcement programs for second units. The units are often unpermitted and in dangerous condition.	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	See Chapter 6 - Housing Plan, Program 19: Comprehensive Code Enforcement. This program was updated to include the city's most recent efforts in this area.	Y
11	6	Create an expanded rental assistance program for low income residents, especially to support seasonal workers.	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	See Chapter 6, Housing Plan, Program 16, related to Farmworker Housing.	N

City of Fresno Housing Element Comment Matrix

March 16, 2016

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
12	6	Need protection for undocumented residents: landlords often overcharge undocumented residents. Proof of legal status should not be a requirement to receive housing assistance.	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	Pending further state or federal legislation, the Housing Element is not required to contain programs addressing this issue.	N
13	6	All housing programs should be available to undocumented residents	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	Pending further state or federal legislation, the Housing Element is not required to contain programs addressing this issue.	N
14	6	Create a program to assist residents with payment for houses that have decreased in value due to the housing market crash to prevent foreclosure and to assist in paying all past-due housing debt for low income residents.	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	The city does not currently have such a program, however the Community Housing Council of Fresno at (559) 221-6919 may be able to help, as they assist families with foreclosure and default counseling and may be able to refer to other agencies that would provide financial assistance.	N
15	6	Enforce habitability laws against landlords to address unsafe living conditions.	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	See Chapter 6 - Housing Plan, Program 19: Comprehensive Code Enforcement. This program was updated to include the city's most recent efforts in this area.	Y
16	6	Enact a law to prohibit smoking in rental apartments and other areas where children live and play (including parks).	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	Per Government Code § 65580, the Housing Element is intended to ensure the availability of affordable housing. While exposure to secondhand smoke is an important health consideration, a program to prohibit smoking in rental apartments is not targeted to further the goal and objective of the Housing Element to facilitate the availability of housing.	N
17	6	Invest in our neighborhood (Jane Addams) and other low income neighborhoods to ensure access to basic infrastructure like sidewalks, street lights, and stormwater drainage.	A. Bravo, et al, residents of Jane Addams neighborhood	1.29.16	See Chapter 6 - Housing Plan, Program 20: Neighborhood Infrastructure Program, which funds approximately 5 infrastructure projects annually.	N

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
18	3	Required Carry Over Analysis: The Draft HE does not include the required carry-over analysis required under Government Code Section 65584.09.	A. Werner on behalf of Familias Addams	2.5.16	The revised draft includes the carry-over analysis. See Chapter 3 - Land for Housing.	Y
19	3	Applicable Zoning: The Draft includes an inventory of sites that have not yet been zoned to permit the residential densities identified in the draft.	A. Werner on behalf of Familias Addams	2.5.16	The zoning on all sites identified in the housing element sites inventory was approved by the City Council as part of the citywide rezone on February 4, 2016.	Y
20	3	Realistic Development Potential of Non-Vacant Sites: The city must analyze whether the non-vacant parcels included in its site inventory have a realistic development potential during this planning period.	A. Werner on behalf of Familias Addams	2.5.16	Analysis is included in Chapter 3 - Land for Housing.	Y
21	3	Development Capacity: inventory includes commercial sites with no minimum density for residential development; the inventory assumed 75% of the allowable density for these sites - need to show recent development trends to support this.	A. Werner on behalf of Familias Addams	2.5.16	The various types of sites included in the inventory and the justification for including them in is Chapter 3 - Land for Housing. See discussion under subheading "Realistic Capacity" on pages 3-7 though 3-9.	Y
22	3,6	Compliance with Fair Housing and Civil Rights Statutes: the HE must include analysis, policies and program actions demonstrating that the HE, including its sites inventory, will reduce--and not fortify--barriers to fair housing for protected classes in Fresno.	A. Werner on behalf of Familias Addams	2.5.16	See Figure 3-1 on page 3-18 and maps on pages 3-23 and 3-25 for a bar chart of housing densities by development areas and mapping of the sites inventory by zoning/density and racially/ethnically concentrated areas of poverty. The figure and maps show housing affordable to lower income households is distributed across most areas of the city.	Y

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
23	1	Compliance with Public Participation Requirements: the City has submitted the Draft to HCD for review during the same time period the City is receiving public comment on the Draft, thereby rendering the public's comment without any impact on the development of the element in direct violation of what the law requires.	A. Werner on behalf of Familias Addams	2.5.16	Government Code Section 65583(c)(8) requires that the city make a diligent effort to encourage public participation. See Chapter 1, pages 1-5 - 1-9 for a complete description of the outreach process and methods employed. Comments from all of the community workshops and written comments received during the public comment period (January 7 - February 29, 2016) have been carefully considered and where appropriate, changes have been made. This Revised Draft incorporates the input received during the public comment period and this Revised Draft is now being considered by the State Department of Housing and Community Development.	N
24	2	Correct language related to individuals with disabilities, ie disabled people = individuals with disabilities; households supporting disabled persons = households that included individuals with disabilities; elderly = seniors or older adults; mental retardation or developmentally disabled persons = intellectual or developmental disability	Shannon Mullhall, on behalf of DAC & self	2.16.16	Changes were made to reflect the correct terms throughout the document. See Chapter 2, pages 2-10 through 2-24.	Y
25	2, 6	Developmental Centers: there are only 3 and they are in the process of closing. More people will be housed in the community	Shannon Mullhall, on behalf of DAC & self	2.16.16	Changes were made on page 2-14 to correct this information.	Y
26	2	Update statistics for local and statewide number of individuals with disabilities. CVRC can assist.	Shannon Mullhall, on behalf of DAC & self	2.16.16	Changes were made on pages 2-14 and 2-15 to correct this information.	Y
27	2,4, 6	CVRC is the the process of approving several new kinds of housing and supportive living licensing options for their vendors and clients, which may impact the Housing Element and/or have zoning implications.	Shannon Mullhall, on behalf of DAC & self	2.16.16	Comment noted.	N

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
28	4	Residential care facilities - number of allowable beds/individuals serviced has reduced from 6 to 4. Check with CVRC on the specifics for limited versus general care facilities.	Shannon Mullhall, on behalf of DAC & self	2.16.16	Comment noted. The change from 6 to 4 beds/individuals services would still be accommodated as group housing and allowed by right in several residential zone districts.	N
29	2	CIL changed its name to Resources for Independence, Central Valley (RICV)	Shannon Mullhall, on behalf of DAC & self	2.16.16	Revision made on page 2-16.	Y
30	2	Add Deaf and Hard of Hearing Service Center, Inc (DHHSC) and Exceptional Parents Unlimited (EPU)	Shannon Mullhall, on behalf of DAC & self	2.16.16	Revision made on page 2-16.	Y
31	4, 6	How is inclusionary housing built and what are the annual reporting requirements?	Shannon Mullhall, on behalf of DAC & self	2.16.16	<p>Pursuant to Government Code Sections 65580-65581, the housing element is a planning document, not a housing production document. However, the city is facilitating mixed-income housing through several programs in the Housing Element. For example, to facilitate production of housing for lower income households, 3,516 additional units of capacity affordable to lower income households were added to the sites inventory in the revised public draft. In addition, Program 4 provides TOD Height and Density bonuses to developments proposed near public transit services. Programs 5, 6, and 7 will assist in identifying funding assistance for development of mixed-income neighborhoods and developments accommodating persons with special housing needs, and partnering with affordable housing developers to attract affordable housing developments. These are some, but not all of the ways the City seeks to encourage mixed-income housing.</p> <p>The annual reporting requirement is an HCD requirement. Each jurisdiction with a housing element must submit an annual progress report updating HCD on the jurisdiction's progress in implementing the housing element. These annual progress reports are available on the City of Fresno's website.</p>	N

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
32	6	How exactly does this program (Adequate Sites) encourage development of housing for persons with disabilities? Suggest that local disability consultants be utilized more frequently on the developer teams to advise on needs for people with disabilities and older adults.	Shannon Mullhall, on behalf of DAC & self	2.16.16	3,516 dwelling units of additional capacity affordable to lower income households were added to the sites inventory (Chapter 3 - Land for Housing, pg 3-6). Chapter 6 - Housing Plan, Program 7 - Special Needs Housing was modified to include the requirements of the city's Universal Design Ordinance (see page 6-7).	Y
33	6	This program covers special needs housing and calls out that it includes people with disabilities in its intro, but there are no bullet points addressing how people with disabilities or universal design will be addressed or implemented.	Shannon Mullhall, on behalf of DAC & self	2.16.16	Chapter 6 - Housing Plan, Program 7 - Special Needs Housing was modified to include the requirements of the city's Universal Design Ordinance (see page 6-7).	Y
34	6	Suggest development incentives for universal design and accessible housing	Shannon Mullhall, on behalf of DAC & self	2.16.16	Chapter 6 - Housing Plan, Program 7 - Special Needs Housing was modified to include the requirements of the city's Universal Design Ordinance (see page 6-7), however no specific incentives have been added for universal design.	N
35	6	On 2/25 our updated ADA Plan for the Right of Way will be going before council, which could be integrated in this section. The term "wheelchair ramp" should be replaced with "curb ramp." The ADA Advisory Council should be replaced with the Disability Advisory Commission (have the consultant double-check the whole doc for this – the ADAAC was dissolved in 2008 and replaced with DAC).	Shannon Mullhall, on behalf of DAC & self	2.16.16	Chapter 6 - Land for Housing, Program 20: Neighborhood Infrastructure, was modified to include the proper terminology and reference the ADA Transition Plan for the Public Right of Way, page 6-15.	Y
36	6	Should Objective H-5 include "disability" in the heading?	Shannon Mullhall, on behalf of DAC & self	2.16.16	Revision made. See Chapter 6 - Housing Plan, page 6-18.	Y

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
37	4	I applaud the inclusion of the section on "Access to Mobility Options." This is a frequent complaint I and FAX both receive in regards to the areas that have developed on the fringe of the city. I notice the use of "should" in this section... are the specific regulations or policies, or is this only a best practice suggestion?	Shannon Mullhall, on behalf of DAC & self	2.16.16	It is a best practice that has been incorporated into Chapter 4 of the city's General Plan, Mobility and Transportation. Several Goals, Objectives and Policies address mobility options. See the policies that support Objective MT-9: Provide public transit opportunities to the maximum number and diversity of people practicable in balance with providing service that is high in quality convenient, frequent, reliable, cost-effective and financially feasible.	N
38	6	Encourage more universal design in development so that people can age in place. This could, over the long term, reduce some of the need for specialized homes for when older adults can no longer use their home for accessibility reasons. I see a benefit to building low-income senior communities, yet at the same time I also frequently hear of seniors who have to leave their home because it is no longer accessible (whether this occurs gradually from a reduction in mobility or due to a sudden illness/injury).	Shannon Mullhall, on behalf of DAC & self	2.16.16	Chapter 6 - Housing Plan, Program 7 - Special Needs Housing was modified to include the requirements of the city's Universal Design Ordinance (see page 6-7).	Y

City of Fresno Housing Element Comment Matrix

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
39	6	I regularly get calls from individuals who experience a sudden disability and find that they need to make costly adaptations to their home or try to move (also a challenge on a fixed income). They frequently ask if the city has a program that provides individual grants that would support the adaptation of an existing home. Something like this might be a program worth exploring. (I know of one non-profit that does renovations for low-income individuals who are suddenly disabled, but it greatly depends on donations)	Shannon Mulhall, on behalf of DAC & self	2.16.16	The city does not currently have a program specifically for adaptation retrofits, but it is committed to exploring more ways to provide special needs housing for seniors. See Chapter 6 - Housing Plan, Program 7: Special Needs Housing (page 6-7). Also see Program 20: Housing Rehabilitation (page 6-15).	N
40	3	The Housing Element failed to demonstrate the feasibility of development sites because it lacks analysis demonstrating the feasibility of developing lower-income housing on small sites.	Leadership Counsel for Justice and Accountability	2.26.16	Chapter 3 - Land for Housing, pages 3-11 and 3-12 includes new sections that demonstrate the feasibility of developing lower-income housing on small sites. In summary, the city has several recent low income developments that have occurred on small sites, and additionally, the city is facilitating lot consolidation by significantly lowering the fees for Voluntary Parcel Mergers. See Chapter 6 - Housing Plan, Program 15: Large and Small Lot Development.	Y
41	3	The Housing Element failed to demonstrate the feasibility of development sites because it lacks analysis demonstrating the feasibility of developing lower-income housing on large sites of 20 acres or more.	Leadership Counsel for Justice and Accountability	2.26.16	Chapter 3 - Land for Housing, pages 3-11 and 3-12 includes new sections that demonstrate the feasibility of developing lower-income housing on large sites. In summary, the city allows phasing on larger sites and also can address planning on those sites through the specific plan process, where applicable. See Chapter 6 - Housing Plan, Program 15: Large and Small Lot Development.	Y
42	3	The Housing Element failed to account for substantial residential downzoning in the 2008 Housing Element Planning Period	Leadership Counsel for Justice and Accountability	2.26.16	Downzoning of 2008 Housing Element sites did not occur. Rezones occurred on only 25 sites in the previous inventory out of a total 888 sites and resulted in a residential unit capacity gain of approximately 249 dwelling units.	N

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
43	3	The Housing Element fails to demonstrate compliance with fair housing law with respect to site location - the draft provides no analysis demonstrating distribution of sites by income category.	Leadership Counsel for Justice and Accountability	2.26.16	See Figure 3-1 on page 3-18 and maps on pages 3-23 and 3-25 for a bar chart of housing densities by development areas and mapping of the sites inventory by zoning/density and racially/ethnically concentrated areas of poverty. The figure and maps show housing affordable to lower income households is distributed across most areas of the city.	Y
44		The City should include a program in the HE to rezone industrial land located in proximity to and in conflict with residential neighborhoods to residential and mixed use zone districts at appropriate densities to meet the city's need for affordable housing as well as other zone districts that create opportunity to allow development of needed services and amenities.	Leadership Counsel for Justice and Accountability	2.26.16	The city already approved such land use and zone changes with its recent general plan and zoning map updates. The city has also authorized the Southwest Specific Plan process, currently underway. Any additional land use changes desired by the community will be proposed as part of that process.	N
45	1	The City failed to make a diligent effort to achieve participation of low-income residents and other stakeholders. The City should use culturally sensitive and language-appropriate communication tools to reach its target audience. City staff and elected officials should develop and sustain long-term relationships with community leaders throughout Fresno and from Fresno's low-income neighborhoods of color and immigrant population who can convey pertinent information to their networks.	Leadership Counsel for Justice and Accountability	2.26.16	Government Code Section 65583(c)(8) requires that the city make a diligent effort to encourage public participation. See Chapter 1, Introduction pages 1-5 - 1-9 for a complete description of the outreach process and methods employed, which included trilingual (Spanish, Hmong and English) flyers distributed to the 8 schools where workshops were held, to the Fresno Bee, and to a list of approximately 500 advocates, stakeholders and interested persons. Spanish and Hmong interpreters were also provided at all community workshops held. In addition, through January and February of 2016, the city also provided for public comment on the draft Element at 19 meetings of various city commissions, such as the city council and planning commission. Future public comment opportunities will be available in March and April at commission meetings, such as the Housing and Community Development Commission's March 23 meeting and the Planning Commission's March 30, 2016 meeting.	N
46	1,6	The HE Draft fails to incorporate public comments, The Draft HE does not indicate whether or how any of the comments, concerns or solutions raised by participants were incorporated into the Draft HE.	Leadership Counsel for Justice and Accountability	2.26.16	The Revised Public Draft has made significant changes in response to public comment. See this matrix and redline version of the draft for responses. A summary response to the public comments received at the community workshops held in October and November of 2015 is on page 1-8 of the revised draft.	Y

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
47	6	The Final HE must commit to actions that the city will take to expand stakeholder participation in implementation	Leadership Counsel for Justice and Accountability	2.26.16	Program 3: Annual Reporting Program, has been added in Chapter 6 - Housing Plan, to encourage an annual report to the Housing and Community Development Commission and input from stakeholders and residents on the progress of Housing Element implementation.	Y
48	5	The Draft HE fails to adequately analyze and respond to effectiveness of past performance, specifically in reference to the following programs:	Leadership Counsel for Justice and Accountability			
49	5	Program 1.1.2 - One Stop Processing (see letter for details)	Leadership Counsel for Justice and Accountability	2.26.16	In general, the Business Friendly Fresno development processing program has reduced processing times for all applications, including affordable housing projects. Program 13 on pages 6-11 and 6-12 includes an Expedited Processing/BFF program that will continue to prioritize housing affordable to low income households, and requires a review every two years.	Y
50	5	Program 1.1.4 - Institutional Barriers (see letter for details)	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 5 - 2008-2013 Program Accomplishments, page 5-3. In addition, the city adopted mixed use provisions into the zoning code in 2008 which allowed flexible development standards and density, thus removing many zoning related barriers to the development of affordable and market rate housing.	Y
51	5	Program 1.1.7 - Fresno Green (see letter for details)	Leadership Counsel for Justice and Accountability	2.26.16	Parc Grove Commons, a City and Housing Authority partnership project that included 363 apartment units, met green building standards. Bridges at Florence, Cityview Apartments, and Renaissance at Santa Clara were certified Build It Green, a Fresno Green equivalent. All of these projects included affordable housing. See Chapter 5 - 2008-2013 Program Accomplishments, page 5-4.	Y
52	5	Program 2.1.1 - Land Demand (see letter for details)	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 5 - 2008-2013 Program Accomplishments, page 5-5. During the 2008 Housing Element period, rezones occurred on only 25 sites in the previous inventory out of a total 888 sites and resulted in a residential unit capacity gain of approximately 249 dwelling units. A carry-over of 3,516 units of capacity affordable to low income households from the 2008 Housing Element period was carried over to the current period to ensure adequate capacity.	Y

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
53	5	Program 2.1.4 - Inner City Residential Development (see letter for details)	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 5 - 2008-2013 Program Accomplishments, page 5-6. 240 inner city units were approved. The goal was not achieved, possibly due to economic factors beyond the city's control, however new development incentives and planning initiatives should stimulate further inner city residential development during the current cycle. See Chapter 6 - Housing Plan, Programs 11: Downtown Development Standards, and Program 14: Development Incentives.	Y
54	5	Program 2.1.5 - Other Infill Housing (see letter for details)	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 5 - 2008-2013 Program Accomplishments, page 5-6.	Y
55	5	Program 2.1.7 - Multi-family land supply (see letter for details)	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 5 - 2008-2013 Program Accomplishments, page 5-7, 5-8.	Y
56	5	Programs 2.1.13 through 16 - Production of transitional, large family and low-income senior housing units (see letter for details)	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 5 - 2008-2013 Program Accomplishments, page 5-11, 5-12.	Y
57	5	Program 4.1.2 - Preventing and Alleviating Foreclosure (see letter for details)	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 5 - 2008-2013 Program Accomplishments, page 5-16, 5-17. The City adopted the Vacant Blighted Building Ordinance in 2015 which includes property owner reporting responsibilities and increased fines for non-compliance.	Y
58		The Draft HE fails to adopt satisfactory program actions, specifically:				
59	6	Program 5 - Special Needs Housing - clearer goal	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 6 - Housing Plan, pages 6-7, 6-8. The goal was clarified to include serving 500 households over the planning period, equivalent to 62.5 households per year.	Y

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
60	6	Program 8 - Fresno Green - must not only monitor but pursue grant funding; and clarify which parts of the Fresno Green Strategy are applicable	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 6 - Housing Plan, pages 6-9, 6-10. Several aspects of the Fresno Green strategy have been incorporated into the new General Plan, Development Code and Rezone. The focus for the housing element are fee reductions and zoning standard flexibility for Fresno Green certified projects. Reporting on progress of Fresno Green strategy implementation will occur as part of the Annual Reporting Program established in new Program 2.	Y
61	6	Program 9 - Expedited Processing - need clear timeline and trigger	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 6 - Housing Plan, pages 6-11, 6-12. Annual reporting on implementation of this program will occur as part of the Annual Reporting Program 2; additional timeframe parameters were added.	Y
62	6	Program 10 - Development Incentives - Need timeline with specific actions and how the city will assess funding availability	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 6 - Housing Plan, Program 10: Development Incentives, pages 6-7, 6-8. Specifics were added about the city's new impact fee waiver programs. In addition, Program 5, Housing Funding Sources on page 6-5, has been expanded to include additional innovative funding mechanisms to support affordable housing. Timing provisions have been added.	Y
63	6	Program 11 - Agricultural Employees - the city should commit to revising the Development Code if necessary	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 6 - Housing Plan, Program 16, 6-13. The commitment was added.	Y
64	6	Program 14 - Comprehensive Code Enforcement - City must commit not only to inspections but resolution of cases.	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 6 - Housing Plan, Program 19, pages 6-14, 6-15. Commitment added.	Y

City of Fresno Housing Element Comment Matrix

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
65	6	The Draft HE fails to adequately identify or mitigate drought-related barriers to housing opportunity. The Final HE should include a program committing the City to review and revise City regulations, including the Development Code, to ensure appropriate management of the City's water resources to ensure that housing needs are met for all income groups. Currently the Development Code requires a water assessment for projects consisting of 500 or more dwelling units, but does not include a similar requirement for smaller subdivisions or multifamily and affordable housing units.	Leadership Counsel for Justice and Accountability	2.26.16	The Fresno General Plan Master EIR analyzed the water needs for Fresno for the horizon year of 2035 and beyond. A host of general plan policies and mitigation measures assure that adequate water supply will be available to accommodate the City's projected growth. In addition, all proposed developments, whether for 1 dwelling unit or 500, are reviewed by the City's Public Utilities Department to ensure that the project can be adequately served.	N
66	6	The Draft HE fails to address habitability barriers to housing opportunity. Program 14 commits the City only to completing inspections without any promise of enforcement and to the development of recommendations by a Code Enforcement Task Force without any promise of adoption of those recommendations.	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 6 - Housing Plan, Program 19, pages 6-14, 6-15. Commitment added with regard to resolving cases. With regard to adoption of future code enforcement provisions, city staff cannot commit the City Council to actions that would require it's approval. Staff can only present items for Council's consideration.	Y
67	6	The City's Task Force must include current and/or past rental housing tenants and must work with local CBOs to identify resident leaders interesting in serving and provide the technical support and /or translation services for non-English speakers to meaningfully participate in the decision-making processes. Public notice of the Task Force meeting should also be provided.	Leadership Counsel for Justice and Accountability	2.26.16	The task force was convened by the Mayor and is not subject to the Brown Act.	N

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
68	6	The Draft should include a program to revise the City's municipal code to allow the public to enforce habitability provisions.	Leadership Counsel for Justice and Accountability	2.26.16	State law already allows this.	N
69	6	Program 17 does not include any commitment to specific actions by the City that will result in a beneficial impact in the planning period. Program 17 commits the City only to "investigate participation" in the Franchise Tax Board Building Code Program as a tool to reduce the number of substandard units in the City. Program should have a date by which the City will make a formal determination as to whether it will participate in the program and must also commit to proactive code enforcement as opposed to a complaint-based system.	Leadership Counsel for Justice and Accountability	2.26.16	As the Program notes (now Program 22 on page 6-16) the city will investigate participation in this program by January 2017.	
70	6	The HE Draft analysis of Special Needs Populations Housing is inadequate, specifically:	Leadership Counsel for Justice and Accountability	2.26.16		N
71	6	The Draft does not adequately identify and respond to the housing needs of large households	Leadership Counsel for Justice and Accountability	2.26.16	Chapter 6 - Housing Plan, Programs 5: Housing Funding Sources, 6: Strengthening Partnerships with Affordable Housing Developers; and 7: Special Needs Housing, together define the city's strategy for facilitating more affordable housing in a holistic way for special needs groups.	
72	6	The Draft fails to respond to the needs of female-headed households	Leadership Counsel for Justice and Accountability	2.26.16	Chapter 6 - Housing Plan, Programs 5: Housing Funding Sources, 6: Strengthening Partnerships with Affordable Housing Developers; and 7: Special Needs Housing, together define the city's strategy for facilitating more affordable housing in a holistic way for special needs groups.	Y

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
73	6	The Draft fails to provide housing assistance opportunities for undocumented families	Leadership Counsel for Justice and Accountability	2.26.16	Chapter 6 - Housing Plan, Programs 5: Housing Funding Sources, 6: Strengthening Partnerships with Affordable Housing Developers; and 7: Special Needs Housing, together define the city's strategy for facilitating more affordable housing in a holistic way for special needs groups.	Y
74	6	The Draft fails to identify or respond to linguistic, cultural and residency status barriers to affordable housing	Leadership Counsel for Justice and Accountability	2.26.16	Chapter 6 - Housing Plan, Programs 5: Housing Funding Sources, 6: Strengthening Partnerships with Affordable Housing Developers; and 7: Special Needs Housing, together define the city's strategy for facilitating more affordable housing in a holistic way for special needs groups.	Y
75	6	The Draft fails to examine or address the housing needs of residents of mobile homes	Leadership Counsel for Justice and Accountability	2.26.16	No specific housing needs of mobile home residents have been brought forward in the Housing Element process aside from the cost of land and possible sewage issue. The cost of land is beyond the scope of local government to control. Any code enforcement issues related to fixed items on the site under local building permit control would be addressed by code enforcement. Most issues however, including a sewage issue, are controlled by the State of California Department of Housing and Community Development for Mobile Home Parks. Contact 800-952-5275, 916-255-2501 for more information.	N
76	6	The city must evaluate barriers to affordable housing and fair housing associated with the Development Code, specifically the provision in Article 15-2201 (D) in which the adoption of any inclusionary zoning is conditioned upon an update of the General Plan	Leadership Counsel for Justice and Accountability	2.26.16	The city's housing plan, as set out in Chapter 6 of the Housing Element, currently does not include an inclusionary zoning provision. However, the city is facilitating mixed-income housing through several programs in the Housing Element. For example, to facilitate production of housing for lower income households, 3,516 additional units of capacity affordable to lower income households were added to the sites inventory in the revised public draft. In addition, Program 4 provides TOD Height and Density bonuses to developments proposed near public transit services. Programs 5, 6, and 7 will assist in identifying funding assistance for development of mixed-income neighborhoods and developments accommodating persons with special housing needs, and partnering with affordable housing developers to attract affordable housing developments. These are some, but not all of the ways the City seeks to encourage mixed-income housing.	N

#	Ch. Comment	Name	Date	Response	HE Change (Y/N)
77	<p>The Draft fails to affirmatively further fair housing, which is to take "...meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics..." The Final Housing Element must include an analysis of patterns of racial and ethnic segregation, concentrated poverty, disparities in access to resources and amenities across the City and adopt policies and programs to promote housing opportunities and access to opportunity ...regardless of protected status.</p>	<p>Leadership Counsel for Justice and Accountability</p>	<p>2.26.16</p>	<p>See Figure 3-1 on page 3-18 and maps on pages 3-23 and 3-25 for a bar chart of housing densities by development areas and mapping of the sites inventory by zoning/density and racially/ethnically concentrated areas of poverty. The figure and maps show housing affordable to lower income households is distributed across most areas of the city including in north Fresno and growth areas.</p>	<p>Y</p>
78	<p>The City is currently updating its 1996 Analysis of Impediments to Fair Housing; the analysis, findings and program recommendations for the update should be incorporated into the Final Housing Element. Programs that the city should consider to that end include:</p>	<p>Leadership Counsel for Justice and Accountability</p>	<p>2.26.16</p>		

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
79		1. Programs requiring the examination and/or adoption of possible inclusionary housing policies requiring that new development reserve a set percentage of units for housing affordable to low-income populations;	Leadership Counsel for Justice and Accountability	2.26.16	Comment noted. No Programs call for inclusionary zoning, however they do emphasize the creation of mixed income neighborhoods. The city is facilitating mixed-income housing through several programs in the Housing Element. For example, to facilitate production of housing for lower income households, 3,516 additional units of capacity affordable to lower income households were added to the sites inventory in the revised public draft. In addition, Program 4 provides TOD Height and Density bonuses to developments proposed near public transit services. Programs 5, 6, and 7 will assist in identifying funding assistance for development of mixed-income neighborhoods and developments accommodating persons with special housing needs, and partnering with affordable housing developers to attract affordable housing developments. These are some, but not all of the ways the City seeks to encourage mixed-income housing.	Y
80		2. A program for the location of development including affordable housing subsidized by state and federal funds received by the city in higher-income areas in North Fresno and in growth areas;	Leadership Counsel for Justice and Accountability	2.26.16	See Figure 3-1 on page 3-18 and maps on pages 3-23 and 3-25 for a bar chart of housing densities by development areas and mapping of the sites inventory by zoning/density and racially/ethnically concentrated areas of poverty. The figure and maps show housing affordable to lower income households is distributed across most areas of the city including north Fresno and growth areas.	Y
81		3. The creation of a local or regional source of funding for affordable housing through mechanisms such as a commercial linkage fee;	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 6 - Housing Plan, Program 5: Housing Funding Sources.	Y
82		4. Assessment of city land use policies and practices, including its 2015 Development Code, as they pertain to the City's duty to AFFH; and	Leadership Counsel for Justice and Accountability	2.26.16	This falls within the scope of the Analysis of Impediments, currently underway. Also see Chapter 6 - Program 25, Fair Housing Services, which states that the city's Analysis of Impediments will be updated by 2017.	Y
83		5. policies and programs to address disparities in access to essential infrastructure, services, amenities and opportunities between low-income and higher-income neighborhoods in Fresno.	Leadership Counsel for Justice and Accountability	2.26.16	See Chapter 6 - Housing Plan, Program 17: Infrastructure Priority Program, and Program 20, Neighborhood Infrastructure.	Y

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
84		The Draft fails to complete required SB 244 analysis and General Plan Revisions.	Leadership Counsel for Justice and Accountability	2.26.16	All general plan revisions that are triggered by Housing Element adoption are being proposed as part of the Housing Element plan amendment, however they are not part of the Housing Element itself.	N
85	3	The Housing Element perpetuates underproduction of affordable housing (refers to last annual report); above-moderate-income housing has been overproduced and housing for lower and moderate income households has been underproduced.	P. Milrod	2.29.16	Pursuant to Government Code Sections 65580-65581, the housing element is a planning document, not a housing production document. However, to ensure that the city is facilitating the production of housing for lower income households, 3,516 additional units of capacity affordable to lower income households were added to the sites inventory in the revised public draft. Further, Program 4 provides TOD Height and Density bonuses to developments proposed near public transit services. In addition, Programs 5, 6, and 7 will assist in identifying funding assistance for development of mixed-income neighborhoods and developing accommodations for persons with special housing needs, and partnering with affordable housing developers to attract affordable housing developments. These are some, but not all of the ways the City seeks to encourage production of affordable housing.	Y
86	3	The Housing Element perpetuates existing patterns of racial segregation. Suggests that maximum capacity downtown has been assumed for all housing types, but that housing affordable to low and very low income households have not been distributed into "Neighborhoods of Opportunity."	P. Milrod	2.29.16	Page 3-18 of the Revised Public Draft redline states that housing units in Downtown only comprise 8% of the sites inventory. Minimum densities for the allowed zoning have been assumed. See Figure 3-1 on page 3-18 and maps on pages 3-23 and 3-25 for a bar chart of housing densities by development areas and mapping of the sites inventory by zoning/density and racially/ethnically concentrated areas of poverty. The figure and maps show housing affordable to lower income households is distributed across most areas of the city.	Y

#	Ch.	Comment	Name	Date	Response	HE Change (Y/N)
87	3	The City must improve its public participation process. Needs to create a multi-lingual meaningful message campaign using multiple media: radio, television, community-based newsletters	P. Milrod	2.29.16	Government Code Section 65583(c)(8) requires that the city make a diligent effort to encourage public participation. See Chapter 1, Introduction pages 1-5 - 1-9 for a complete description of the outreach process and methods employed, which included trilingual (Spanish, Hmong and English) flyers distributed to the 8 schools where workshops were held, to the Fresno Bee, and to a list of approximately 500 advocates, stakeholders and interested persons. Spanish and Hmong interpreters were also provided at all community workshops held. In addition, through January and February of 2016, the city also provided for public comment on the draft Element at 19 meetings of various city commissions, such as the city council and planning commission. Future public comment opportunities will be available in March and April at commission meetings, such as the planning commission's March 30, 2016 meeting.	N
88	3	Zoned densities which effectively ensure new housing will exacerbate the already-existing racial and ethnic segregation that defines the landscape of this city - Data in Appendix B needs to be sorted and mapped by affordability/density.	P. Milrod	2.29.16	Page 3-18 of the Revised Public Draft redline states that housing units in Downtown only comprise 8% of the sites inventory. See Figure 3-1 on page 3-18 and maps on pages 3-23 and 3-25 for a bar chart of housing densities by development areas and mapping of the sites inventory by zoning/density and racially/ethnically concentrated areas of poverty. The figure and maps show housing affordable to lower income households is distributed across most areas of the city.	Y
89	3	Use information from the Industrial Compatibility study to analyze land use codes and zoning for the AI.	P. Milrod	2.29.16	Study findings not available at time of preparation of the housing element.	N
Comments may be added to this matrix as additional comments are received.						

Sophia Pagoulatos

From: Shaunt Yemenjian <shaunty@halajianarch.com>
Sent: Friday, March 18, 2016 1:24 PM
To: Sophia Pagoulatos
Cc: Jennifer Clark
Subject: RE: Housing Element Revised Draft

Hi Sophia,

Thanks. I read through this pretty carefully last week. Although the window for any constructive or critical feedback has passed, honestly I was pretty impressed with this and wouldn't have had much to offer other than it's a good document that guides the right kind of growth in several of the areas of greatest need for a healthier city. Specifically delighted about the push for higher density and incentivizing of high density and affordable/market rate housing. Nice work to all who contributed.

It's a great and I have already begun sharing some of its contents with colleague, friends and developers. I will circulate this others to encourage support for the upcoming three meetings.

Question about the "Programs" starting on pp125: to gauge the feasibility of pursuing any of these for downtown projects, who would the discussion start with? DRM? As I mentioned, I have already shared this with others and have received interest in finding out more about how these can be actualized.

Thanks,
shaunt

From: Sophia Pagoulatos [mailto:Sophia.Pagoulatos@fresno.gov]
Sent: Thursday, March 17, 2016 1:06 PM
To: HousingElement
Cc: Jennifer Clark; Daniel Zack; Talia Kolluri; Michelle Zumwalt; Casey Lauderdale; genevieves@migcom.com; Diana Gonzalez; Mike Sanchez; Bonique Emerson; Ashley Swearengin; Bonnie Christian; Jose Trujillo; Richard Salinas; John Turnipseed; Bruce Rudd; Wilma Quan-Schechter; Andrew Benelli; Thomas Esqueda; Israel Trejo; Phillip Siegrist; Bruce Barnes; Ralph Kachadourian; McKencie Contreras; Will Tackett; Lauren Filice; Chris Lang; Sandra Brock; Sophia Pagoulatos
Subject: Housing Element Revised Draft

Hello Housing Element Stakeholders:

This email is to inform you that a Revised Public Draft of the Housing Element is now available on line at www.fresno.gov/housingelement. Both a clean copy and a redline version have been posted to facilitate comparison of the January 2016 draft with this new March 2016 version. Hard copies are available upon request.

The revised draft is scheduled for consideration by the following public bodies:

FRESNO HOUSING AND COMMUNITY DEVELOPMENT COMMISSION

Date: Wednesday, March 23, 2016

Exhibit D
Amendment to Chapter 11 of the General Plan:
Housing Element Revised Public Draft (March 2016)
(provided under separate cover and available at
www.fresno.gov/housingelement)

Exhibit E
California Department of Housing and Community
Development Letter

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



March 7, 2016

Ms. Jennifer K. Clark, Director
Development and Resource Management Department
City of Fresno
2600 Fresno St, Room 3065
Fresno, CA 93721

Dear Ms. Clark:

RE: Review of the City of Fresno's 5th Cycle (2015-2023) Draft Housing Element

Thank you for submitting the City of Fresno's draft housing element received for review on January 7, 2016. Pursuant to Government (GC) Code Section 65585(b), the Department is reporting the results of its review. The Department also received draft revisions on March 3, 2016. However, those revisions were unable to be fully considered in this review. In addition, the Department considered comments from Leadership Council for Justice and Accountability pursuant to GC Section 65585(c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (GC, Article 10.6). The enclosed Appendix describes revisions needed to comply with State housing element law.

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) the City must adopt its housing element within 120 calendar days from the statutory due date of December 31, 2015 for Fresno COG localities. If adopted after this date, GC Section 65588(e)(4) requires the housing element be revised every four years until adopting at least two consecutive revisions by the statutory deadline. For more information on housing element adoption requirements, please visit our website at: http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf.

For your information, on January 6, 2016, HCD released a Notice of Funding Availability (NOFA) for the Mobilehome Park Rehabilitation and Resident Ownership Program (MPRRP). This program replaces the former Mobilehome Park Resident Ownership Program (MPROP) and allows expanded uses of funds. The purposes of this new program are to loan funds to facilitate converting mobilehome park ownership to park residents or a qualified nonprofit corporation, and assist with repairs or accessibility upgrades meeting specified criteria. This program supports housing element goals

Ms. Jennifer K. Clark, Director
Page 2

such as encouraging a variety of housing types, preserving affordable housing, and assisting mobilehome owners, particularly those with lower-incomes. Applications are accepted over the counter beginning March 2, 2016 through March 1, 2017. Further information is available at: <http://www.hcd.ca.gov/financial-assistance/mobilehome-park-rehabilitation-resident-ownership-program/index.html> .

The Department appreciates the City's efforts to prepare a housing element update and recognizes many efforts to promote a variety of housing choices and infill development, particularly through the recent general plan and development code updates. We are committed to assisting Fresno in addressing all statutory requirements of housing element law. If you have any questions or need technical assistance, please contact Tom Brinkhuis, of our staff, at (916) 263-6651.

Sincerely,

A handwritten signature in blue ink that reads "Glen A. Campora". The signature is written in a cursive style with a large initial "G".

Glen A. Campora
Assistant Deputy Director

Enclosure

APPENDIX CITY OF FRESNO

The following changes would bring the City of Fresno's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at www.hcd.ca.gov/hpd. Among other resources, the Housing Element section contains the Department's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at www.hcd.ca.gov/hpd/housing_element2/index.php and includes the Government Code addressing State housing element law and other resources.

A. Housing Needs, Resources, and Constraints

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

Unaccommodated Need from the Prior Planning Period: The City's fourth cycle element contained Program 2.1.6.a which was necessary to demonstrate compliance with the adequate sites requirement for all of the prior cycle housing need allocation. The current draft states that capacity exists in the sites listed in the prior element due to recent Development Code updates and that Program 2.6.a is no longer needed (p.5-6). However, the update of the code did not occur with sufficient time to facilitate development in the 4th cycle planning period. As a result, the element must include an analysis to address the unaccommodated need from the prior planning period pursuant to GC Section 65584.09, including whether recently rezoned sites address requirements pursuant to GC Section 65583.2(h) and (i).

The Department recognizes recent revisions received March 3, 2016 to address these requirements and acknowledges these revisions appropriately begin to address the requirements of GC 65584.09. However, the Department was unable to conduct a full review of the revisions, particularly given the complexity of the 4th cycle shortfall of adequate sites and the lack of opportunity for public comments on the revisions.

When it is determined that a local government failed to make adequate sites available to accommodate all of the regional housing need in the prior planning period, the locality is required to zone or rezone sites to accommodate any unaccommodated need within the first year of the 2014-2023 planning period (Section 65584.09). More information about requirement is provided at: http://www.hcd.ca.gov/hpd/hrc/plan/he/ab_1233_final_dt.pdf.

Small and Large Sites: Typical developments utilizing state and federal financing consist of 50 to 150 units. However, many sites appear too small or large to accommodate a development of this size. To demonstrate adequate sites to accommodate the regional housing need for lower-income households, the element must include analysis describing the feasibility of development on small and large sites and the ability of these sites to encourage development of housing affordable to lower-income households

Realistic Capacity: While the element notes a minimum density is utilized to calculate capacity on mixed-use sites (page 3-4), it should also include a discussion of the likelihood for 100 percent non-residential development occurring on such sites. For example, the element could analyze development trends for 100 percent non-residential uses on mixed-use sites; describe performance standards or general plan policies assuring residential development on mixed-use sites or policies; and programs to encourage residential uses. Refer to *Building Blocks* at: http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php.

Suitability and Availability of Infrastructure: The element states water and sewer services are available. However, it must demonstrate there is sufficient existing or planned water and sewer capacity to accommodate the total regional housing need or include appropriate programs.

- Analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

Land-Use Controls, Downtown Zoning: The element indicates pending zoning for downtown districts (page 3-10) and the potential for a unit cap in the area. Given the pending nature of downtown zoning, the element could include a program to ensure zoning will not act as a constraint or preclude the ability to accommodate the regional housing need. A program could also assist in meeting any unaccommodated need from the prior planning period as described in Finding A1.

On/Off-Site Improvements: The element must identify and analyze actual street widths, curb, gutter, and sidewalk requirements; water and sewer connections; landscaping and circulation improvement requirements; and any other on/off-site improvement required by the jurisdiction which could potentially be a constraint to development of housing. In addition, the element must describe any generally applicable level of service standards or mitigation thresholds. Based on the outcomes of this analysis, the element should include programs as appropriate.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

Among other things, programs must have specificity, objectives and timelines for completion to have a beneficial impact in the planning period. Several programs have non-definitive timelines or lack the necessary commitment to have an impact on addressing housing needs and should be revised. For example:

Programs 3, 4, 5 and 7 (Assist in Development, Special Needs): Provide definitive timing (e.g., annually).

Program 11 – Agricultural Employees (Farmworker) Housing: The program commits Fresno to reviewing the Development Code by January 2017. The City should also commit to amend or revise the code as appropriate to comply with the Employee Housing Act.

Program 18 (At-risk Housing): The program could also commit to quick action when notice of conversion is received and monitoring units to ensure tenants receive proper notifications. For more information and a sample program, see *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/PRO_atrisk.php.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in Finding A1, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address any unaccommodated need or shortfall of sites.

3. *The housing element shall contain programs which address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing (Section 65583(c)(3)).*

As noted in Finding A2, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs to remove or mitigate any identified constraints.

D. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort (Section 65583(c)(8)).

The element includes a general summary of the public participation process but should also describe how public comments were considered and incorporated into the element, including comments received. It appears Fresno did not make a draft of the housing element available to the public until after submittal to the Department. While the Department recognizes the importance of meeting statutory deadlines, by not making the draft available to the public the City denied the public an important opportunity for public input prior to Department submittal. During the period between this draft element and the adoption of the final housing element, the City must make diligent efforts to achieve public participation including from low and moderate income households and/or representative organizations by making information regularly available and considering and incorporating comments where appropriate.

E. Other

San Joaquin Valley Fair Housing and Equity Assessment: As noted in the Department's memo (at below link), the Department encourages Fresno to consider the San Joaquin Valley Fair Housing and Equity Assessment as part of the housing element update and utilize various resources available to the City, including mapping and GIS services. The Housing element is a tremendous opportunity to evaluate demographic patterns, housing needs, identification of sites and potential strategies to affirmatively further fair housing. For example, the element summarizes development capacity by areas of the City. The analysis could take an additional step and summarize or map development capacity using dissimilarity or opportunity indices. The Department welcomes working with the City to develop innovative approaches to meet its housing and community development needs. For more information, please contact the Department and see our website at <http://www.hcd.ca.gov/housing-policy-development/docs/san-joaquin-fair-housing020915.pdf>.

Other Elements of the General Plan: For your information, some other elements of the general plan must be updated on or before the next adoption of the housing element. The safety and conservation elements of the general plan must include analysis and policies regarding fire and flood hazard management (GC Section 65302(g)). Also, the land-use element must address disadvantaged communities (unincorporated island or fringe communities within spheres of influence areas or isolated long established "legacy" communities) based on available data, including, but not limited to, data and analysis applicable to spheres of influence areas pursuant to GC Section 56430. The Department urges the City to consider these timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/SB244_Technical_Advisory.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.

Exhibit F
Amendment to Chapter 3 of the General Plan:
Disadvantaged Unincorporated Communities Analysis

3.7 DISADVANTAGED UNINCORPORATED COMMUNITIES

California Senate Bill 244 (Wolk, 2011; SB 244) requires local municipalities to identify Disadvantaged Unincorporated Communities (DUCs) within or adjacent to their Sphere of Influence (SOI), analyze the infrastructure needs of the DUCs (including water, wastewater, stormwater drainage, and structural fire protection), and evaluate potential funding mechanisms to make service extension feasible.

Disadvantaged Unincorporated Communities are defined as settled places not within city limits where the median household income is 80 percent or less than the statewide median household income.^{1, 2} Under the policy set forth by the Fresno Local Agency Formation Commission (LAFCO), a DUC must also have at least 15 residences with a density of one unit per acre or greater.³

In 2015, Fresno LAFCO identified a total of 20 DUCs that are located within or adjacent to the City of Fresno SOI and which meet the full definition of a DUC (See Figure LU-3).

¹ State of California Office of Planning and Research. Technical Advisory to SB 244.

² Flegal, C., Rice, S., Mann, J., & Tran, J. California Unincorporated: Mapping Disadvantaged Communities. PolicyLink, 2013

³ Fresno Local Agency Formation Commission. City of Fresno Municipal Service Review Public Review Draft, prepared by Policy Consulting Associates, LLC. October 20, 2015.

Infrastructure Conditions Summary of Fresno Area DUCs

Water

Water access for DUCs is served through either the City of Fresno Public Utilities Department or through private wells. Adequate water infrastructure is defined as having existing infrastructure connecting a parcel that contains one or more residences to the City's water system. The analysis does not include parcels that do not contain residences (i.e. vacant land or businesses) nor does it consider whether or not a residence has active service.

Wastewater

Similar to water, wastewater service is provided either through the City of Fresno Public Utilities Department or through private septic tanks. Adequate wastewater infrastructure is likewise defined as having existing infrastructure connecting a parcel that contains one or more residences to the City's system. The analysis does not include parcels that do not contain residences nor does it make a distinction of active versus inactive service.

Stormwater Drainage

The stormwater drainage analysis includes review of the existing curb and gutter facilities in the DUC areas. Adequate stormwater drainage is defined as having curb and gutter located between a parcel containing one or more residences and the adjacent street(s) throughout the entire DUC area. FEMA Flood Zones are also given to indicate the likelihood that an area would face a significant flood threat.⁴

- Zone X: Areas determined to be outside the 0.2% annual chance floodplain.
- Zone XS: Zone X (shaded). Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- Zone A: No Base Flood Elevations determined.
- Zone AE: Floodway Areas. The floodway is the channel of a stream [or canal] plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

⁴ Flood Insurance Rate Map for Fresno County. Federal Emergency Management Agency, 2009.

Structural Fire Protection

Fire protection service is provided through the City of Fresno Fire Department and through response agreements with the City of Clovis Fire Department and the Fresno County Fire Protection District. Adequate structural fire protection is defined as having all parcels located within a four minute-response area. Only two DUC areas are not completely within this area.

Accessibility to fire hydrants is also important to the structural fire protection of DUCs, yet it was not possible to give an accurate analysis for fire hydrant coverage due to the constraints in mapping the (conservative) 500 foot range of coverage from a hydrant to a parcel via travel path. However, maps showing the 500 foot circular radius around fire hydrants is given in Appendix A to denote a general awareness of where fire hydrant coverage is sparse and where it is abundant. It should be noted that in areas without fire hydrant protection, the fire department will deploy a water tender and draft from seasonal irrigation canals as available to supplement the 500-700 gallons of fire suppression water carried on each apparatus. However, this alternate means of fire suppression results in significant delays or inability to mount an interior fire attack in a house, which affects rescue of the inhabitants and the deployment of adequate hose streams to protect adjacent structures.

In the following table, information is given for each DUC that exhibits the extent to which adequate infrastructure (as defined for each category) exists in those areas.

TABLE 3-4: DUC INFRASTRUCTURE CONDITIONS SUMMARY

#	Water ¹	Wastewater ¹	Stormwater Drainage		Structural Fire Protection
	Connected Line	Connected Line	Curb & Gutter	FEMA Flood Zone	Within 4 Minute Zone
1	4 of 18 22%	7 of 18 39%	No	Zone X	100%
2	8 of 39 21%	1 of 39 3%	No	Zone X	100%
3	0 of 249 0%	0 of 249 0%	No	Zone X & Zone XS	100%
4	131 of 221 59%	53 of 221 24%	No	Zone X & Zone XS	100%
5	0 of 14 0%	0 of 14 0%	No	Zone X & Zone XS	3.6%
6	0 of 39 0%	0 of 39 0%	No	Zone X & Zone A	100%
7	0 of 12 0%	0 of 12 0%	No	Zone X	100%
8	0 of 25 0%	0 of 25 0%	No	Zone X	100%
9	1 N/A ²	1 N/A ²	N/A	Zone X	60%
10	0 of 4 0% 12 N/A ²	0 of 4 0% 12 N/A ²	No	Zone X	100%
11	0 of 15 0%	0 of 15 0%	No	Zone X	100%
12	327 of 330 99%	324 of 330 98%	Yes	Zone X & Zone XS	100%
13	13 of 14 93%	0 of 14 0%	No	Zone XS	100%
14	104 N/A ³	83 of 104 80%	No	Zone X, Zone XS, & Zone AE	100%
15a	462 N/A ³	416 of 462 90%	No	Zone X & Zone XS	100%
15b	122 of 131 93% 5 N/A ³	125 of 136 92%	No	Zone X & Zone XS	100%
16	159 of 159 100% 441 N/A ³	587 of 600 98%	No	Zone XS	100%
17	976 of 976 100%	976 of 976 100%	No	Zone X & Zone XS	100%
18	1195 of 1195 100%	1195 of 1195 100%	Yes	Zone X, Zone XS, & Zone AE	100%
19	56 of 60 93%	60 of 60 100%	No	Zone XS	100%
20	272 of 272 100%	264 of 272 97%	No (missing 3 parcels)	Zone X	100%

¹ Counts of parcels with one or more residences are considered as a close approximation.

² These parcels are located within the boundaries of the Malaga Water District.

³ These parcels are located within the boundaries of the Bakman Water District.

The number of parcels with residences within each DUC was determined through visual interpretation of aerial maps and Google Maps Street View. Maps and additional data are included in Chapter 3, Appendix A.

Water Districts

As noted in Table 3-4, some DUCs or portions of DUCs are served by the Malaga and Bakman Water Districts. While the active service in these areas may be more limited than the actual district boundaries, they are nevertheless excluded from the analysis because an activation or system upgrade in these areas would be managed by the respective water district, not the City.

Potential Funding Mechanisms to Address Deficiencies

SB 244 does not require cities to provide infrastructure directly to DUC areas, however, it does require cities to evaluate potential funding mechanisms that would make such service extensions feasible. The following alternatives are provided as potential funding mechanisms that could be utilized by entities within the governmental, private, and non-profit realms.

New Development

One way to address existing deficiencies is through new private development where the installation, upgrade, or expansion of infrastructure would be required to serve the new development. This type of development typically occurs on a limited, site-specific basis and is thus unlikely to address area-wide infrastructure needs within large areas that are nonadjacent to the city limits. However, for small areas like DUC Area 1 or in areas like DUC Area 15b, where infrastructure is missing from only a small number of parcels, private development could be effective in completing the community's total infrastructure needs.

Service Districts

Another mechanism to provide infrastructure is to establish an assessment district to bond for infrastructure construction and pay for it over time. A district would fund the cost of the infrastructure within a designated area through the fairly proportioned financial contributions of each benefiting landowner. To form a district, property owners vote to affirm the establishment of the district and assessment through a special election. This method would be most effective in areas that are missing significant portions of infrastructure such as water and sewer mains along major corridors.

Grants and Loans

There are numerous state, federal, and regional grants and loans that can provide funding for infrastructure projects within DUCs. Some examples include:

State Water Resources Control Board Drinking Water State Revolving Fund⁵

The DWRSF is a State-managed fund that can supply low-interest to no-interest loans to provide drinking water infrastructure to disadvantaged communities. Eligible applicants include cities, counties, districts, for-profit and non-profit community water systems, public school districts and other non-community water systems, and systems that are created by the project. The repayment terms are 20 years or longer and the principal balance may be forgiven for publicly owned water systems or non-profit mutual water companies that serve disadvantaged communities.

State Water Resources Control Board Clean Water State Revolving Fund⁵

The CWSRF provides low interest financing agreements (dependent on General Obligation Bond Rate) for wastewater and stormwater treatment projects. Eligible applicants include cities, counties, districts, state agencies, tribal governments/organizations, agencies approved under Section 208 of the Clean Water Act, 501(c)(3)s, and National Estuary Programs. The repayment terms are up to 30 years or the useful life of the project. A percentage of the total project cost up to the full amount may be waived for projects benefiting DACs.⁶

State Water Resources Control Board Division of Financial Assistance

The Division of Financial Assistance is in charge of implementing the State Water Resources Control Board's financial assistance programs and contains a link to current funding sources on its website at www.waterboards.ca.gov/water_issues/programs/grants_loans

Groundwater Quality Funding Assistance⁷

The Groundwater Grant Program holds approximately \$744 million dollars for the prevention and cleanup of contamination of groundwater-sourced drinking water. Up to \$160 million has been specifically set aside for project serving disadvantaged communities (DACs) and economically distressed areas (EDAs). Eligible applicants include public agencies, non-profits, tribal organizations, public utilities, and mutual water companies. Grants range from \$100,000 - \$1 million for planning and \$500,000 - unrestricted for implementation. Funds are available from 2018 to 2021. Minimum local matching is 50%, however this may be reduced or waived for projects that benefit a DAC or EDA.

⁵ "Below-Market Financing for Wastewater & Water Quality." State of California Clean Water State Revolving Fund.

⁶ "Proposition 1 - Small Community Wastewater." State Water Resources Control Board, 15 Sept. 2015.

⁷ "Water Board Groundwater Funding Programs." California Water Boards.

Integrated Regional Water Management (IRWM) Grant Program⁸

The IRWM Grant is administered by the Department of Water Resources and contains approximately \$474.3 million in funding to be applied to projects that will adapt water systems to climate change, improve collaboration in regional water management, and increase regional water self-reliance (reducing reliance on the Sacramento-San Joaquin Delta). Of this \$102 million is set aside for assistance to disadvantaged communities (DACs). Eligible applicants include public agencies, non-profits, tribal organizations, public utilities, and mutual water companies. Minimum local matching is 50%, however this may be reduced or waived for projects that benefit a DAC or EDA.

Infrastructure State Revolving Fund (ISRF) Loan Program⁹

The California Infrastructure and Economic Development Bank manages the ISRF program to provide low-cost financing for infrastructure projects in amounts ranging from \$50,000 to \$25 million with terms of up to 30 years. Municipal agencies and non-profit entities with municipal sponsors are eligible for funding.

USDA Rural Development Water & Waste Disposal Loan & Grant Program¹⁰

The United States Department of Agriculture manages a Water & Waste Disposal Loan & Grant Program that offers long-term (up to 40 years), low-interest loans (sometimes combined with grants) for the construction or improvement of drinking water, sewer, solid waste, and storm water facilities in rural communities. The program may be pursued by state and local government entities, non-profits, and federally recognized tribes.

Community Development Block Grant Fund¹¹

Administered by the United States Department of Housing and Urban Development, CDBG Funds are used to benefit low- and moderate-income communities, blighted communities, and communities that face issues of health and welfare. The fund may be used by the state and by cities and counties and can be applied toward infrastructure improvements.¹²

⁸ "Proposition 1 IRWM Grant Program." California Department of Water Resources. 22 Feb. 2016.

⁹ California Infrastructure and Economic Development Bank, Criteria, Priorities and Guidelines for the Selection of Projects for Financing Under the Infrastructure State Revolving Fund (ISRF) Program. Adopted August 25, 2015.

¹⁰ "Water & Waste Disposal Loan & Grants Program." United States Department of Agriculture, Rural Development.

¹¹ "CDBG Entitlement Program Eligibility Requirements." US Department of Housing & Urban Development, 2014.

¹² "Expenditure Report: Use of CDBG Funds by Fresno County, CA." US Department of Housing & Urban Development, Office of Community Planning and Development, 12 Jan. 2015

City of Fresno

Figure LU-4:

DUCs & District Boundaries

Prepared by:
Development and Resource Management
Planning Division

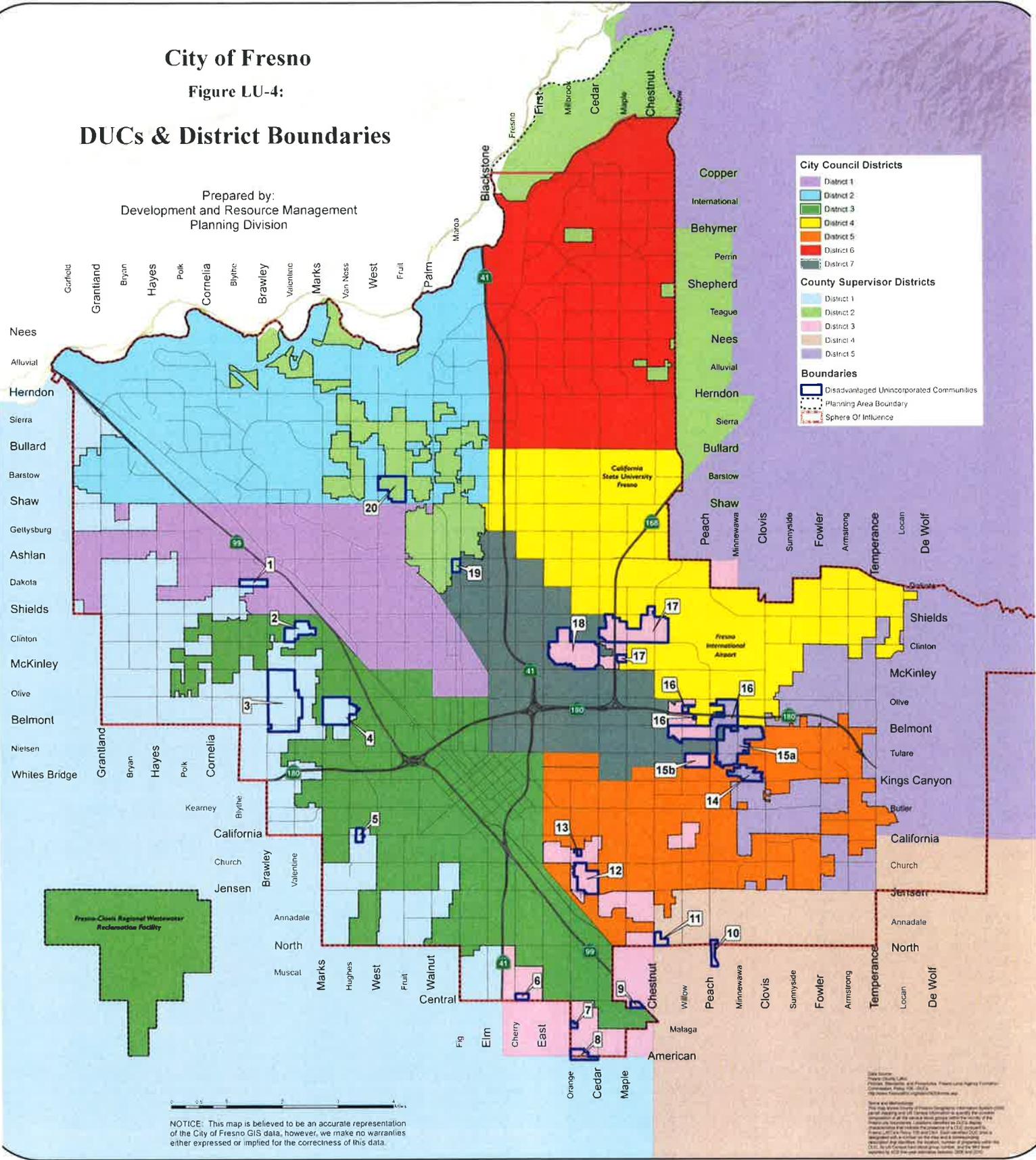


Exhibit G
Amendment to Chapter 9 of the General Plan: Floodplain
Protection Reference

**Proposed General Plan Text Amendment to Chapter 9, the Noise and Safety
Element:**

The following text is proposed to be added to Section 9.4:

To address the risks of damaging floods, the City of Fresno adopted and recently updated a Flood Plain Ordinance that meets the standards imposed by California Government Code Section 65302(g)(2). The Government Code specifies that cities should include either directly, or through adoption by reference to a flood plain ordinance (65302(g)(6)), flood hazards zones and maps on flooding in the area (65302(g)(2)(A)), goals to protect new development against flooding (65302(g)(2)(B)), and implementation measures to achieve the stated goals (65302(g)(2)(C)).

The City of Fresno Flood Plain Ordinance incorporates by reference flood hazard zones established by the Federal Emergency Management Agency (FEMA), Federal Insurance Rate Maps completed for Fresno County, and other maps as are needed to review flood risk (FMC 11-607). The Flood Plain Ordinance protects against risk to new and existing development by requiring any building proposed within a special flood hazard area to obtain a building permit and provide information specifically related to flood risk (11-613). The permit is reviewed by the Building Official, whom has been designated as the Flood Plain Administrator, to ensure that the project will be reasonably safe from flooding and will not adversely increase flood risk elsewhere. (11-614, 11-616). The Ordinance also includes specific development and construction standards to minimize flood risk (11-623 to 11-636). This permit review process and the applicable standards help to implement the goals found within the Flood Plain Ordinance Statement of Purpose (11-603) and also serve to both implement and complement the Goals, Objectives, and Implementing Policies found within this General Plan.

Exhibit H
Environmental Assessment

<p align="center">CITY OF FRESNO</p> <p align="center">NOTICE OF INTENT TO ADOPT A FINDING OF CONFORMITY</p>	<p>Filed with:</p> <p align="center">FRESNO COUNTY CLERK 2221 Kern Street, Fresno, CA 93721</p>
<p align="center">PROJECT TITLE & ENVIRONMENTAL ASSESSMENT</p> <p align="center">EA No. A-16-001 for Plan Amendment Application No. A-16-001, Housing Element Update</p>	<p align="center">FILED</p> <p align="center">JAN 29 2016</p> <p align="right">TIME 3:15 PM</p>
<p>APPLICANT: City of Fresno 2600 Fresno Street Fresno, CA 93721</p>	<p align="center">FRESNO COUNTY CLERK By <i>Battany</i> DEPUTY</p>
<p>PROJECT LOCATION:</p> <p>Property within and adjacent to the Fresno sphere of influence.</p>	
<p>PROJECT DESCRIPTION</p> <p>Plan Amendment Application No. A-16-001 proposes to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income families and special needs groups. The Housing Element itself does not propose construction of housing at specific locations, but rather is a planning document to accomplish housing goals at a programmatic level. More information about the Housing Element and the Housing Element Public Draft is available on line at www.fresno.gov/housingelement. Plan Amendment A-16-001 also includes an amendment to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Fresno Sphere of Influence. Plan Amendment A-16-001 would amend the text of the Fresno General Plan only; no land use designations are proposed to be changed.</p>	
<p>Additional information on the proposed project, including the proposed environmental Finding of Conformity, initial study and all documents and technical studies referenced in the initial study, as well as electronic copies of documents, may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, Third Floor-North, Room 3076, Fresno, California 93721-3604. Please contact Sophia Pagoulatos at (559) 621-8062 for more information.</p> <p>ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should</p>	

not be made. Comments may be submitted at any time between the publication date of this notice and close of business on February 29, 2016. Please direct all comments to Sophia Pagoulatos, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Third Floor-North, Room 3076, Fresno, California, 93721-3604; or by email, Sophia.Pagoulatos@fresno.gov; or by facsimile, (559) 498 1026. Para información en español, comuníquese con Sophia Pagoulatos al teléfono (559) 621-8062.

INITIAL STUDY PREPARED BY:

Sophia Pagoulatos
Planning Manager

SUBMITTED BY:

Sophia Pagoulatos, Planning Manager
CITY OF FRESNO DEVELOPMENT &
RESOURCE MANAGEMENT DEPT

DATE: January 29, 2016

the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment A-16-001 also includes amendments to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence and minor amendments to Chapter 9, the Noise and Safety Element, to comply with Government Code requirements related to the Housing Element. The Plan Amendment is described more fully below:

Amendment to Chapter 11 of the General Plan: Housing Element

The Housing Element, incorporated here in its entirety by reference, is a program document and does not include any changes to land use or zoning, nor does it approve any construction. The description of the element is as follows:

1. Chapter 1 – Introduction
2. Chapter 2 – Housing Needs, Population, Household Unit Characteristics, and Regional Housing Needs Evaluation
3. Chapter 3 – Land for Housing
4. Chapter 4 – Constraints to Housing Production
5. Chapter 5 – 2008-2013 Program Accomplishments
6. Chapter 6 – Housing Plan

It is Chapter 6 – Housing Plan includes the Goals, Objectives and Programs and commits the city to program actions. An explanation is included in *italics* under each Objective explaining how the group of programs fall within the scope of the General Plan MEIR.

Objective H-1: Provide adequate sites for housing development to accommodate a range of housing by type, size, location, price, and tenure.

Program 1 – Adequate Sites

This program requires the city to maintain an inventory of sites with sufficient capacity to accommodate Fresno's fair share of residential growth through the year 2023. The inventory only includes sites that are already planned and zoned for such use. The program would require monitoring sites and maintaining capacity. If at some future date additional residential capacity would need to be identified, additional environmental analysis will occur. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR.

Objective H-2: Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households.

- Program 2 – Density Bonus Programs**
- Program 3 – Housing Funding Sources**
- Program 4 – Strengthening Partnerships with Affordable Housing Developers**
- Program 5 – Special Needs Housing**
- Program 6 – Home Buyer Assistance**
- Program 7 – Homeless Assistance**

This group of programs calls for the city to direct both its staff and financial resources to support the development of housing affordable to special needs and low income households. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR.

Objective H-3 Address, and where possible, remove any potential governmental constraints to housing production and affordability.

- Program 8 – Fresno Green**
- Program 9 – Expedited Processing/Business Friendly Fresno**
- Program 10 – Development Incentives**
- Program 11 – Agricultural Employees (Farmworker) Housing**
- Program 12 – Infrastructure Priority Program**
- Program 13 – Water and Sewer Service Providers**

This group of programs seeks to support housing production by removing governmental constraints to the development of housing. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. Any future changes made to the city's Development Code or adoption of Downtown Plans and zoning would require separate environmental review.

Objective H-4: Conserve and improve the condition of Fresno's existing housing stock.

- Program 14 – Comprehensive Code Enforcement**
- Program 15 – Neighborhood Infrastructure**
- Program 16 – Housing Rehabilitation**
- Program 17 – Franchise Tax Board Building Code Program**
- Program 18 – At-Risk Housing**
- Program 19 – Enhanced Police Service to High Crime Neighborhoods**

This group of programs seeks to direct various financial and staff resources to the conservation of the city's existing housing stock. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR.

Objective H-5: Continue to promote equal housing opportunity in the City's housing market regardless of age, disability/medical condition, race, sex, marital status, ethnic background, source of income, and other factors.

**Program 20 – Fair Housing Services
Program 21 – Relocation Services**

These programs promote equal housing opportunity in the city by contracting with Fair Housing Council of Central California and by providing relocation assistance to qualifying tenants in certain situation. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR.

Amendment to Chapter 3 of the General Plan: Urban Form, Land Use and Design

California Senate Bill 244 (Wolk, 2011; SB 244) requires local municipalities to identify Disadvantaged Unincorporated Communities (DUCs) within or adjacent to their Sphere of Influence (SOI), analyze the infrastructure needs of the DUCs (including water, wastewater, stormwater drainage, and structural fire protection), and evaluate potential funding mechanisms to make service extension feasible.

Disadvantaged Unincorporated Communities are defined as settled places not within city limits where the median household income is 80 percent or less than the statewide median household income.

Under the policy set forth by the Fresno Local Agency Formation Commission (LAFCO), a DUC must also have at least 15 residences with a density of one unit per acre or greater.

In 2015, Fresno LAFCO identified a total of 20 DUCs that are located within or adjacent to the City of Fresno SOI and which meet the full definition of a DUC (See Exhibit C).

The proposed plan amendment would be inserted at the end of Chapter 3 as Section 3.7 Disadvantaged Unincorporated Communities. The amendment does not include any policy actions at this time; just infrastructure analysis and potential funding sources. For the full text see Exhibit D.

Because this amendment includes analysis, but no policy action, and because it does not change the city's development capacity, growth projections or land use, it falls within the

scope of the MEIR.

Amendment to Chapter 9 of the General Plan: Noise and Safety

Section 9.4 Storm Drainage and Flood Control is proposed to be amended to reference the city's recently adopted floodplain ordinance.

Because this amendment includes a cross reference to an existing, adopted city ordinance (Ordinance 2014-15), but no policy action, and because it does not change the city's development capacity, growth projections or land use, it falls within the scope of the MEIR.

- 9. City departments and other public agencies whose approval is required:

Development and Resource Management Department, California Department of Housing and Community Development

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report SCH No. 2012111015 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in (MEIR) SCH No. 2012111015 ("MEIR") adopted for the updated Fresno General Plan.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities / Service	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.
- I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR . However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).


Signature

January 29, 2016
Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR :

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
 - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR .

- b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR , but that impact is less than significant;
 - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR , however, with the mitigation incorporated into the project, the impact is less than significant.
 - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR .
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
 3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
 4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
 5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND.
 6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
 7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, or

other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
11. The explanation of each issue should identify:
- a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts to aesthetics would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts to agriculture and forestry resources would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) -</p> <p>-</p> <p>Would the project:</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?</p>				X
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>				X
<p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p>				X
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>				X
<p>e) Create objectionable odors affecting a substantial number of people?</p>				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts to air quality and global climate change would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts to biological resources would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES -- Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts to cultural resources would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts to geology and soils would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to greenhouse gas emissions would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIAL -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to hazards and hazardous material would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to hazards and hazardous material would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. In addition, the policies proposed in the Housing Element are consistent with the policies in the other elements of the Fresno General Plan and the recently adopted Development Code. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to land use and planning would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to mineral resources would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to noise would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING - - Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to population and housing would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Drainage and flood control?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Parks?				X
Schools?				X
Other public services?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to public services would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to public services would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?				X
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to transportation/traffic would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to utilities and service systems would occur as a result of these amendments.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

In summary, given the mitigation measures required of the proposed project and the analysis detailed in the preceding Initial Study, the proposed project:

- Does not have environmental impacts which will cause substantial adverse effects on human beings, either directly nor indirectly.
- Does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.

- Does not eliminate important examples of elements of California history or prehistory.
- Does not have impacts which would be cumulatively considerable even though individually limited.

Therefore, there are no mandatory findings of significance and preparation of an Environmental Impact Report is not warranted for this project.

Exhibits:

Exhibit A: Area of Applicability Map

Exhibit B: Proposed Amendments to Chapter 11 of the General Plan: Housing Element (incorporated by reference)

Exhibit C: Proposed amendments to Chapter 3 of the General Plan

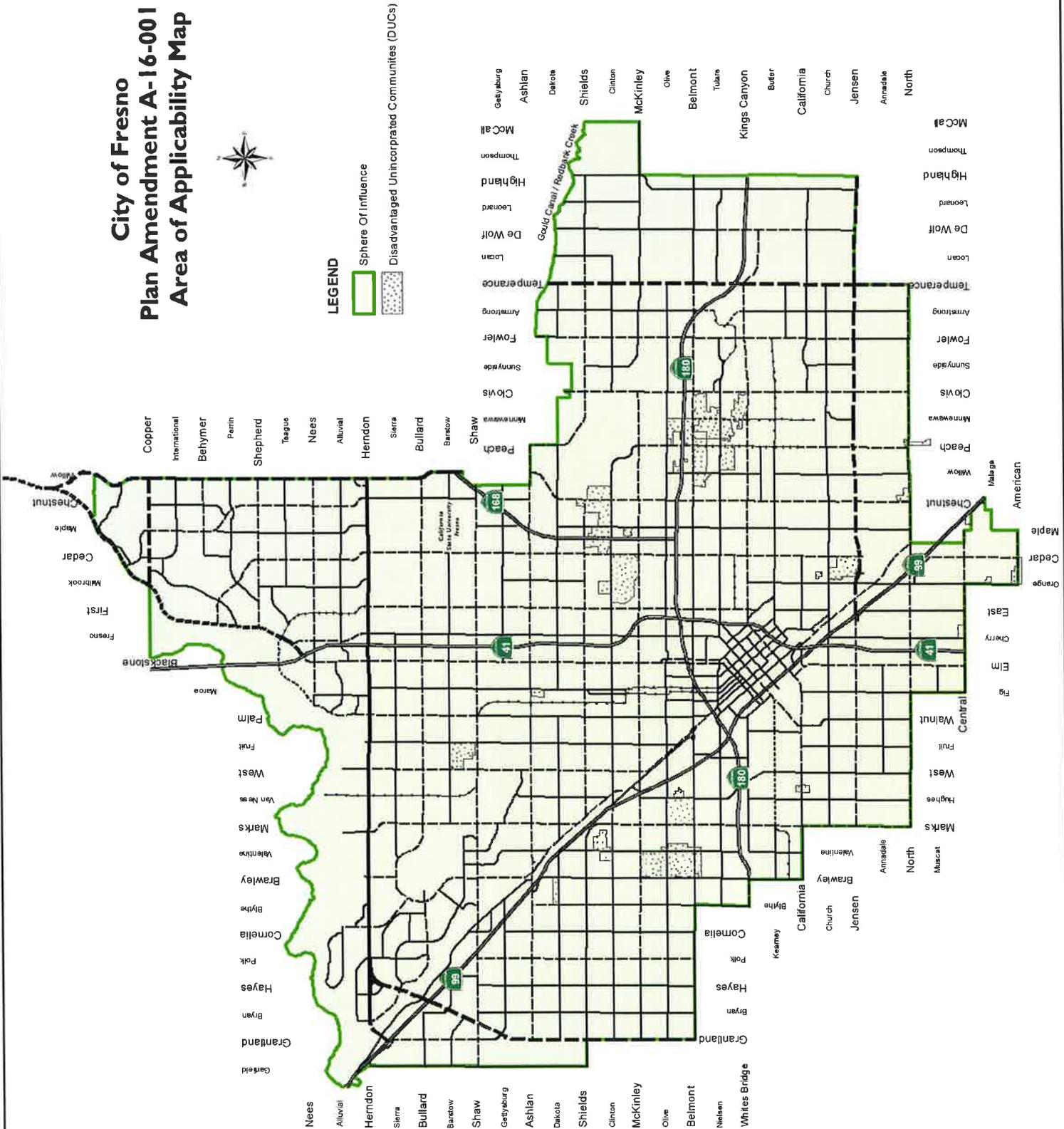
Exhibit D: MEIR Mitigation Measure Monitoring Checklist for Environmental Assessment No. A-16-001 (available upon request)

City of Fresno Plan Amendment A-16-001 Area of Applicability Map



LEGEND

- Sphere Of Influence
- Disadvantaged Unincorporated Communities (DUCs)



3.7 DISADVANTAGED UNINCORPORATED COMMUNITIES

California Senate Bill 244 (Wolk, 2011; SB 244) requires local municipalities to identify Disadvantaged Unincorporated Communities (DUCs) within or adjacent to their Sphere of Influence (SOI), analyze the infrastructure needs of the DUCs (including water, wastewater, stormwater drainage, and structural fire protection), and evaluate potential funding mechanisms to make service extension feasible.

Disadvantaged Unincorporated Communities are defined as settled places not within city limits where the median household income is 80 percent or less than the statewide median household income.^{1, 2} Under the policy set forth by the Fresno Local Agency Formation Commission (LAFCO), a DUC must also have at least 15 residences with a density of one unit per acre or greater.³

In 2015, Fresno LAFCO identified a total of 20 DUCs that are located within or adjacent to the City of Fresno SOI and which meet the full definition of a DUC (See Figure LU-3).

¹ State of California Office of Planning and Research. Technical Advisory to SB 244.

² Flegal, C., Rice, S., Mann, J., & Tran, J. California Unincorporated: Mapping Disadvantaged Communities. PolicyLink, 2013

³ Fresno Local Agency Formation Commission. City of Fresno Municipal Service Review Public Review Draft, prepared by Policy Consulting Associates, LLC. October 20, 2015.

Infrastructure Conditions Summary of Fresno Area DUCs

Water

Water access for DUCs is served through either the City of Fresno Public Utilities Department or through private wells. Adequate water infrastructure is defined as having existing infrastructure connecting a parcel that contains one or more residences to the City's water system. The analysis does not include parcels that do not contain residences (i.e. vacant land or businesses) nor does it consider whether or not a residence has active service.

Wastewater

Similar to water, wastewater service is provided either through the City of Fresno Public Utilities Department or through private septic tanks. Adequate wastewater infrastructure is likewise defined as having existing infrastructure connecting a parcel that contains one or more residences to the City's system. The analysis does not include parcels that do not contain residences nor does it make a distinction of active versus inactive service.

Stormwater Drainage

The stormwater drainage analysis includes review of the existing curb and gutter facilities in the DUC areas. Adequate stormwater drainage is defined as having curb and gutter located between a parcel containing one or more residences and the adjacent street(s) throughout the entire DUC area. FEMA Flood Zones are also given to indicate the likelihood that an area would face a significant flood threat.⁴

- Zone X: Areas determined to be outside the 0.2% annual chance floodplain.
- Zone XS: Zone X (shaded). Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- Zone A: No Base Flood Elevations determined.
- Zone AE: Floodway Areas. The floodway is the channel of a stream [or canal] plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

⁴Flood Insurance Rate Map for Fresno County. Federal Emergency Management Agency, 2009.

Structural Fire Protection

Fire protection service is provided through the City of Fresno Fire Department and through response agreements with the City of Clovis Fire Department and the Fresno County Fire Protection District. Adequate structural fire protection is defined as having all parcels located within a four minute-response area. Only two DUC areas are not completely within this area.

Accessibility to fire hydrants is also important to the structural fire protection of DUCs, yet it was not possible to give an accurate analysis for fire hydrant coverage due to the constraints in mapping the (conservative) 500 foot range of coverage from a hydrant to a parcel via travel path. However, maps showing the 500 foot circular radius around fire hydrants is given in Appendix A to denote a general awareness of where fire hydrant coverage is sparse and where it is abundant. It should be noted that in areas without fire hydrant protection, the fire department will deploy a water tender and draft from seasonal irrigation canals as available to supplement the 500-700 gallons of fire suppression water carried on each apparatus. However, this alternate means of fire suppression results in significant delays or inability to mount an interior fire attack in a house, which affects rescue of the inhabitants and the deployment of adequate hose streams to protect adjacent structures.

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In the following table, information is given for each DUC that exhibits the extent to which adequate infrastructure (as defined for each category) exists in those areas.

#	Water ¹	Wastewater ¹	Stormwater Drainage		Structural Fire Protection
	Connected Line	Connected Line	Curb & Gutter	FEMA Flood Zone	Within 4 Minute Zone
1	4 of 18 22%	7 of 18 39%	No	Zone X	100%
2	8 of 39 21%	1 of 39 3%	No	Zone X	100%
3	0 of 249 0%	0 of 249 0%	No	Zone X & Zone XS	100%
4	131 of 221 59%	53 of 221 24%	No	Zone X & Zone XS	100%
5	0 of 14 0%	0 of 14 0%	No	Zone X & Zone XS	3.6%
6	0 of 39 0%	0 of 39 0%	No	Zone X & Zone A	100%
7	0 of 12 0%	0 of 12 0%	No	Zone X	100%
8	0 of 25 0%	0 of 25 0%	No	Zone X	100%
9	1 N/A ²	1 N/A ²	N/A	Zone X	60%
10	0 of 4 0% 12 N/A ²	0 of 4 0% 12 N/A ²	No	Zone X	100%
11	0 of 15 0%	0 of 15 0%	No	Zone X	100%
12	327 of 330 99%	324 of 330 98%	Yes	Zone X & Zone XS	100%
13	13 of 14 93%	0 of 14 0%	No	Zone XS	100%
14	104 N/A ³	83 of 104 80%	No	Zone X, Zone XS, & Zone AE	100%
15a	462 N/A ³	416 of 462 90%	No	Zone X & Zone XS	100%
15b	122 of 131 93% 5 N/A ³	125 of 136 92%	No	Zone X & Zone XS	100%
16	159 of 159 100% 441 N/A ³	587 of 600 98%	No	Zone XS	100%
17	976 of 976 100%	976 of 976 100%	No	Zone X & Zone XS	100%
18	1195 of 1195 100%	1195 of 1195 100%	Yes	Zone X, Zone XS, & Zone AE	100%
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20	272 of 272 100%	264 of 272 97%	No (missing 3 parcels)	Zone X	100%

¹ Counts of parcels with one or more residences are considered as a close approximation.
² These parcels are located within the boundaries of the Malaga Water District.
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The number of parcels with residences within each DUC was determined through visual interpretation of aerial maps and Google Maps Street View. Maps and additional data are included in Chapter 3, Appendix A.

Water Districts

As noted in Table 3-4, some DUCs or portions of DUCs are served by the Malaga and Bakman Water Districts. While the active service in these areas may be more limited than the actual district boundaries, they are nevertheless excluded from the analysis because an activation or system upgrade in these areas would be managed by the respective water district, not the City.

Potential Funding Mechanisms to Address Deficiencies

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One way to address existing deficiencies is through new private development where the installation, upgrade, or expansion of infrastructure would be required to serve the new development. This type of development typically occurs on a limited, site-specific basis and is thus unlikely to address area-wide infrastructure needs within large areas that are nonadjacent to the city limits. However, for small areas like DUC Area 1 or in areas like DUC Area 15b, where infrastructure is missing from only a small number of parcels, private development could be effective in completing the community's total infrastructure needs.

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The DWRSF is a State-managed fund that can supply low-interest to no-interest loans to provide drinking water infrastructure to disadvantaged communities. Eligible applicants include cities, counties, districts, for-profit and non-profit community water systems, public school districts and other non-community water systems, and systems that are created by the project. The repayment terms are 20 years or longer and the principal balance may be forgiven for publicly owned water systems or non-profit mutual water companies that serve disadvantaged communities.

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¹¹ "CDBG Entitlement Program Eligibility Requirements." US Department of Housing & Urban Development, 2014.

¹² "Expenditure Report: Use of CDBG Funds by Fresno County, CA." US Department of Housing & Urban Development, Office of Community Planning and Development. 12 Jan. 2015

CITY OF FRESNO
ADDENDUM TO FINDING OF CONFORMITY PREPARED FOR
PLAN AMENDMENT APPLICATION NO. A-16-001 *Prepared in accordance with*
Section 15164 of the California Environmental Quality Act (CEQA) Guidelines

The full Finding of Conformity to the Fresno General Plan MEIR is on file in the Development and Resource Management Department,
 Fresno City Hall, 3rd Floor
 2600 Fresno Street
 Fresno, California 93721
 (559) 621-8277

ENVIRONMENTAL ASSESSMENT NUMBER:

 A-16-001

This addendum was not circulated for public review pursuant to Section 15164(c) of the CEQA Guidelines

APPLICANT:

City of Fresno
 2600 Fresno Street
 Fresno, CA 93721

PROJECT LOCATION:

The proposed Plan Amendment applies to all property within the Fresno Sphere of Influence and Disadvantaged Unincorporated Communities, as depicted in Exhibit A.

PROJECT DESCRIPTION: Minor Revisions to Plan Amendment Application No. A-16-001

Plan Amendment Application No. A-16-001 proposes to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment A-16-001 also includes amendments to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence and minor amendments to Chapter 9, the Noise and Safety Element, to comply with Government Code requirements related to the Housing Element, specifically floodplain management.

Environmental Assessment No. A-16-001, a Finding of Conformity to the General Plan Master EIR, was filed with the County Clerk on January 29, 2016. That environmental assessment analyzed the Housing Element as described in the January 2016 Public Draft. Since that time, the Housing Element has been revised and a new March 2016 draft is being proposed as the plan amendment to Chapter 11 of the General Plan. In addition, newer drafts of the amendments to Chapter 3 (Land Use) and Chapter 9 (Noise and Safety) are available. Therefore, the scope of this addendum is the following, and is entitled **Minor Revisions to Plan Amendment Application No. A-16-001:**

1. The revisions to the Housing Element since the January 2016 Public Draft, as proposed in the March 2016 Public Draft (incorporated herein by reference and available on line at www.fresno.gov/housingelement), related to Chapter 11 of the General Plan
2. The revisions to the Disadvantaged Unincorporated Communities analysis proposed to be added to Chapter 3, the Urban Form, Land Use, and Design Element of the General Plan (see Exhibit A);
3. The revisions to Section 9.4 of the Noise and Safety Element of the General Plan, related to Storm Drainage and Flood Control (see Exhibit B).

Each of these are described below:

1. **Revisions to the Housing Element since the January 2016 Public Draft, as proposed in the March**

2016 Public Draft, related to Chapter 11 of the General Plan:

Chapter 1 – Introduction was updated to include the public participation that occurred after the release of the first Housing Element Public Draft in January of 2016.

Chapter 2 – Housing Needs was updated to include new information on various city programs as well as information provided by the Disability Advisory Commission on terminology, services and needs related to individuals with disabilities.

Chapter 3 – Land for Housing was updated to include additional residential capacity in the sites inventory pursuant to Program 2.1.6A of the 2008 Housing Element and related description of the methodology. A bar graph and maps were added showing the sites by zoning classification and density and by racially/ethnically concentrated areas of poverty. In addition, the requested realistic capacity and small and large site development was discussed;

Chapter 4 – Constraints to Housing Production was revised to include clarifications about infrastructure, water and sewer capacity, on/off-site requirements and development requirements in Downtown.

Chapter 5 – Program Accomplishments was revised to include clarifications, additional information about previous program performance and program updates.

Chapter 6 – Housing Plan was revised to refine the proposed programs and add new programs. Program descriptions and timelines were updated to describe the details of the programs. Five new programs were added to this chapter, as described below:

Program 2: Residential Densities on Identified Sites – this program requires monitoring of housing capacity according to the sites identified on the Inventory.

Program 3: Annual Reporting Program: this program requires collaboration with housing advocates and organizations in the annual reporting of implementation of the Housing Element

Program 11: Downtown Development Standards: this program seeks to ensure that the proposed Downtown zoning standards will be adopted by mid-2016.

Program 12: Home Energy Tune-Up Program: this program provides energy audits to Fresno households at no cost and also provides possible funding sources to make energy retrofits.

Program 15: Large and Small Lot Development: this program requires implementation of the Voluntary Parcel Merger Fee Reduction Program by mid-2016 and a policy for encouraging large lot development by 2017.

2. Revisions to the Disadvantaged Unincorporated Communities analysis proposed to be added to Chapter 3, the Urban Form, Land Use, and Design Element of the General Plan

These revisions include an infrastructure analysis of 20 island and fringe Disadvantaged Unincorporated Communities as required by Senate Bill 244. No goals, objectives or policy actions are proposed. See Exhibit A for full text.

3. Revisions to Section 9.4 of the Noise and Safety Element of the General Plan, related to Storm

Drainage and Flood Control.

This revision includes description that explains how the city's recently adopted Flood Plain Ordinance meets the standards imposed by California Government Code Section 65302(g)(2). No goals, objectives or policy actions are proposed. See Exhibit B for full text.

The Finding of Conformity to the General Plan MEIR filed for Plan Amendment No. A-16-001 on January 29, 2016 made the following finding:

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No significant impacts would occur as a result of these general plan text amendments beyond those that were initially analyzed in the MEIR.

The revisions noted above that were not analyzed in the Finding of Conformity and are now the subject of this addendum fall within the same environmental envelope as the primary project, because no changes are proposed to any land use designation or zoning classification, nor are any changes proposed that would affect the city's development capacity or growth projections. The new programs proposed in Chapter 6 are all administrative in nature with the exception of Program 11: Downtown Development Standards, and separate environmental review is being prepared to analyze that project.

Based on the environmental review contained in the Finding of Conformity to the MEIR, Minor Revisions to Plan Amendment Application No. A-16-001 as described in herein would not result in any new significant or substantial changes to the evaluation of the environmental resources within and outside of the Planning Area beyond those that were addressed in the Finding of Conformity filed on January 29, 2016.

Since the proposed project will not result in additional impacts, it may be determined that: (1) The project falls within the scope of the Finding of Conformity to the General Plan MEIR No. SCH 2012111015 prepared for Plan Amendment Application No. A-16-001; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the environmental finding for the Finding of Conformity was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to Environmental Assessment No. A-16-001, a Finding of Conformity is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines.

Section 15162 provides that when a EIR [or Finding of Conformity] has been adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

FINDINGS PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES.

- (1) Substantial changes are proposed in the project which would require major revisions of the previous Environmental Assessment due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

<p>Finding (1):</p>	<p>Minor Revisions to Plan Amendment Application No. A-16-001, as described herein and identified in Exhibits A and B are still within the scope of the Environmental Assessment No. A-16-001, a Finding of Conformity. No geographical boundaries or densities or intensities were altered outside of the ranges designated in the Finding of Conformity, which references Fresno General Plan and related MEIR.</p>
<p>(2) <i>Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,</i></p>	
<p>Finding (2):</p>	<p>No substantial changes have occurred with respect to the circumstances under which the Minor Revisions to Plan Amendment Application A-16-001 is being adopted that would require major revisions to the previous Finding of Conformity as no new impacts have been generated during the revision and refinement of the plan amendment. It remains consistent with the General Plan and fully within the scope of the Finding of Conformity and MEIR.</p>
<p>(3) <i>New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MEIR was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous MEIR; (B) Significant effects previously examined will be substantially more severe than shown in the previous MEIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous MEIR, would substantially reduce one or more significant effects on the environment.</i></p>	
<p>Finding (3):</p>	<p>No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental determination was adopted, has become available.</p> <p>No mitigation measures or alternatives previously found not to be feasible are now determined to be feasible and no mitigation measures or alternatives which are considerably different from those analyzed in the previous MEIR would substantially reduce one of more significant effects on the environment. The mitigation measures identified in the Mitigation and Monitoring Reporting Program of the MEIR (and referenced in the Finding of Conformity) are still appropriate and feasible and no additional mitigation measures are necessary, since no additional impacts have been identified.</p>
<p>ADDENDUM PREPARED BY: Sophia Pagoulatos, Planning Manager</p>	<p>SUBMITTED BY:  Sophia Pagoulatos, Planning Manager</p>
<p>DATE: March 23, 2016</p>	<p>CITY OF FRESNO DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT</p>

Exhibit A: Proposed Amendments to Chapter 3 of the General Plan: Urban Form, Land Use and Design
 Exhibit B: Proposed Amendments to Chapter 9 of the General Plan: Noise and Safety

3.7 DISADVANTAGED UNINCORPORATED COMMUNITIES

California Senate Bill 244 (Wolk, 2011; SB 244) requires local municipalities to identify Disadvantaged Unincorporated Communities (DUCs) within or adjacent to their Sphere of Influence (SOI), analyze the infrastructure needs of the DUCs (including water, wastewater, stormwater drainage, and structural fire protection), and evaluate potential funding mechanisms to make service extension feasible.

Disadvantaged Unincorporated Communities are defined as settled places not within city limits where the median household income is 80 percent or less than the statewide median household income.^{1, 2} Under the policy set forth by the Fresno Local Agency Formation Commission (LAFCO), a DUC must also have at least 15 residences with a density of one unit per acre or greater.³

In 2015, Fresno LAFCO identified a total of 20 DUCs that are located within or adjacent to the City of Fresno SOI and which meet the full definition of a DUC (See Figure LU-3).

¹ State of California Office of Planning and Research. Technical Advisory to SB 244.

² Flegal, C., Rice, S., Mann, J., & Tran, J. California Unincorporated: Mapping Disadvantaged Communities. PolicyLink, 2013

³ Fresno Local Agency Formation Commission. City of Fresno Municipal Service Review Public Review Draft, prepared by Policy Consulting Associates, LLC. October 20, 2015.

Infrastructure Conditions Summary of Fresno Area DUCs

Water

Water access for DUCs is served through either the City of Fresno Public Utilities Department or through private wells. Adequate water infrastructure is defined as having existing infrastructure connecting a parcel that contains one or more residences to the City's water system. The analysis does not include parcels that do not contain residences (i.e. vacant land or businesses) nor does it consider whether or not a residence has active service.

Wastewater

Similar to water, wastewater service is provided either through the City of Fresno Public Utilities Department or through private septic tanks. Adequate wastewater infrastructure is likewise defined as having existing infrastructure connecting a parcel that contains one or more residences to the City's system. The analysis does not include parcels that do not contain residences nor does it make a distinction of active versus inactive service.

Stormwater Drainage

The stormwater drainage analysis includes review of the existing curb and gutter facilities in the DUC areas. Adequate stormwater drainage is defined as having curb and gutter located between a parcel containing one or more residences and the adjacent street(s) throughout the entire DUC area. FEMA Flood Zones are also given to indicate the likelihood that an area would face a significant flood threat.[†]

- Zone X: Areas determined to be outside the 0.2% annual chance floodplain.
- Zone XS: Zone X (shaded). Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- Zone A: No Base Flood Elevations determined.
- Zone AE: Floodway Areas. The floodway is the channel of a stream [or canal] plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

[†]Flood Insurance Rate Map for Fresno County. Federal Emergency Management Agency, 2009.

Structural Fire Protection

Fire protection service is provided through the City of Fresno Fire Department and through response agreements with the City of Clovis Fire Department and the Fresno County Fire Protection District. Adequate structural fire protection is defined as having all parcels located within a four minute-response area. Only two DUC areas are not completely within this area.

Accessibility to fire hydrants is also important to the structural fire protection of DUCs, yet it was not possible to give an accurate analysis for fire hydrant coverage due to the constraints in mapping the (conservative) 500 foot range of coverage from a hydrant to a parcel via travel path. However, maps showing the 500 foot circular radius around fire hydrants is given in Appendix A to denote a general awareness of where fire hydrant coverage is sparse and where it is abundant. It should be noted that in areas without fire hydrant protection, the fire department will deploy a water tender and draft from seasonal irrigation canals as available to supplement the 500-700 gallons of fire suppression water carried on each apparatus. However, this alternate means of fire suppression results in significant delays or inability to mount an interior fire attack in a house, which affects rescue of the inhabitants and the deployment of adequate hose streams to protect adjacent structures.

In the following table, information is given for each DUC that exhibits the extent to which adequate infrastructure (as defined for each category) exists in those areas.

TABLE 3-4: DUC INFRASTRUCTURE CONDITIONS SUMMARY

#	Water ¹	Wastewater ¹	Stormwater Drainage		Structural Fire Protection
	Connected Line	Connected Line	Curb & Gutter	FEMA Flood Zone	Within 4 Minute Zone
1	4 of 18 22%	7 of 18 39%	No	Zone X	100%
2	8 of 39 21%	1 of 39 3%	No	Zone X	100%
3	0 of 249 0%	0 of 249 0%	No	Zone X & Zone XS	100%
4	131 of 221 59%	53 of 221 24%	No	Zone X & Zone XS	100%
5	0 of 14 0%	0 of 14 0%	No	Zone X & Zone XS	3.6%
6	0 of 39 0%	0 of 39 0%	No	Zone X & Zone A	100%
7	0 of 12 0%	0 of 12 0%	No	Zone X	100%
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Administered by the United States Department of Housing and Urban Development, CDBG Funds are used to benefit low- and moderate-income communities, blighted communities, and communities that face issues of health and welfare. The fund may be used by the state and by cities and counties and can be applied toward infrastructure improvements.¹²

⁸ "Proposition 1 IRWM Grant Program," California Department of Water Resources, 22 Feb. 2016.

⁹ California Infrastructure and Economic Development Bank. Criteria, Priorities and Guidelines for the Selection of Projects for Financing Under the Infrastructure State Revolving Fund (ISRF) Program. Adopted August 25, 2015.

¹⁰ "Water & Waste Disposal Loan & Grants Program." United States Department of Agriculture, Rural Development.

¹¹ "CDBG Entitlement Program Eligibility Requirements," US Department of Housing & Urban Development, 2014.

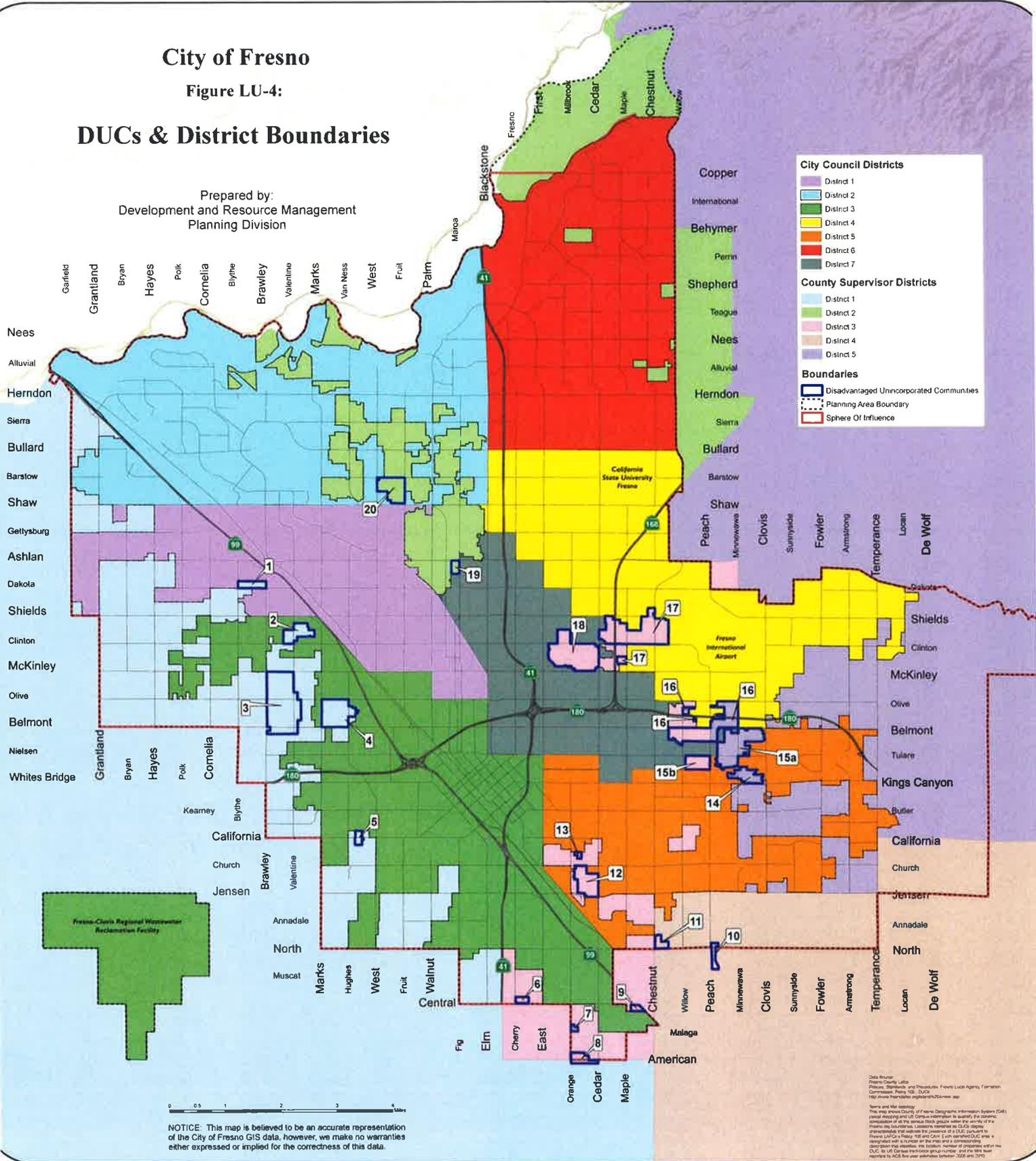
¹² "Expenditure Report: Use of CDBG Funds by Fresno County, CA." US Department of Housing & Urban Development, Office of Community Planning and Development, 12 Jan, 2015

City of Fresno

Figure LU-4:

DUCs & District Boundaries

Prepared by:
Development and Resource Management
Planning Division



City Council Districts

- Distict 1
- Distict 2
- Distict 3
- Distict 4
- Distict 5
- Distict 6
- Distict 7

County Supervisor Districts

- Distict 1
- Distict 2
- Distict 3
- Distict 4
- Distict 5

Boundaries

- Disadvantaged Unincorporated Communities
- Planning Area Boundary
- Sphere Of Influence

Data Source:
Fresno County LULU
Peters, Stenback and Thorsen for Fresno Local Agency Formation
Commission, 2011. DUCs
http://www.fresnocounty.org/plan/lu/2011/01/01/

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Proposed General Plan Text Amendment to Chapter 9, the Noise and Safety Element:

The following text is proposed to be added to Section 9.4:

To address the risks of damaging floods, the City of Fresno adopted and recently updated a Flood Plain Ordinance that meets the standards imposed by California Government Code Section 65302(g)(2). The Government Code specifies that cities should include either directly, or through adoption by reference to a flood plain ordinance (65302(g)(6)), flood hazards zones and maps on flooding in the area (65302(g)(2)(A)), goals to protect new development against flooding (65302(g)(2)(B)), and implementation measures to achieve the stated goals (65302(g)(2)(C)).

The City of Fresno Flood Plain Ordinance incorporates by reference flood hazard zones established by the Federal Emergency Management Agency (FEMA), Federal Insurance Rate Maps completed for Fresno County, and other maps as are needed to review flood risk (FMC 11-607). The Flood Plain Ordinance protects against risk to new and existing development by requiring any building proposed within a special flood hazard area to obtain a building permit and provide information specifically related to flood risk (11-613). The permit is reviewed by the Building Official, whom has been designated as the Flood Plain Administrator, to ensure that the project will be reasonably safe from flooding and will not adversely increase flood risk elsewhere. (11-614, 11-616). The Ordinance also includes specific development and construction standards to minimize flood risk (11-623 to 11-636). This permit review process and the applicable standards help to implement the goals found within the Flood Plain Ordinance Statement of Purpose (11-603) and also serve to both implement and complement the Goals, Objectives, and Implementing Policies found within this General Plan.