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Agenda Item: ID16-404 (5:00 P.M.)
Date: 4/21/16

FRESNO CITY COUNCIL

City of FRESNO

Supplemental Information Packet

Agenda Related Item(s) – ID16-404 (5:00 P.M.)

Contents of Supplement:

1. Letter from Paul McDougall, Housing Policy Manager from the California Department of Housing and Community Development dated April 19, 2016.
2. Additional Proposed Revisions to Chapter 6 of the Housing Element.
3. Updated Resolution for adoption of the Housing Element that includes the additional proposed revisions noted above.

Item(s)

Attached please find a Supplement to File ID16-404 (5:00 P.M.). The title of the item is as follows:

CONTINUED HEARING to Consider Plan Amendment Application No. A-16-001, filed by the Development and Resources Management Department Director, 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

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

City of
FRESNO

2600 Fresno Street, Third Floor
Fresno, California 93721-3604
(559) 621-8277 FAX (559) 498-1012

Development and Resource Management Department
Jennifer Clark, AICP, Director

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April 20, 2016

TO: HONORABLE MAYOR ASHLEY SWEARENGIN
CITY MANAGER BRUCE RUDD
CITY COUNCIL PRESIDENT PAUL CAPRIOGLIO
CITY COUNCIL MEMBERS

FROM: Jennifer Clark, Director, Development and Resource Management

RE: Housing Element Supplemental Materials

The purpose of this memo is to transmit additional information that has recently become available related to the Housing Element (Item #16-404). Enclosed please find the following for your consideration:

1. Letter from Paul McDougall, Housing Policy Manager from the California Department of Housing and Community Development dated April 19, 2016.

2. Additional Proposed Revisions to Chapter 6 of the Housing Element.

3. Updated Resolution for adoption of the Housing Element that includes the additional proposed revisions noted above.

Item #1:
Letter from Paul McDougall…dated April 19, 2016

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY EDMUND G. BROWN JR., *Governor*

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

April 19, 2016

Bruce Rudd, City Manager
City of Fresno
2600 Fresno Street, Room 2064
Fresno, CA 93721

Dear Mr. Rudd:

RE: Housing Element Adoption Timing to Remain on Eight-Year Planning Period

The purpose of the letter is to provide guidance to the City of Fresno related to the timing provisions of 5th cycle housing element adoption date and maintaining an eight-year planning period.

The City of Fresno's 5th cycle housing element was due December 31, 2015, and is currently within a 120 day adoption grace period to remain on an eight year planning period. This grace period ends on April 30, 2016. Pursuant to Government Code Section 65588(e)(4), if a local government on an eight-year planning cycle fails to adopt the housing element within 120 days of the statutory due date, the jurisdiction is required to update the housing element every four years until adopting at least two consecutive revisions by the applicable due dates. In adopting a housing element, Government Code Section 65585 essentially states that the city submits a draft to the Department 60 days prior to adoption, consider the Departments findings, and adopt the element.

In order to remain on the eight-year planning period, the element only has to meet the above steps and be adopted on or before the 120 day deadline. This means that if the City adopts its Housing Element before April 30, 2016, then the adoption will be within the statutory grace period and the next update will not be due until 2023. The City is not required to wait for the Department to certify the element before adoption.

The City of Fresno has submitted a draft housing element to the Department for review, and the Department sent findings which were considered as indicated by the revised draft received by the Department on March 17, 2016. Based on a preliminary review and without full consideration of public comment and City input, the City has made considerable progress in meeting both the requirements of the statute and the guidance issued by the Department in its previous letter. If further changes are required by the Department, they can be incorporated through a later adoption and will not affect the City remaining on an 8 year cycle. Otherwise, the City will be subject to a four-year update schedule. Specifically, the City will be required to update the housing element every four years until the City has adopted two consecutive four year revisions on or before the applicable due dates.

Further, the adopted element does not need to be found in compliance with housing element law in order to remain on the 8 year planning period. The City may continue to address the Departments findings after the element has been adopted. This may be an important opportunity for the City. While the City has made great strides in gathering and addressing comments from the public, any findings on the adopted element will allow time to continue engaging the public prior to re-adopting the element and the Department encourages continued diligent engagement of the public. This is also key since the revised draft was not made available with adequate time for public comment prior to submittal to the Department.

The Department appreciates the City's efforts to prepare a housing element update and recognizes the hard work to develop a plan that reflects the community's needs. 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,

Paul McDougall
Housing Policy Manager

Item #2:
Additional Proposed Revisions to Chapter 6 of the Housing Element

Additional Revisions to Chapter 6 of the Housing Element

City staff and consultants conducted a conference call with the California Housing and Community Development Department (HCD) on April 15, 2016, and received additional information. This document summarizes proposed additional revisions and clarifications, which are limited to Chapter 6. Individual proposed edits are shown with ~~strikethrough~~ for deletions and red underline for new text.

1. Program #2 Revisions

Program 2: Residential Densities on Identified Sites

Government Code §65863 states that no jurisdiction shall "reduce, or require, or permit the reduction of, the residential density for any parcel to, or allow development of any parcel at, a lower residential density, or allow development at a lower residential density than projected" for sites identified in the Housing Element sites inventory unless the jurisdiction makes written findings that the reduction is consistent with the General Plan, and that the remaining sites identified in the Housing Element are adequate to accommodate the jurisdiction's need.

The City of Fresno will evaluate residential development proposals for consistency with goals and policies of the General Plan and the Housing Element Sites Inventory, and make written findings that the reduction is consistent with the General Plan and that the remaining sites identified in the Housing Element are adequate to accommodate the RHNA. ~~So long as the residential sites inventory continues to exceed the City's RHNA as set forth in Program 1, the City will make the necessary written findings regarding the reduction's consistency with the General Plan. If a proposed reduction of residential density will potentially result in the residential sites inventory failing to accommodate the RHNA~~ If these findings cannot be made, the City will consider an amendment to the Housing Element in order to restore capacity to the sites inventory, before acting on a density reduction. A Housing Element amendment would only be required in the case that the City's housing sites inventory drops below the RHNA, and is not required for individual projects that do not match the sites inventory assumptions exactly.

Responsibility:	Development and Resources Management Department - Planning Division
Funding Source:	General Fund
Timeframe/Objective:	Ongoing implementation: as part of the entitlement review process, evaluate new projects for consistency with General Plan objectives as they relate to housing and the RHNA obligations. Establish procedure for the review process by December 2016.

2. Program #3 Revisions

Program 3: Annual Reporting Program

Achieving consensus on housing policy and proposed housing developments can be a difficult process. Through active and continued dialogue with stakeholders and neighborhood groups, the likelihood of achieving neighborhood consensus for new housing policy and developments is increased significantly. Fresno supports efforts to help residents be more informed about housing facts, which will help them provide sound direction on housing solutions. Fresno's has a Housing and Community Development Commission that can help facilitate this annual evaluation. Information provided would include exploring avenues to help residents understand development tradeoffs, the benefits of affordable housing, and implementation of measures necessary to implement the City's vision for a vibrant and lively community.

Objectives: Partner with housing advocates, organizations, and developers to provide annual information to the community on housing density and affordable housing. Actively work toward Housing Element Implementation and reach out to the community regarding these topics annually as part of a Housing Element Annual Report on annual progress. Notify and invite interested community members to attend and discuss housing production progress at a public hearing, and continue to provide avenues for community input on the implementation of the Housing Element. Encourage input on other housing and fair housing-related programs and policies maintained by the City, including but not limited to those contained in the Analysis of Impediments to Fair Housing Choice (or Assessment of Fair Housing) and relevant General Plan policies and Development Code provisions. Allow residents and stakeholders the opportunity to discuss and provide information and feedback to the City.

Responsibility:	Development and Resources Management Department - Planning, Housing, and Community Revitalization ~~Housing and Planning~~ Divisions
Funding Source:	General Fund
Timeframe/Objective:	Partner with housing advocates and organizations to provide ~~annual~~ information to the community on housing density and affordable housing. Reach out to the community regarding these topics annually as part of a Housing Element Annual Report ~~on annual progress~~. Notify and invite interested community members to attend and discuss housing production progress at a public hearing. Facilitate community input on other housing and fair housing-related programs and policies as those opportunities arise.

3. Program # 6 Revisions

Program 6 – Strengthening Partnerships with Affordable Housing Developers
The City will continue to strengthen partnerships and relationships with affordable housing developers, including but not limited to the Fresno Housing Authority, by doing the following:

- Encouraging and assisting in funding applications to applicable federal, state, and local funding sources;
- Supporting local capacity building efforts around affordable housing finance, including convening affordable housing developers, community development leaders, lenders, and advocates to identify ongoing regulatory and funding barriers to affordable and mixed-income development;
- Attracting large investors to facilitate the construction of new affordable housing units and incentivize self-help type single-family housing construction for extremely low-income households;
- Reviewing published notices for funding availability and cause~~e~~ing applications to be prepared for various City housing programs, projects, and activities;
- Administering Community Housing Development Organization (CHDO) funds for affordable housing projects with service providers including Habitat for Humanity; and
- Encouraging local and State non-profits to seek funding for development of new farm worker housing projects, as well as local affordable housing and mixed-income projects in transit-oriented developments along transit corridors throughout the City.

Responsibility:	Development and Resources Management Department – Planning, ~~and~~ Housing, and Community ~~Development~~ Revitalization Divisions
Funding Source:	HOME & CDBG Programs
Timeframe/Objective:	Ongoing implementation and annual reporting throughout the planning period; annual review and assessment of potential funding opportunities; convene annual meeting, starting in the Fall of 2016, with housing stakeholders to identify development barriers, funding opportunities, and opportunities for development of affordable and special needs housing; and administer Community Housing Development Organization (CHDO) funds as part of the Consolidated Plan process and annual Action Plan update.

4. New Program for Outreach to Mobile Home Parks

Program 10A – Mobile Home Parks

There are close to 4,000 mobile home units in the city of Fresno. Mobile home parks represent one of the few remaining sources of unsubsidized affordable housing in the city and they also provide opportunities for homeownership to individuals and households who might not be able to afford other housing purchase options. As real estate prices rise, mobile home park owners may seek to close parks so that the land can be sold and converted to other uses. Deferred maintenance of a mobile home park can lead to substandard conditions that can also eventually lead to park closures. In an effort to preserve the city's mobile home parks, the City will:

- Compile a list of resources and provide technical assistance to facilitate the maintenance and preservation of mobile home parks. Conduct outreach to mobile home residents and park owners regarding potential funding sources, including the State's Mobilehome Park Rehabilitation and Ownership Program (MPRROP).

Responsibility:	Development and Resources Management Department - Planning, Housing, and Community Revitalization Divisions
Funding Source:	General Fund
Timeframe/Objective:	Compile a list of financial resources for residents and park owners for maintenance and preservation, and outreach to stakeholders by January 2017.

5. Program #15 Revisions

Program 15 – Large and Small Lot Development

The Housing Element sites inventory includes 449 acres of vacant and underutilized sites that are less than 1 acre in size (making up just 10 percent of all residential capacity on vacant and underutilized sites). Small sites present the opportunity for development on the existing sites or lot consolidation into larger projects. There are many opportunities for lot consolidation surrounding identified sites, given the underutilized nature of surrounding properties. The City's Voluntary Parcel Merger program permits the combining of parcels without going through the Parcel Map or Lot Line Adjustment process. In addition, in order to facilitate lot consolidation, the City has reduced the application fee from $5,360 to $627. The program will go into effect July 1, 2016.

The Sites Inventory includes 2,557 acres of vacant and underutilized sites that are over 10 acres in size (53 percent of all residential capacity on vacant and underutilized sites).

To encourage a strategic approach to the development of large sites and to facilitate the development of housing, the City will encourage the development of large sites through an allowance of phasing of development and offsite improvements, and where applicable, through the Specific Plan process.

The City will establish a program to monitor development trends on small and large lots, identify regulatory barriers and adjust incentives and/or development standards accordingly. The monitoring program will include a threshold defining small and large lots and may vary by neighborhood, community plan area or zoning districts. The monitoring program will include a biennial review of development on large and small lots and seek input from developers and property owners on regulatory barriers to development of these lots.

Responsibility:	Development and Resources Management Department - Planning Division
Funding Source:	General Fund
Timeframe/Objective:	Implement the Voluntary Parcel Merger Program and fee reduction program by mid-2016. Establish a policy and guidelines for the requirements of a ~~Concept~~ Specific~~, or Master~~ Plan or phasing process for large site development by 2017. Establish a monitoring program by January 2017 and include a biennial review process for development on large and small lots.

6. Program #16 Revisions

Program 16 – Agricultural Employees (Farmworker) Housing
The California Employee Housing Act requires that housing for six or fewer employees be treated as a regular residential use. The Employee Housing Act further defines housing for agricultural workers consisting of 36 beds or 12 units be treated as an agricultural use and permitted where agricultural uses are permitted.

The City of Fresno Development Code allows Agricultural labor housing by right in the Buffer (B) district and specifically indicates that in the case of any conflict the California Health and Safety Code relating to agricultural employee housing supersedes the Development code. The City will review the Fresno Development Code to ensure continued compliance with the California Employee Housing Act. Based on the review of the Development Code, the City will amend or revise the Fresno Development Code, if needed, to comply with the Employee Housing Act.

Responsibility:	Development and Resources Management Department - Planning Division
Funding Source:	General Fund

Timeframe/Objective: Review Development Code for compliance with the Employee Housing Act by January 2017. If needed, present to the City Council for consideration of any amendments or revisions required by July 2017.

7. New policy to prioritize infrastructure

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

- **Policy H-3-a:** Review and adjust as appropriate residential development standards, regulations, ordinances, departmental processing procedures, and residential fees related to rehabilitation and construction that are determined to be a constraint on the development of housing.
- **Policy H-3-b:** Educate applicants on how to navigate the development approval process and otherwise facilitate building permit and development plan processing for residential construction.
- **Policy H-3-c:** Facilitate timely development plan and building permit processing for residential construction.
- **Policy H-3-d:** Provide incentives and regulatory concessions for residential projects constructed specifically for lower- and moderate-income households.
- **Policy H-3-e:** Encourage the new construction of housing in the Central City, Inner City, and other targeted areas.
- **Policy H-2-f:** Prioritize infrastructure improvements, code enforcement, and public services provision in high-need areas.

8. Program #19 Revisions

Program 19 – Comprehensive Code Enforcement

The City of Fresno, in conjunction with private businesses and developers and community-based non-profit organizations, will continue to collectively increase neighborhood revitalization activities. The Community Revitalization Division will continue to assertively conduct targeted neighborhood inspections of housing units for potential health and safety issues. The Community Revitalization Division's Safe Housing and Vacant Structure Team, and all Area Teams as needed, will continue to improve neighborhoods throughout Fresno and increase livability by creating safe and healthy conditions, removing blight, educating citizens, promoting pride of ownership and building collaborative relationships with the community. In 2016, the City established a Neighborhood Revitalization Team (NRT) that is assigned to targeted neighborhood revitalization activities. The City recently adopted and implemented a revised blighted vacant building ordinance and has established the Strike Team On Problem Properties. The Mayor-Council Code Enforcement Task Force is currently

discussing options to improve property conditions and preserve the city's existing rental housing stock. The City will pursue resolution of cases identified through the inspection process, including through enforcement actions against landlords if necessary.

Responsibility:	Development and Resources Management Department - Community Revitalization Division (Formerly Code Enforcement)
Funding Source:	General Fund
Timeframe/Objective:	Complete 8,000 inspections annually, pursue resolution of cases identified through the inspection process, and develop Task Force recommendations by the end of 2016.

9. Cross-reference existing policies in other Elements of the General Plan

Add in a text box to Chapter 6:

California Government Code Section 65300 requires that General Plans be internally consistent. The Housing Element, as an element of the Fresno General Plan, is 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 Urban Form, Land Use, and Design Element are noted below to illustrate the Housing Element's consistency with the General Plan.

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 Fresnans. 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.

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.

10. Additional policies and programs to further fair and equitable housing.

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.

- **Policy H-5-a:** Prohibit discrimination in the sale, rental, or financing of housing based on race, color, ancestry, religion, national origin, sex, sexual orientation, gender identity, age, disability/medical condition, familial status, marital status, source of income, or any other arbitrary factor.
- **Policy H-5-b:** Assist in the enforcement of fair housing laws by providing support to organizations that can receive and investigate fair housing allegations, monitor compliance with fair housing laws, and refer possible violations to enforcing agencies.
- **Policy H-5-c:** Provide equal access to housing for special needs residents such as people experiencing homelessness, elderly individuals, and persons with disabilities.
- **Policy H-5-d:** Promote the provisions of disabled-accessible units and housing for persons with mental and physical disabilities.
- **Policy H-5-e:** Ensure that all development applications are considered, reviewed, and approved without prejudice to the proposed residents, contingent on the development application's compliance with all entitlement requirements.
- **Policy H-5-f:** Accommodate persons with disabilities who seek reasonable waiver or modification of land use controls and/or development standards pursuant to procedures and criteria set forth in the Development Code.
- **Policy H-5-g:** Create equitable and affordable housing options throughout the City that provide incentives to residents for finding housing in high opportunity areas and to developers for building affordable housing in high opportunity areas.
- **Policy H-5-h:** Consult with a wide range of groups throughout the community and consider environmental justice issues in the development and update of regulations, guidelines and other local programs.
- **Policy H-5-i:** Increase or maintain resources to establish and support outreach, public education and community development activities through community-based and neighborhood organizations.

(New) Program 26 – Equitable Communities

The City has initiated efforts to improve property values, living conditions, public safety and the overall quality of life in the City's older neighborhoods through the General Plan. To supplement this effort and focus on the equitable distribution of housing resource and public investment the City will:

- Continue implementation of the initiatives, which aim to improve property values, living conditions, public safety and the overall quality of life in Fresno's older neighborhoods.
- Identify areas of high need and target an integrated approach to service provision in those neighborhoods.
- Establish written policies and procedures that ensure that infrastructure and public services provisions and code enforcement activities are prioritized for high need areas. Prioritize basic infrastructure improvements like water, sewer, and street lights in high-need communities. Create a list of infrastructure and public service needs in high-need areas and potential strategies for addressing those needs.
- Actively seek funding sources for marginalized or distressed communities including but not limited to Transit Oriented Development Funds, Strategic Growth Council grants, HCD's Housing-Related Parks Program, Safe Routes to School, and Brownfield funding.
- Expand affordable housing opportunities that prevent the concentration of single and multifamily dwelling units affordable to low and moderate-income households.
- Work with the Fresno Housing Authority to assist households in using vouchers to rent in higher-opportunity areas and to identify landlords who are willing to accept vouchers in communities where vouchers are infrequently used.

Responsibility:	Development and Resources Management Department – Planning, Housing, and Community Revitalization Divisions
Funding Source:	Various City Funding Sources; State and Federal funding as available
Timeframe/Objective:	Compile list of funding sources with requirements and timelines for applications by November 2016. Annually report on efforts to identify housing opportunities outside of high-need areas through the Annual Reporting process. Identify high-need areas and create a list of infrastructure and public service needs in

high-need areas and potential strategies by January 2017. Ongoing coordination with the Fresno Housing Authority.

(New) Program 10B – Housing Choice Vouchers

The Housing Choice Voucher (HCV) program, formerly the Section 8 program, provides rent subsidies to very low income households who overpay for housing. Prospective renters secure housing from HUD-registered apartments that accept the certificates. HUD then pays the landlords the difference between what the tenant can afford (30 percent of their income) and the payment standard negotiated for the community. In Fresno, the Fresno Housing Authority administers the HCV program. To facilitate access to the Housing Authority's program, the City will:

- Provide information about Housing Choice Vouchers at the planning counter, on the City/ website and in other public places to increase awareness.
- Obtain or maintain a list of multifamily rental developments that accept vouchers and hold regular discussions with potential new landlords to expand the number of developments that accept HCV tenants.
- Outreach to developments in high opportunity areas about participation in the Housing Choice Voucher (HCV) program.

Responsibility:	Development and Resources Management Department – Planning, Housing, and Community Revitalization Divisions; Fresno Housing Authority
Funding Source:	HUD funding
Timeframe/Objective:	Ongoing implementation and annual reporting throughout the planning period; Provide information on the Housing Choice Voucher program and list of developments that accept vouchers at City counters and website by November 2016; Identify properties in high opportunity areas for outreach efforts by January 2017.

Item #3:
Updated Resolution…

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO ADOPT PLAN AMENDMENT APPLICATION NO. A-16-001, AMENDING THE TEXT OF CHAPTER 11 OF THE FRESNO GENERAL PLAN TO INCORPORATE THE HOUSING ELEMENT, INCLUDING ALL TEXT, POLICIES, MAPS, TABLES, AND EXHIBITS CONTAINED IN THE FRESNO HOUSING ELEMENT REVISED PUBLIC DRAFT DOCUMENT DATED MARCH 2016, AND INCLUDING REVISIONS RECOMMENDED BY STAFF AND PROPOSED AMENDMENTS TO CHAPTERS 3 AND 9 OF THE GENERAL PLAN AS SET FORTH IN THE EXHIBITS HEREIN

WHEREAS, California Planning and Zoning Law (California Government Code Section 65000, et seq.), requires the City of Fresno ("City") to adopt a comprehensive, long term general plan for the City's physical development and for any land outside City boundaries which bear relation to the City's planning;

WHEREAS, on December 18, 2014, by Resolution No. 2014-226, the City Council adopted the Fresno General Plan, and by Resolution No. 2014-225 certified Master Environmental Impact Report SCH No. 2012111015 (MEIR) which evaluated the potentially significant adverse environmental impacts of urban development within the City's designated urban boundary line and sphere of influence;

WHEREAS, California Government Code Sections 65580 – 65589.8 require adoption of a Housing Element as one of the seven required elements of the General Plan;

WHEREAS, the City adopted or amended previous Housing Elements in 1971, 1972, 1975, 1992, 2002, 2008 and 2009;

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: _____

WHEREAS, the City of Fresno Development and Resource Management Director has filed 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;

WHEREAS, Plan Amendment Application No. 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 and minor amendments to Chapter 9, the Noise and Safety Element, to comply with Government Code requirements related to floodplain management;

WHEREAS, the City entered into a consultant services agreement with MIG, Inc., on September 15, 2015, to assist in the preparation of the Housing Element;

WHEREAS, nine community workshops were held in all of the City Council Districts during October and November of 2015 to gather input on the housing needs of residents;

WHEREAS, on January 7, 2016, the first Public Draft of the Housing Element was provided to the State Department of Housing and Community Development ("HCD") for review and comment;

WHEREAS, study sessions were held before the Disability Advisory Commission, the Housing and Community Development Commission, the Planning Commission, and City Council to obtain feedback on the first public draft (January 2016) of the Housing Element;

WHEREAS, all of the Council District Plan Implementation Committees, the Tower District Design Review Committee, and the Fulton-Lowell Design Review Committee reviewed the Housing Element, and all recommended approval except the Council District 1 Committee, which expressed concerns, and the Council District 3 Committee, which requested more information;

WHEREAS, eight written letters were received on the Housing Element Public Draft (January 2016) and four written letters were received on the Housing Element Revised Public Draft (March 2016);

WHEREAS, on March 7, 2016, the City received HCD's comments, carefully considered each comment along with all public comment received, and issued a Revised Public Draft of the Housing Element (March 2016);

WHEREAS, the City's diligent effort at public participation was also accomplished through the distribution of over 8,000 flyers to publicize the community workshops, the publication of two trilingual display ads in the Fresno Bee in October 2015, the publication of three bilingual display ads in the Fresno Bee and Vida en el Valle in March and April of 2016 for the public hearings held by the Housing and Community Development Commission, Planning Commission, and City Council, the posting of the Housing Element drafts on the City's website, the distribution of email updates to over 500 housing advocates and interested parties, and the distribution of hard copies of the Housing Element drafts to all Fresno County libraries located in the City;

WHEREAS, on March 23, 2016, the Housing and Community Development Commission held a public hearing to consider Plan Amendment Application No. A-16-001, including the March 2016 Revised Public Draft of the Housing Element, and

received public testimony, deliberated, and recommended denial by a 5-0 vote with the stated purpose of providing more time for public comment on the draft;

WHEREAS, on March 30, 2016, the Planning Commission held a public hearing to consider Plan Amendment Application No. A-16-001, including the March 2016 Revised Public Draft of the Housing Element, received testimony and other information, deliberated, and recommended approval of Plan Amendment Application No. A-16-001 and related environmental assessment by a 4-1-2 vote as evidenced in Planning Commission Resolution No. 13370;

WHEREAS, on April 4, 2016, the Airport Land Use Commission ("ALUC") considered Plan Amendment Application No. A-16-001, including the March 2016 Revised Public Draft of the Housing Element, at its regularly scheduled meeting and unanimously found the revised draft consistent with the ALUC's Sierra Sky Park Land Use Policy Plan, ALUC's Fresno-Chandler Downtown Airport Land Use Compatibility Plan, and ALUC's Fresno Yosemite International Land Use Compatibility Plan; and

WHEREAS, on April 21, 2016, the City Council held a public hearing to consider Plan Amendment Application No. A-16-001, including the March 2016 Revised Public Draft of the Housing Element, received testimony and other information, and deliberated on the matter.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. All staff reports and analysis submitted in connection with this matter are hereby incorporated by this reference.

2. The Council finds in accordance with its own independent judgment that Environmental Assessment No. A-16-001 is appropriate, 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) and an Addendum to the Finding of Conformity pursuant to CEQA Guidelines Sections 15162 and 15164.

3. The Council finds that the March 2016 Revised Public Draft of the Housing Element has been prepared in accordance with the provisions of Government Code Sections 65580 – 65589.8.

4. The Council finds the adoption of the proposed Plan Amendment is in the best interest of the City.

5. The Council hereby adopts Plan Amendment Application No. A-16-001 including all text, policies, maps, tables, and exhibits as contained in the March 2016 Revised Public Draft of the Housing Element (incorporated by reference) with the incorporation of the revisions recommended by Staff as described in Exhibit A, the proposed text amendments to Chapters 3 and 9 of the General Plan as described in Exhibit B, and the Revisions to Chapter 6 of the Housing Element recommended by Staff as described in Exhibit C.

6. The Council hereby reserves the right to adopt an amendment to the Housing Element to implement any further changes recommended by HCD and finds that such changes, if adopted, will be considered timely within the meaning of Government Code section 65588(e)(4)(A).

7. This Resolution shall become effective upon its adoption.

* * * * * * * * * * * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2016.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2016
Mayor Approval/No Return: _____, 2016
Mayor Veto: _____, 2016
Council Override Vote: _____, 2016

YVONNE SPENCE, CMC
City Clerk

By:_____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By:_____
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Attachments:
Exhibit A - Revisions Recommended by Staff
Exhibit B - Proposed Text Amendments to Chapters 3 and 9 of the General Plan
Exhibit C – Revisions to Chapter 6 of the Housing Element

TKB:jd [71148jd/tkb] 04-20-16

Exhibit A
Revisions Recommended by Staff

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Revisions Recommended by Staff

Chapter 2: Housing Needs

Pg. 2-18, Par 1:

One important housing resource for female-headed households is the Housing Choice Voucher Program. The Housing Authority of the City and County of Fresno is extremely oversubscribed for the Voucher Program ~~and currently is not accepting new applicants. The Program is opened for applicants typically once a year and closes within 1-2 days with an overwhelming amount of callers requesting assistance.~~ but is accepting new applicants and has moved to a lottery system to try and accommodate the large number of applicants.

Pg. 2-22, Par 2:

The State Housing and Community Development administers more than 20 programs that award loans and grants to local public agencies, private non-profit and for-profit housing developers, and service providers every year. This money supports the construction, acquisition, rehabilitation and preservation of affordable rental and ownership housing, childcare facilities, homeless shelters and transitional housing, public facilities and infrastructure, and the development of jobs for low-income workers. Many of these programs and funding sources can be utilized to provide housing for farmworkers. ~~Although there are affordable housing programs available, the funding continues to decrease annually.~~

Page 2-30, Par 2:

~~As a result of the survey and~~ ~~R~~recognizing the need for housing rehabilitation, the City began operating a Rehabilitation Program to assist owner-occupants with their housing rehabilitation needs. Funding for the program is provided by the HOME Investment Partnerships (HOME) Program and Community Development Block Grant (CDBG) Program and varies annually.

Chapter 3: Land for Housing

Table 3-2: Credit Towards the RHNA

Development Approved/Permits Issued	Extremely and Very Low-Income (0-50% AMI)	Low-Income (51-80% AMI)	Moderate-Income (81-120% AMI)	Above Moderate-Income (121%+ AMI)	Total
2013					
Fultonia West/Cedar Heights*	~~—~~34	~~13~~10	~~19~~1	---	**3244**
Sierra Gateway II*	33	34	---	---	**67**
Parc Grove NW*	121	26	---	---	**147**
CityView*	3	41	---	---	**44**
Laval/Belgravia Street*	---	9	---	---	**9**
415 Calaveras*	---	1	---	---	**1**

Various Single Family	---	---	---	1,159	**1,159**
Various Multi Family**	---	---	111	---	**111**
2014					
~~Cedar Heights*~~	~~31~~	—	—	—	~~31~~
Various Single Family	---	---	---	566	**566**
Various Multi Family**	---	---	390	---	**390**
2015					
Fresno Edison Apts. I*	~~80~~43	~~26~~10	2	~~20~~	~~128~~55
Fresno Edison Apt. II	43	20			63
Plaza Mendoza*	13	117	2	---	**132**
Various Single Family	---	---	---	833	**833**
Various Multi Family**	---	---	34	---	**34**
Various Projects (Approved)**	---	---	280	304	**584**
Total Credits	~~281~~ 290	~~267~~268	~~838~~ 820	~~2,882~~2862	~~4,268~~4240
2013-2023 RHNA	*5,666*	*3,289*	*3,571*	*11,039*	*23,565*
Remaining RHNA	~~5,385~~5,376	~~3,022~~3,021	~~2,733~~2,751	~~8,157~~8,177	~~19,297~~19,325

Notes:
*Affordability for federally-funded projects is based on a declaration of restrictions recorded on the property.
**Affordability for multi-family development that do not have affordability restrictions in place is based on market rents and home sales prices in Fresno that are within the affordability range of both low- and moderate income households.
Source: City of Fresno, 2015

Note: The very minor changes made on this table affect other tables and text in the housing element. The DARM Director is authorized to make any further changes to tables and text in the final Housing Element to ensure numerical consistency with this table.

Page 3-16, Par. 5:

The 1743 and 1752 L Street potential infill project is estimated to provide ~~10~~ 20 multifamily units on 0.34 acres at a density of ~~29~~ 58 units per acre. The site allows densities of 30 to 45 units per acre and is vacant. The minimum capacity for the site based on minimum allowed density is 10 units.

Chapter 4: Constraints to Housing Production

Page 4-17, Par. 1:

The City of Fresno has replaced former planning and development "red tape" with an easy to follow, customer-focused approval process, known as Business-Friendly Fresno. The new straightforward approach identifies projects based on their complexity. The City of Fresno has developed Business Friendly Fresno to establish accountability and clear protocols and authority for decision-making that align with the General Plan, and the Development Code ~~and pre-zoning~~.

Page 4-34: Par 1

~~Neighborhood Opportunities for Affordable Housing (NOAH). This nonprofit corporation was established for the purpose of constructing new residential affordable owner-occupied housing units for lower income households within the community. NOAH constructs new homes and provides housing rehabilitation to income-eligible residents.~~

Page 4-34, Par. 6:

Of these agencies, the Housing Authority, CURE, SHE and BOB are regularly involved in the construction, management and oversight of multi- and single-family housing developments and could manage "at-risk" units in order to preserve the units if the need existed. Other agencies that are involved in acquisition and management include the Fresno County Economic Opportunities Commission, ~~West Fresno Coalition for Economic Development~~, One by One Leadership, EAH, Inc., and the Be Group.

Page 4-36, Par 5:

~~Proposition 1C (Prop 1C) – State of California Prop 1C extended the nation's largest state-funded affordable housing assistance effort. The State's voters approved the measure by a substantial margin, authorizing $2.85 billion in State General Obligations bonds to continue several housing assistance programs, and to begin new programs to improve infrastructure to support housing. There may be limited funding balance; however, the City continues to respond to all applicable notices of funding availability~~.

Affordable Housing and Sustainable Communities (AHSC) Program. The Budget Act of 2014 appropriated $130 million from the Greenhouse Gas Reduction Fund (GGRF) to develop and implement the Affordable Housing and Sustainable Communities (AHSC) Program. Accompanying legislation (SB 862) apportions 20 percent of GGRF annual proceeds to the AHSC beginning in FY 2015-16. The GGRF is sometimes referred to as the "Cap and Trade Fund." The AHSC funds land-use, housing, transportation, and land preservation projects to support infill and compact development that reduces greenhouse gas ("GHG") emissions. These projects facilitate the reduction of the emissions of GHGs by improving mobility options and increasing infill development, which decrease vehicle miles traveled and associated greenhouse gas and other emissions, and by reducing land conversion, which would result in emissions of greenhouse gases. The programs awards are determined with a points formula and 0.25 points are awarded to projects that directly implement a policy in a long range planning document (General Plan/Specific Plan, etc), including new development on sites contained within the housing element's sites inventory

Chapter 6: Housing Plan

Page 6-4, Program 3: Annual Reporting Program

Objectives: Partner with housing advocates, ~~and~~ organizations, and developers to provide annual information to the community on housing density and affordable housing. Reach out to the community regarding these topics annually as part of a Housing Element Annual Report on annual progress. Notify and invite interested community members to attend and discuss housing production progress at a public hearing.

Page 6-11, Program 13: Expedited Processing/Business Friendly Fresno

The City's Business Friendly Fresno program presents prospective developers with an easy to follow and customer-focused approval process. The program has established accountability and clear protocols and authority for decision-making that align with the General Plan and ~~,~~ the Development Code~~, and pre-zoning~~. The City will continue to implement the Business Friendly Fresno program as it applies to residential development projects and also continue to provide fast track or one-stop permit processing for housing developments affordable to lower-income households or other priority housing needs (i.e., extremely low-income, large families, persons with disabilities, farmworkers). As needed, the City will assess the incentives needed to facilitate the development of affordable housing.

Page 6-12, Program 14: Development Incentives

The City will continue to provide priority processing for the construction of new housing in the Downtown Planning Area by processing completed plans, consistent rezoning, and Development Permit review and Conditional Use Permit applications for permitting within an average of 75 working days. The City will continue to provide reduced application fees and priority processing for single- and multi-family projects within the Inner City Fee Program area, as referenced in the Municipal Code, to create housing units. In addition, impact fee waivers are available for qualifying infill projects in priority areas of the City pursuant to Ordinances 2013-21 (The Build Act), and Fresno Municipal Code Article 4.14 ~~2015-44~~ (Fee Waivers for ~~Mixed Use~~Certain Projects in Economically Disadvantaged Areas). As funding is available, the city will reduce, or subsidize development and impact fees for affordable housing.

Exhibit B
Proposed Text Amendments to Chapters 3 and 9 of the General Plan

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).

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[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.

DRAFT

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 Fund[5]
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 Fund[5]
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 Assistance[7]
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 Program[8]

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 Program[9]

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 Program [10]

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 Fund[11]

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]

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[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.

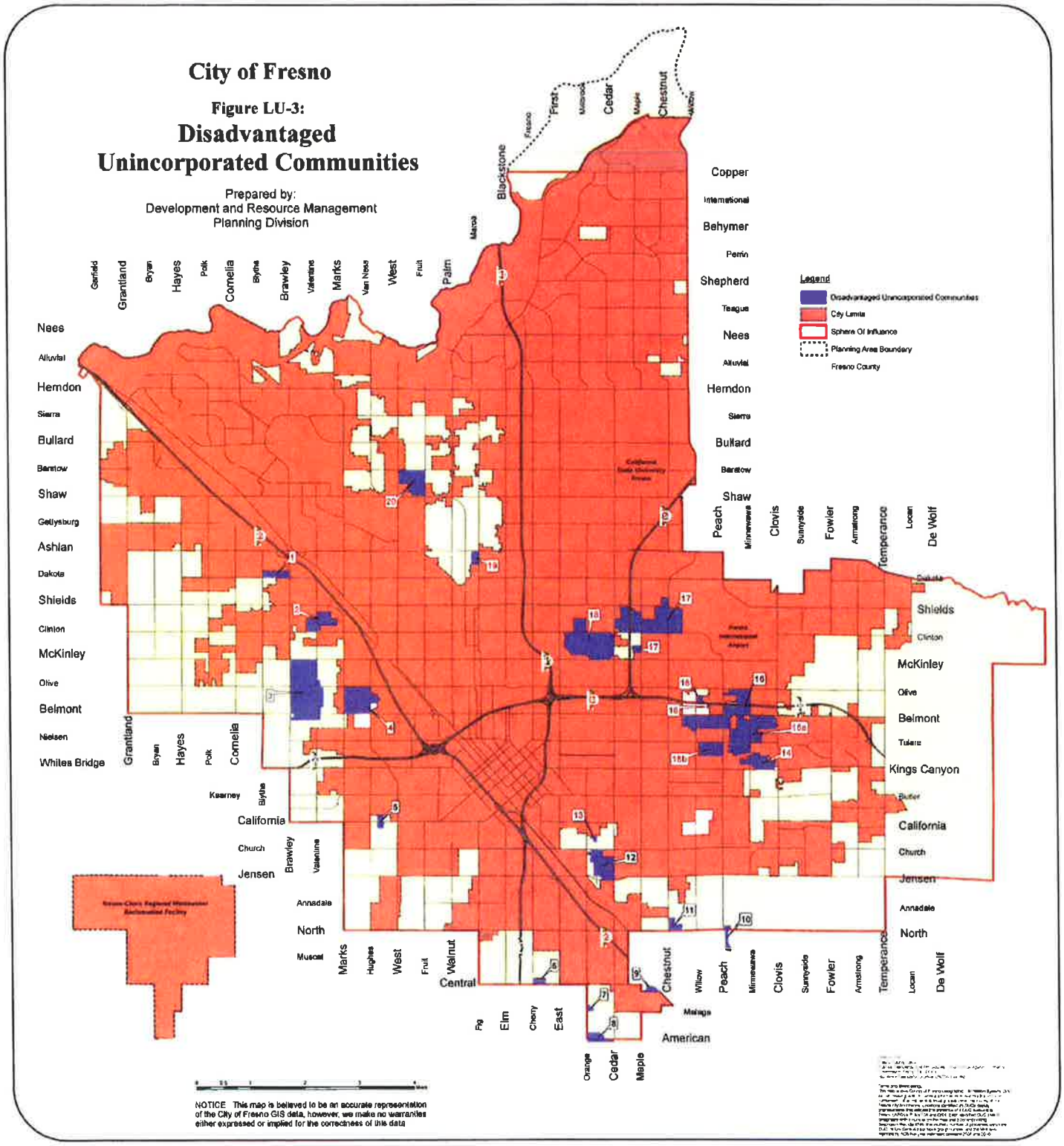
[11] "CDBG Entitlement Program Eligibility Requirements." US Department of Housing & Urban Development, 2014.

[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-3:
Disadvantaged Unincorporated Communities

Prepared by:
Development and Resource Management
Planning Division



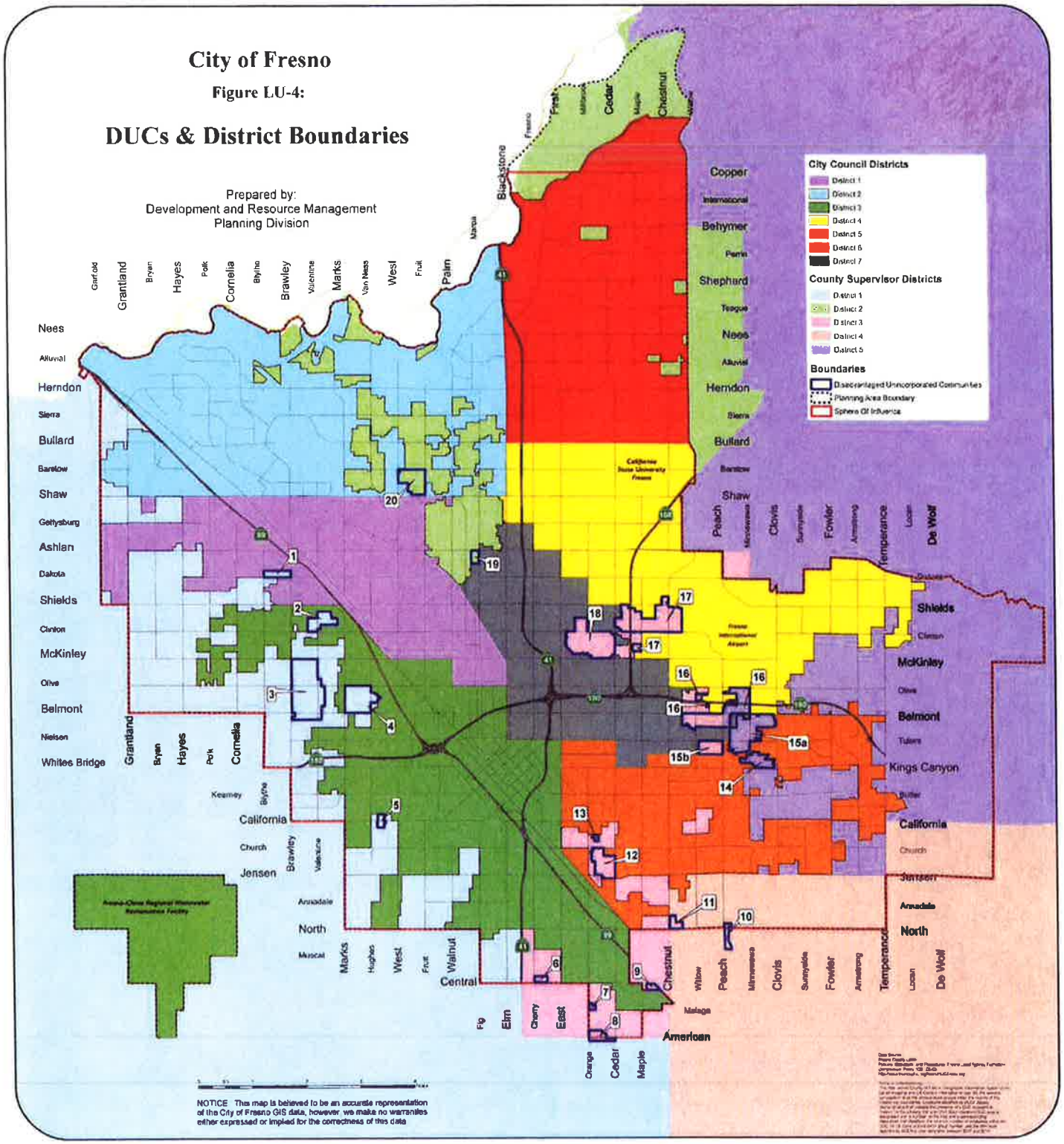
NOTICE This map is believed to be an accurate representation of the City of Fresno GIS data, however, we make no warranties either expressed or implied for the correctness of this data

City of Fresno

Figure LU-4:

DUCs & District Boundaries

Prepared by:
Development and Resource Management
Planning Division



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 C
Revisions to Chapter 6 of the Housing Element

Additional Revisions to Chapter 6 of the Housing Element

City staff and consultants conducted a conference call with the California Housing and Community Development Department (HCD) on April 15, 2016, and received additional information. This document summarizes proposed additional revisions and clarifications, which are limited to Chapter 6. Individual proposed edits are shown with ~~strikethrough~~ for deletions and red underline for new text.

1. Program #2 Revisions

Program 2: Residential Densities on Identified Sites

Government Code §65863 states that no jurisdiction shall "reduce, or require, or permit the reduction of, the residential density for any parcel to, or allow development of any parcel at, a lower residential density, or allow development at a lower residential density than projected" for sites identified in the Housing Element sites inventory unless the jurisdiction makes written findings that the reduction is consistent with the General Plan, and that the remaining sites identified in the Housing Element are adequate to accommodate the jurisdiction's need.

The City of Fresno will evaluate residential development proposals for consistency with goals and policies of the General Plan and the Housing Element Sites Inventory, and make written findings that the reduction is consistent with the General Plan and that the remaining sites identified in the Housing Element are adequate to accommodate the RHNA. ~~So long as the residential sites inventory continues to exceed the City's RHNA as set forth in Program 1, the City will make the necessary written findings regarding the reduction's consistency with the General Plan. If a proposed reduction of residential density will potentially result in the residential sites inventory failing to accommodate the RHNA~~ If these findings cannot be made, the City will consider an amendment to the Housing Element in order to restore capacity to the sites inventory, before acting on a density reduction. A Housing Element amendment would only be required in the case that the City's housing sites inventory drops below the RHNA, and is not required for individual projects that do not match the sites inventory assumptions exactly.

Responsibility:	Development and Resources Management Department - Planning Division
Funding Source:	General Fund
Timeframe/Objective:	Ongoing implementation: as part of the entitlement review process, evaluate new projects for consistency with General Plan objectives as they relate to housing and the RHNA obligations. Establish procedure for the review process by December 2016.

2. Program #3 Revisions

Program 3: Annual Reporting Program

Achieving consensus on housing policy and proposed housing developments can be a difficult process. Through active and continued dialogue with stakeholders and neighborhood groups, the likelihood of achieving neighborhood consensus for new housing policy and developments is increased significantly. Fresno supports efforts to help residents be more informed about housing facts, which will help them provide sound direction on housing solutions. Fresno's has a Housing and Community Development Commission that can help facilitate this annual evaluation. Information provided would include exploring avenues to help residents understand development tradeoffs, the benefits of affordable housing, and implementation of measures necessary to implement the City's vision for a vibrant and lively community.

Objectives: Partner with housing advocates, organizations, and developers to provide annual information to the community on housing density and affordable housing. Actively work toward Housing Element Implementation and reach out to the community regarding these topics annually as part of a Housing Element Annual Report on annual progress. Notify and invite interested community members to attend and discuss housing production progress at a public hearing, and continue to provide avenues for community input on the implementation of the Housing Element. Encourage input on other housing and fair housing-related programs and policies maintained by the City, including but not limited to those contained in the Analysis of Impediments to Fair Housing Choice (or Assessment of Fair Housing) and relevant General Plan policies and Development Code provisions. Allow residents and stakeholders the opportunity to discuss and provide information and feedback to the City.

Responsibility:	Development and Resources Management Department - Planning, Housing, and Community Revitalization ~~Housing and Planning~~ Divisions
Funding Source:	General Fund
Timeframe/Objective:	Partner with housing advocates and organizations to provide ~~annual~~ information to the community on housing density and affordable housing. Reach out to the community regarding these topics annually as part of a Housing Element Annual Report ~~on annual progress~~. Notify and invite interested community members to attend and discuss housing production progress at a public hearing. Facilitate community input on other housing and fair housing-related programs and policies as those opportunities arise.

3. Program # 6 Revisions

Program 6 – Strengthening Partnerships with Affordable Housing Developers
The City will continue to strengthen partnerships and relationships with affordable housing developers, including but not limited to the Fresno Housing Authority, by doing the following:

- Encouraging and assisting in funding applications to applicable federal, state, and local funding sources;
- Supporting local capacity building efforts around affordable housing finance, including convening affordable housing developers, community development leaders, lenders, and advocates to identify ongoing regulatory and funding barriers to affordable and mixed-income development;
- Attracting large investors to facilitate the construction of new affordable housing units and incentivize self-help type single-family housing construction for extremely low-income households;
- Reviewing published notices for funding availability and cause~~e~~ing applications to be prepared for various City housing programs, projects, and activities;
- Administering Community Housing Development Organization (CHDO) funds for affordable housing projects with service providers including Habitat for Humanity; and
- Encouraging local and State non-profits to seek funding for development of new farm worker housing projects, as well as local affordable housing and mixed-income projects in transit-oriented developments along transit corridors throughout the City.

Responsibility:	Development and Resources Management Department – Planning, ~~and~~ Housing, and Community ~~Development~~ Revitalization Divisions
Funding Source:	HOME & CDBG Programs
Timeframe/Objective:	Ongoing implementation and annual reporting throughout the planning period; annual review and assessment of potential funding opportunities; convene annual meeting, starting in the Fall of 2016, with housing stakeholders to identify development barriers, funding opportunities, and opportunities for development of affordable and special needs housing; and administer Community Housing Development Organization (CHDO) funds as part of the Consolidated Plan process and annual Action Plan update.

4. New Program for Outreach to Mobile Home Parks

Program 10A – Mobile Home Parks

There are close to 4,000 mobile home units in the city of Fresno. Mobile home parks represent one of the few remaining sources of unsubsidized affordable housing in the city and they also provide opportunities for homeownership to individuals and households who might not be able to afford other housing purchase options. As real estate prices rise, mobile home park owners may seek to close parks so that the land can be sold and converted to other uses. Deferred maintenance of a mobile home park can lead to substandard conditions that can also eventually lead to park closures. In an effort to preserve the city's mobile home parks, the City will:

- Compile a list of resources and provide technical assistance to facilitate the maintenance and preservation of mobile home parks. Conduct outreach to mobile home residents and park owners regarding potential funding sources, including the State's Mobilehome Park Rehabilitation and Ownership Program (MPRROP).

Responsibility:	Development and Resources Management Department - Planning, Housing, and Community Revitalization Divisions
Funding Source:	General Fund
Timeframe/Objective:	Compile a list of financial resources for residents and park owners for maintenance and preservation, and outreach to stakeholders by January 2017.

5. Program #15 Revisions

Program 15 – Large and Small Lot Development

The Housing Element sites inventory includes 449 acres of vacant and underutilized sites that are less than 1 acre in size (making up just 10 percent of all residential capacity on vacant and underutilized sites). Small sites present the opportunity for development on the existing sites or lot consolidation into larger projects. There are many opportunities for lot consolidation surrounding identified sites, given the underutilized nature of surrounding properties. The City's Voluntary Parcel Merger program permits the combining of parcels without going through the Parcel Map or Lot Line Adjustment process. In addition, in order to facilitate lot consolidation, the City has reduced the application fee from $5,360 to $627. The program will go into effect July 1, 2016.

The Sites Inventory includes 2,557 acres of vacant and underutilized sites that are over 10 acres in size (53 percent of all residential capacity on vacant and underutilized sites).

To encourage a strategic approach to the development of large sites and to facilitate the development of housing, the City will encourage the development of large sites through an allowance of phasing of development and offsite improvements, and where applicable, through the Specific Plan process.

The City will establish a program to monitor development trends on small and large lots, identify regulatory barriers and adjust incentives and/or development standards accordingly. The monitoring program will include a threshold defining small and large lots and may vary by neighborhood, community plan area or zoning districts. The monitoring program will include a biennial review of development on large and small lots and seek input from developers and property owners on regulatory barriers to development of these lots.

Responsibility:	Development and Resources Management Department - Planning Division
Funding Source:	General Fund
Timeframe/Objective:	Implement the Voluntary Parcel Merger Program and fee reduction program by mid-2016. Establish a policy and guidelines for the requirements of a ~~Concept~~ Specific~~, or Master~~ Plan or phasing process for large site development by 2017. Establish a monitoring program by January 2017 and include a biennial review process for development on large and small lots.

6. Program #16 Revisions

Program 16 – Agricultural Employees (Farmworker) Housing
The California Employee Housing Act requires that housing for six or fewer employees be treated as a regular residential use. The Employee Housing Act further defines housing for agricultural workers consisting of 36 beds or 12 units be treated as an agricultural use and permitted where agricultural uses are permitted.

The City of Fresno Development Code allows Agricultural labor housing by right in the Buffer (B) district and specifically indicates that in the case of any conflict the California Health and Safety Code relating to agricultural employee housing supersedes the Development code. The City will review the Fresno Development Code to ensure continued compliance with the California Employee Housing Act. Based on the review of the Development Code, the City will amend or revise the Fresno Development Code, if needed, to comply with the Employee Housing Act.

Responsibility:	Development and Resources Management Department - Planning Division
Funding Source:	General Fund

Timeframe/Objective: Review Development Code for compliance with the Employee Housing Act by January 2017. If needed, present to the City Council for consideration of any amendments or revisions required by July 2017.

7. New policy to prioritize infrastructure

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

- **Policy H-3-a:** Review and adjust as appropriate residential development standards, regulations, ordinances, departmental processing procedures, and residential fees related to rehabilitation and construction that are determined to be a constraint on the development of housing.
- **Policy H-3-b:** Educate applicants on how to navigate the development approval process and otherwise facilitate building permit and development plan processing for residential construction.
- **Policy H-3-c:** Facilitate timely development plan and building permit processing for residential construction.
- **Policy H-3-d:** Provide incentives and regulatory concessions for residential projects constructed specifically for lower- and moderate-income households.
- **Policy H-3-e:** Encourage the new construction of housing in the Central City, Inner City, and other targeted areas.
- **Policy H-2-f**: Prioritize infrastructure improvements, code enforcement, and public services provision in high-need areas.

8. Program #19 Revisions

Program 19 – Comprehensive Code Enforcement

The City of Fresno, in conjunction with private businesses and developers and community-based non-profit organizations, will continue to collectively increase neighborhood revitalization activities. The Community Revitalization Division will continue to assertively conduct targeted neighborhood inspections of housing units for potential health and safety issues. The Community Revitalization Division's Safe Housing and Vacant Structure Team, and all Area Teams as needed, will continue to improve neighborhoods throughout Fresno and increase livability by creating safe and healthy conditions, removing blight, educating citizens, promoting pride of ownership and building collaborative relationships with the community. In 2016, the City established a Neighborhood Revitalization Team (NRT) that is assigned to targeted neighborhood revitalization activities. The City recently adopted and implemented a revised blighted vacant building ordinance and has established the Strike Team On Problem Properties. The Mayor-Council Code Enforcement Task Force is currently

discussing options to improve property conditions and preserve the city's existing rental housing stock. The City will pursue resolution of cases identified through the inspection process, including through enforcement actions against landlords if necessary.

Responsibility:	Development and Resources Management Department - Community Revitalization Division (Formerly Code Enforcement)
Funding Source:	General Fund
Timeframe/Objective:	Complete 8,000 inspections annually, pursue resolution of cases identified through the inspection process, and develop Task Force recommendations by the end of 2016.

9. Cross-reference existing policies in other Elements of the General Plan

Add in a text box to Chapter 6:

California Government Code Section 65300 requires that General Plans be internally consistent. The Housing Element, as an element of the Fresno General Plan, is 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 Urban Form, Land Use, and Design Element are noted below to illustrate the Housing Element's consistency with the General Plan.

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 Fresnans. 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.

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.

10. Additional policies and programs to further fair and equitable housing.

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.

- **Policy H-5-a:** Prohibit discrimination in the sale, rental, or financing of housing based on race, color, ancestry, religion, national origin, sex, sexual orientation, gender identity, age, disability/medical condition, familial status, marital status, source of income, or any other arbitrary factor.
- **Policy H-5-b:** Assist in the enforcement of fair housing laws by providing support to organizations that can receive and investigate fair housing allegations, monitor compliance with fair housing laws, and refer possible violations to enforcing agencies.
- **Policy H-5-c:** Provide equal access to housing for special needs residents such as people experiencing homelessness, elderly individuals, and persons with disabilities.
- **Policy H-5-d:** Promote the provisions of disabled-accessible units and housing for persons with mental and physical disabilities.
- **Policy H-5-e:** Ensure that all development applications are considered, reviewed, and approved without prejudice to the proposed residents, contingent on the development application's compliance with all entitlement requirements.
- **Policy H-5-f:** Accommodate persons with disabilities who seek reasonable waiver or modification of land use controls and/or development standards pursuant to procedures and criteria set forth in the Development Code.
- **Policy H-5-g:** Create equitable and affordable housing options throughout the City that provide incentives to residents for finding housing in high opportunity areas and to developers for building affordable housing in high opportunity areas.
- **Policy H-5-h:** Consult with a wide range of groups throughout the community and consider environmental justice issues in the development and update of regulations, guidelines and other local programs.
- **Policy H-5-i:** Increase or maintain resources to establish and support outreach, public education and community development activities through community-based and neighborhood organizations.

(New) Program 26 – Equitable Communities

The City has initiated efforts to improve property values, living conditions, public safety and the overall quality of life in the City's older neighborhoods through the General Plan. To supplement this effort and focus on the equitable distribution of housing resource and public investment the City will:

- Continue implementation of the initiatives, which aim to improve property values, living conditions, public safety and the overall quality of life in Fresno's older neighborhoods.
- Identify areas of high need and target an integrated approach to service provision in those neighborhoods.
- Establish written policies and procedures that ensure that infrastructure and public services provisions and code enforcement activities are prioritized for high need areas. Prioritize basic infrastructure improvements like water, sewer, and street lights in high-need communities. Create a list of infrastructure and public service needs in high-need areas and potential strategies for addressing those needs.
- Actively seek funding sources for marginalized or distressed communities including but not limited to Transit Oriented Development Funds, Strategic Growth Council grants, HCD's Housing-Related Parks Program, Safe Routes to School, and Brownfield funding.
- Expand affordable housing opportunities that prevent the concentration of single and multifamily dwelling units affordable to low and moderate-income households.
- Work with the Fresno Housing Authority to assist households in using vouchers to rent in higher-opportunity areas and to identify landlords who are willing to accept vouchers in communities where vouchers are infrequently used.

Responsibility:	Development and Resources Management Department – Planning, Housing, and Community Revitalization Divisions
Funding Source:	Various City Funding Sources; State and Federal funding as available
Timeframe/Objective:	Compile list of funding sources with requirements and timelines for applications by November 2016. Annually report on efforts to identify housing opportunities outside of high-need areas through the Annual Reporting process. Identify high-need areas and create a list of infrastructure and public service needs in

high-need areas and potential strategies by January 2017. Ongoing coordination with the Fresno Housing Authority.

(New) Program 10B – Housing Choice Vouchers

The Housing Choice Voucher (HCV) program, formerly the Section 8 program, provides rent subsidies to very low income households who overpay for housing. Prospective renters secure housing from HUD-registered apartments that accept the certificates. HUD then pays the landlords the difference between what the tenant can afford (30 percent of their income) and the payment standard negotiated for the community. In Fresno, the Fresno Housing Authority administers the HCV program. To facilitate access to the Housing Authority's program, the City will:

- Provide information about Housing Choice Vouchers at the planning counter, on the City/ website and in other public places to increase awareness.
- Obtain or maintain a list of multifamily rental developments that accept vouchers and hold regular discussions with potential new landlords to expand the number of developments that accept HCV tenants.
- Outreach to developments in high opportunity areas about participation in the Housing Choice Voucher (HCV) program.

Responsibility:	Development and Resources Management Department – Planning, Housing, and Community Revitalization Divisions; Fresno Housing Authority
Funding Source:	HUD funding
Timeframe/Objective:	Ongoing implementation and annual reporting throughout the planning period; Provide information on the Housing Choice Voucher program and list of developments that accept vouchers at City counters and website by November 2016; Identify properties in high opportunity areas for outreach efforts by January 2017.