

Regular Council Meeting RECEIVED
September 29, 2022

FRESNO CITY COUNCIL



2022 SEP 27 A 10:59
CITY CLERK'S OFFICE

Supplemental Packet

ITEM(S)

1:30 P.M. (ID 22-1410)

Workshop on the proposed Fresno County Multi-Jurisdictional Housing Element Update.

Contents of Supplement: PowerPoint Presentation

Item(s)

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.



Fresno County Multi-Jurisdictional Housing Element Update

Study Session

September 29, 2022



FRESNO COUNCIL OF GOVERNMENTS

Agenda



Introductions



Housing Element Overview/Contents



Regional Housing Needs Allocation (RHNA)



Changes to State Housing Law

Project Team

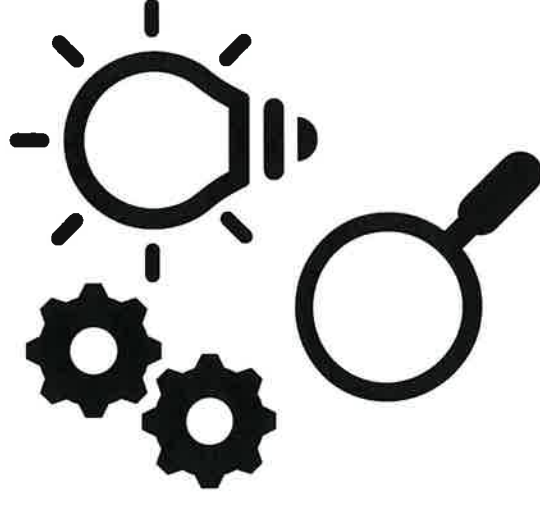
- » **Fresno COG**
 - Kristine Cai, Deputy Director
 - Juan Ramirez, Associate Regional Planner
- » **Consultant Team**
 - PlaceWorks
 - Ascent – City of Fresno Project Lead:
 - Chelsey Payne and Heidi Gen Kuong
 - Provost and Pritchard
 - California Coalition for Rural Housing

FRESNO COUNCIL OF GOVERNMENTS



Meeting Objective

- » **Provide an overview** of the Housing Element Update process and new laws
- » **Share information** about the schedule and regional documents being prepared
- » **Gather initial input** on potential housing issues and opportunities

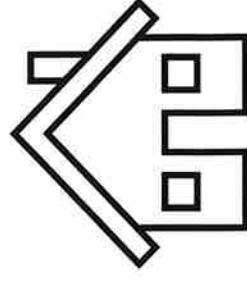


Housing Element Overview



What is the Housing Element?

- » One of the eight mandated elements of the General Plan
- » Must be updated every 8 years
- » Adoption Deadline: December 31, 2023
 - 6th Cycle Planning Period: December 31, 2023 – December 31, 2031
 - 5th Cycle Planning Period: December 31, 2015 – December 31, 2023
- » Plan for accommodating the jurisdiction’s “fair share” of the regional housing need (RHNA)

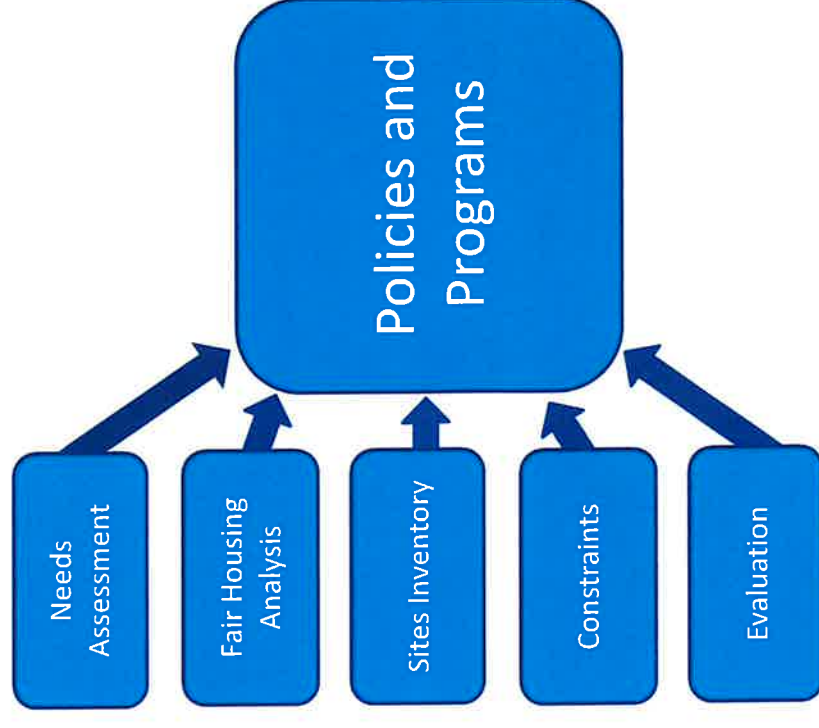


About the Housing Element

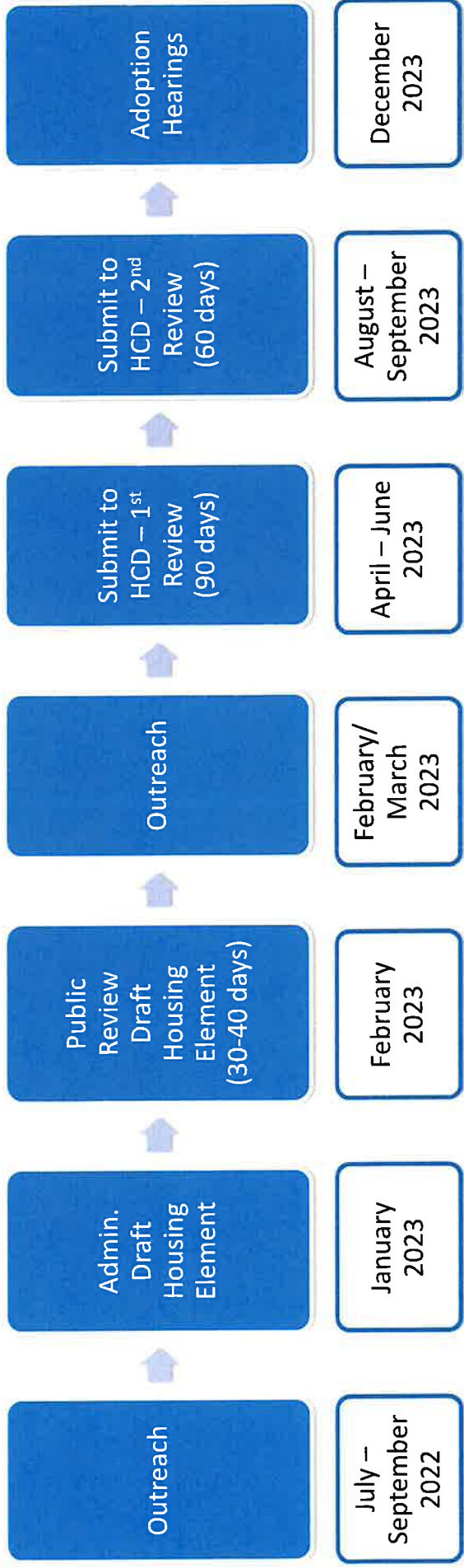
- » **Plans for housing needs of all economic segments of the community**
 - Must have adequate zoning to meet housing needs (zoning changes may be required)
 - Must include goals and policies to meet housing needs for the entire community, including special needs households
- » **Does not:**
 - Require the City or County to build housing
 - Provide funding to build housing
 - Approve residential developments

Housing Element Contents

- » **Housing Needs Assessment** – analyzes demographic, employment, and housing needs
- » **Fair Housing Analysis** – identify barriers to equal housing opportunities
- » **Housing Sites Inventory** – identifies available sites for housing development or redevelopment
- » **Analysis of Constraints** – assesses governmental and non-governmental constraints on housing development
- » **Evaluation of Previous Housing Element** – measures progress and identifies gaps
- » **Policies and Programs** – establishes policies and programs to meet housing needs



Regional Efforts – Timeline



Public outreach and engagement will be conducted throughout the process.

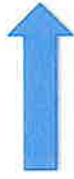
Regional Housing Needs Allocation (RHNA)



How is the RHNA Determined?

State Role

The State projects future housing needs at various income levels and allocates units to COGs Statewide



Regional Role

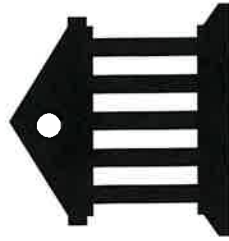
The COG develops a methodology to distribute housing needs to each jurisdiction; methodology approved by HCD



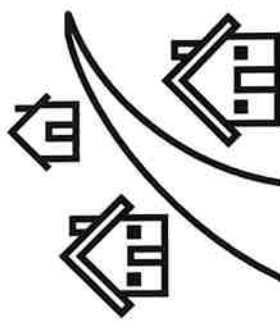
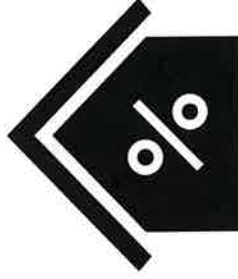
Local Role

Cities and counties are allocated units. They must then find ways to accommodate – enough land at appropriate densities

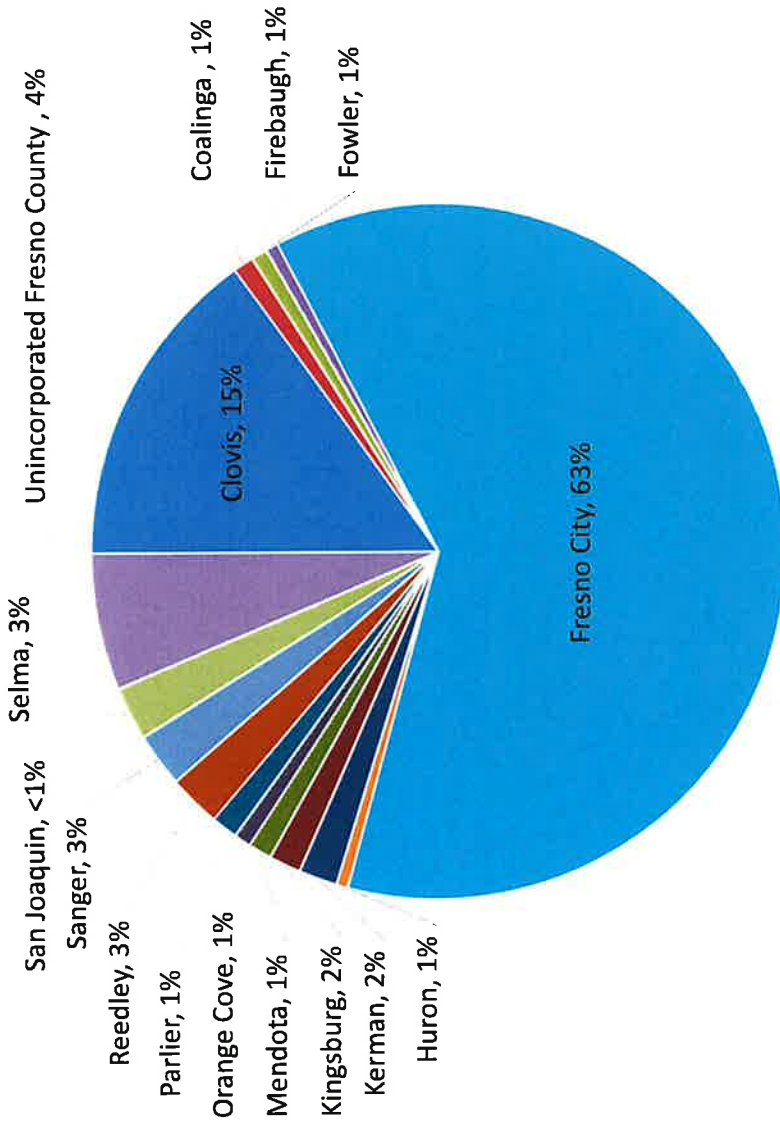
Total RHNA = 2,502,971



Fresno COG RHNA = 58,298
Adopted June 2022



Fresno COG RHNA



Jurisdiction	RHNA Allocation	RHNA Allocation Percentage
Clovis	8,977	15%
Coalinga	566	1%
Firebaugh	443	1%
Fowler	339	1%
Fresno City	36,866	63%
Huron	319	1%
Kerman	1,063	2%
Kingsburg	882	2%
Mendota	642	1%
Orange Cove	469	1%
Parlier	733	1%
Reedley	1,463	3%
Sanger	1,494	3%
San Joaquin	200	<1%
Selma	1,492	3%
Unincorporated Fresno County	2,350	4%

Fresno RHNA by Income Level

Income Level	2015-2023 RHNA (units)	2023-2031 RHNA (units)	Percent Increase
Very Low Income (<50% of AMI)	5,666	9,440	67%
Low Income (51-80% of AMI)	3,289	5,884	79%
Moderate Income (81-120% of AMI)	3,571	5,638	58%
Above Moderate Income (>120% of AMI)	11,039	15,904	44%
TOTAL	23,565	36,866	56%

**Total of 15,324
Lower-Income
Units**

In comparison:

- City of Clovis
RHNA: 8,977
- Fresno County
RHNA: 2,350

2022 Fresno County Area Median Income (AMI) for a 4-person household = \$80,300

Source: HCD 2022 Income
Limits; FCOG RHNA
Methodology, July 2022.

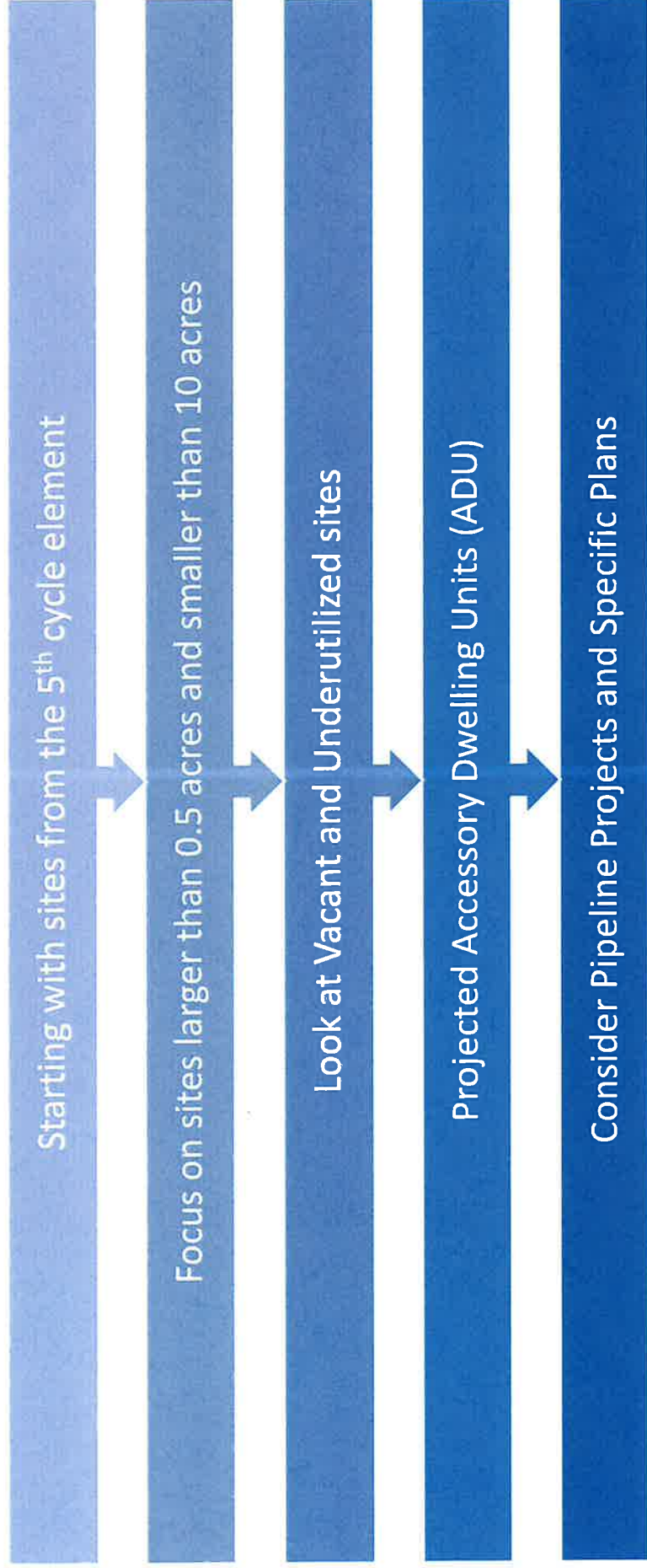
Density to Accommodate the RHNA

Cities and counties must show adequate land zoned for housing to accommodate the RHNA at each income level

- » Default density standard for lower-income housing is 30 units per acre for metropolitan jurisdictions, like Fresno (Section 65583.2(c)(3)(B))



Strategies to meet the 6th Cycle RHNA



Key Changes to State Law



New Laws

- » **AB 215: Updates to Housing Element Timeline**
 - Adds mandatory public review period for Housing Elements prior to HCD submission
 - 30-day minimum public review period, with an added 10 business days if comments are received
 - Extends HCD's review period
 - Draft Element: 60 days → up to 90 days
 - Adopted Element: 90 days → up to 60 days
 - Deadline for Housing Element adoption does not change (**December 31, 2023**)

New Laws

» AB 1398: Rezone Timeframe

- Requires jurisdictions to adopt a compliant Housing Element within 120 days of the deadline
 - If not in compliance by deadline, rezones must be completed within one year of the beginning of the planning period – if not completed, compliance may be revoked
 - If the Housing Element is adopted more than one year from the element due date, the element cannot be found in compliance until rezones are complete
- Removes the 4-year update consequence if adopted outside of the 120-day deadline

New Laws

» **AB 72: Accountability and HCD Enforcement**

- HCD may revoke housing element compliance for failure to complete housing element rezone obligation (or any other act or failure to act that is inconsistent with the housing element)
- HCD may report to the Attorney General violations of no net loss statute, housing accountability act, density bonus law, and fair housing law

» **AB 1397: Identification of Realistic Sites**

- If more than 50% of lower-income sites are non-vacant, the law assumes that the existing use will prevent redevelopment unless there is evidence to the contrary
- Sites smaller than 0.5 acres or larger than 10 acres are presumed inappropriate for lower-income housing unless there is a track record of similar development

New Laws

» SB 166: No Net Loss Zoning

- If a project is approved on a housing element site with fewer units or a different income category, cities must either:
 - Make a written finding that other housing element sites are adequate to meet the RHNA for lower- or moderate-income housing; or
 - Identify and make available within 180 days other sites zoned at a density suitable for lower- or moderate-income housing

» SB 35: Application Streamlining

- Applies if number of building permits issued is less than the share of the RHNA by income category for the reporting period.

New Laws

- » **SB 330: Removes “Roadblocks” to Development**
 - Prohibits downzoning and reduces process time
 - No Subjective Design Standards
- » **AB 686: Affirmatively Furthering Fair Housing**
 - Housing Elements must:
 - Assess fair housing issues in the community
 - Analyze areas of opportunity and access to resources
 - Identify housing sites that foster an inclusive community and provide equitable access to resources
 - Identify strategies to address barriers to fair housing and combat discrimination and displacement
 - Include programs to implement these strategies

New Laws

» SB 9: Housing Development Approvals

- Legislation:
 - Allows 2 units per lot, for a potential of 4 units on single-family lots
 - Urban lot splits to be allowed within urbanized areas on lots that do not require demolition or alteration of moderate- to very low-income housing and will be roughly equal in size
- Impacts on the Housing Element Update Process:
 - Coordination with HCD to determine approach to meeting the RHNA
 - Analyzing how SB 9 units may help meet the moderate- and/or above moderate-income RHNA

Thank you

