

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13612**

The Fresno City Planning Commission at a regular meeting on October 2, 2019, adopted the following resolution relating to Plan Amendment Application No. P19-00980.

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; and

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; and

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 and that the Housing Element shall include an inventory of land suitable and available for residential development to meet the local government’s allocation of the regional housing need; and

WHEREAS, after a robust and diligent public engagement process, on April 28, 2016, by Resolution 2016-60, the City Council amended Chapter 11 of the Fresno General Plan to incorporate the Fresno 2015-2023 Housing Element; and

WHEREAS, the California Department of Housing and Community Development (HCD) is required to review the City’s Housing Element pursuant to Government Code Section 65585 and to issue a determination as to whether or not HCD finds that the Housing Element substantially complies with the requirements of the Government Code, commonly referred to as a “certification letter”; and

WHEREAS, HCD reviewed the 2015-2023 Housing Element and issued a certification letter on July 7, 2017; and

WHEREAS, the California Legislature approved SB 166 on September 29, 2017, amending California Government Code Section 65863 – which requires a local government to maintain a housing sites inventory that can accommodate its remaining unmet share of the regional housing need (known as the RHNA) – to specify that should the remaining inventory be unable to accommodate the remaining unmet need, the local government has 180 days to identify and make available additional adequate sites; and

WHEREAS, California Government Code Section 65400 requires the preparation of an annual progress report on the City’s status and progress on implementing the Housing Element to be submitted to HCD by April 1 of each year; and,

WHEREAS, the 2018 Annual Progress Report on the Housing Element called for the addition of new sites to the Housing Sites Inventory for the 2008-2013 RHNA; and,

WHEREAS, the Director of the Planning and Development Department filed an application to amend the Chapter 11 of the General Plan, the Housing Element, to amend Program 2: Residential Densities on Identified Sites to be consistent with state law, and add 91 sites totaling approximately 54.16 acres located in Downtown to Table B-2-Housing Sites Inventory (2008-2013 RHNA).

NOW, THEREFORE, BE IT RESOLVED by the Fresno City Planning Commission as follows:

1. All staff reports and analysis submitted in connection with this matter are hereby incorporated by this reference.
2. The Fresno City Planning Commission finds in accordance with its own independent judgment that Environmental Assessment No. P19-00980, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR), certified by the City Council on December 18, 2014, for the Fresno General Plan and Development Code, and to Program Environmental Impact Report SCH No. 2012041009 (PEIR) certified by the City Council on October 20, 2016, for the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan, and the Downtown Development Code pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164 is appropriate. Accordingly, the Commission recommends the City Council adopt the environmental findings prepared for Environmental Assessment No. P19-00980.
3. The Fresno City Planning Commission hereby recommends to the City Council that Plan Amendment Application No. P19-00980 be approved.

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The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Vang, seconded by Commissioner Sodhi-Layne.

VOTING: Ayes - Vang, Sodhi-Layne, Hardie, Bray, Torossian
 Noes - None
 Not Voting - None
 Absent - McKenzie

DATED: October 2, 2019



JENNIFER K. CLARK, Secretary
Fresno City Planning Commission

Resolution No. 13612
Plan Amendment Ap. No. P19-00980
Filed by Planning and Development
Director
Action: Recommend Approval

Attachment:
Exhibit "A" – Text Amendment to the General Plan

Exhibit A

Chapter 6

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 Housing Element includes two distinct residential land inventories:

- 2013-2023 (current Housing Element cycle)
- 2008-2013 (previous Housing Element cycle “rollover”)

The inventories are presented in this Element separately to facilitate tracking of sites throughout the planning period and due to the different criteria each inventory must address under housing element law.

The City of Fresno will evaluate residential development proposals for consistency with goals and policies of the General Plan and both (2008-2013 and 2013-2023) Housing Element Sites Inventories, and make written findings that the density 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 shall make the necessary written findings regarding the reduction’s consistency with the General Plan. If a proposed reduction of residential density will result in the residential sites inventory failing to accommodate the RHNA, the City shall, within 180 days of approving the proposed reduction, consider an amendment to the Housing Element in order to restore capacity to the sites inventory, before acting on a density reduction. Sites selected to restore capacity to the inventory shall provide equivalent capacity, be of an equivalent size, and provide appropriate density relative to the site subject to the density reduction in order to qualify as a sufficient replacement site. If a site requires a rezone in order to be counted as a replacement site in the sites inventory, the rezone application shall be processed concurrently with the Housing Element amendment. As part of this process, the City will encourage and support the expansion of affordable housing opportunities that prevent the concentration of single-family and multifamily dwelling units affordable to low- and moderate-income households and will consider concentration of affordable housing when selecting replacement sites for the inventory.

A Housing Element amendment would only be required in the case that the housing sites inventories were at risk of dropping below the RHNA, and is not required for individual projects that do not match the sites inventory assumptions exactly, as long as the findings indicated in §65863 can be made.

The City will monitor both sites inventories to ensure maintenance of adequate sites and specifically to evaluate whether development on identified sites is occurring as expected related to development types, densities, and quantities. Monitoring of the percentage of affordable units on large sites will be processed pursuant to Program 16.

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 April 2017. If, at any time within the Housing Element planning period, the findings indicated in §65863 cannot be made, the City shall, within 180 days, approve a Housing Element amendment to identify adequate sites to meet the RHNA prior to approval of any density reduction. If a rezone is required to restore sites to the inventory, it shall be processed concurrently with a Housing Element amendment. As part of the Annual Review process, monitor and evaluate development on identified sites in both inventories (2008-2013 and 2013-2023). If Development Permit approvals reduce the 2008-2013 sites inventory such that it no longer meets the 2008-2013 RHNA, the City shall approve an amendment to the Housing Element to identify adequate sites to meet the 2008-2013 RHNA within 180 days, in keeping with the requirements of §65863, prior to approving additional Development Permits.

TABLE B-1 SITES INVENTORY (2013-2023 RHNA)

Number	Site Type	APN	Zone Code	Zoning	General Plan	Access	Zoning Min. Density	Zoning Max. Density	Detailed Use for Capacity	Estimated Capacity	Attractability Level	Existing Use	Development Area	Environmental Constraints	Infrastructure Constraints
1	Vacant	46605514	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	18	Very Low/Low	Vacant	Downtown	No	No
2	Underutilized	46605103	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	18	Very Low/Low	Parking lot	Downtown	No	No
3	Underutilized	46614201	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	19	Very Low/Low	Parking lot	Downtown	No	No
4	Underutilized	46614202	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	19	Very Low/Low	Parking lot	Downtown	No	No
5	Vacant	46614209	DTN	Downtown Neighborhood	Downtown Neighborhood	0.14	NA	NA	108	37	Very Low/Low	Vacant	Downtown	No	No
6	Underutilized	46620824	DTN	Downtown Core	Downtown Core	0.69	NA	NA	270	186	Very Low/Low	Parking lot	Downtown	No	No
7	Underutilized	46621321	DTN	Downtown Core	Downtown Core	2.34	NA	NA	270	631	Very Low/Low	Parking lot	Downtown	No	No
8	Vacant	46705013ST	DTN	Downtown Neighborhood	Downtown Neighborhood	1.47	NA	NA	108	158	Very Low/Low	Vacant	Downtown	No	No
9	Underutilized	46709017S	DTN	Downtown Neighborhood	Downtown Neighborhood	1.67	NA	NA	108	175	Very Low/Low	Parking lot	Downtown	No	No
10	Vacant	467061241	DTN	Downtown Neighborhood	Downtown Neighborhood	0.14	NA	NA	108	36	Very Low/Low	Vacant	Downtown	No	No
11	Underutilized	46706203T	DTN	Downtown Neighborhood	Downtown Neighborhood	0.26	NA	NA	108	28	Very Low/Low	Parking lot	Downtown	No	No
12	Vacant	46706211T	DTN	Downtown Neighborhood	Downtown Neighborhood	0.26	NA	NA	108	28	Very Low/Low	Vacant	Downtown	No	No
13	Underutilized	46707410T	DTN	Downtown Neighborhood	Downtown Neighborhood	0.35	NA	NA	108	37	Very Low/Low	Vacant	Downtown	No	No
14	Underutilized	46708118	DTN	Downtown Neighborhood	Downtown Neighborhood	0.69	NA	NA	108	75	Very Low/Low	Parking lot	Downtown	No	No
15	Vacant	46708119T	DTN	Downtown Neighborhood	Downtown Neighborhood	0.34	NA	NA	108	37	Very Low/Low	Other vacant industrial building	Downtown	No	No
16	Underutilized	46710304	DTN	Downtown Neighborhood	Downtown Neighborhood	0.26	NA	NA	108	28	Very Low/Low	Vacant	Downtown	No	No
17	Vacant	46814301	DTN	Downtown General	Downtown General	0.34	NA	NA	180	62	Very Low/Low	Other vacant commercial building	Downtown	No	No
18	Underutilized	46821024	DTN	Downtown General	Downtown General	0.34	NA	NA	180	62	Very Low/Low	Vacant	Downtown	No	No
19	Underutilized	46824519	DTN	Downtown Core	Downtown Core	1.10	NA	NA	108	119	Very Low/Low	Parking lot	Downtown	No	No
20	Underutilized	46828223T	DTN	Downtown Core	Downtown Core	0.60	NA	NA	270	161	Very Low/Low	Parking lot	Downtown	No	No
21	Underutilized	46829204	DTN	Downtown Neighborhood	Downtown Neighborhood	0.34	NA	NA	108	36	Very Low/Low	Other vacant commercial building	Downtown	No	No
22	Vacant	46829493	DTN	Downtown Neighborhood	Downtown Neighborhood	0.26	NA	NA	108	28	Very Low/Low	Vacant	Downtown	No	No
23	Vacant	46829506	DTN	Downtown Neighborhood	Downtown Neighborhood	0.62	NA	NA	108	67	Very Low/Low	Vacant	Downtown	No	No
24	Vacant	46829507	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	19	Very Low/Low	Vacant	Downtown	No	No
25	Underutilized	46829609	DTN	Downtown Neighborhood	Downtown Neighborhood	0.34	NA	NA	108	37	Very Low/Low	Other vacant industrial building	Downtown	No	No
26	Underutilized	46829610	DTN	Downtown Neighborhood	Downtown Neighborhood	0.97	NA	NA	108	105	Very Low/Low	Other vacant industrial building	Downtown	No	No
27	Vacant	46829681	DTN	Downtown Core	Downtown Core	2.98	NA	NA	270	805	Very Low/Low	Vacant	Downtown	No	No
28	Underutilized	46813315	DTN	Downtown Neighborhood	Downtown Neighborhood	0.42	NA	NA	108	45	Very Low/Low	Other office building and parking lot	Downtown	No	No
29	Underutilized	46800331	DTN	Downtown Core	Downtown Core	2.31	NA	NA	270	623	Very Low/Low	Parking lot	Downtown	No	No
30	Vacant	46703059T	DTN	Downtown Core	Downtown Core	0.80	NA	NA	270	215	Very Low/Low	Vacant	Downtown	No	No
31	Underutilized	46703059T	DTN	Downtown Core	Downtown Core	2.25	NA	NA	270	606	Very Low/Low	Parking lot	Downtown	No	No
32	Vacant	46704030T	DTN	Downtown Neighborhood	Downtown Neighborhood	0.28	NA	NA	108	30	Very Low/Low	Vacant	Downtown	No	No
33	Underutilized	46704020S	DTN	Downtown Core	Downtown Core	1.49	NA	NA	270	183	Very Low/Low	Parking lot	Downtown	No	No
34	Underutilized	46704022S	DTN	Downtown Core	Downtown Core	0.65	NA	NA	270	176	Very Low/Low	Parking lot	Downtown	No	No
35	Underutilized	46829115	DTN	Downtown Neighborhood	Downtown Neighborhood	0.26	NA	NA	108	28	Very Low/Low	Parking lot	Downtown	No	No
36	Underutilized	46829116	DTN	Downtown Neighborhood	Downtown Neighborhood	0.52	NA	NA	108	56	Very Low/Low	Clear car lot	Downtown	No	No
37	Underutilized	46829406	DTN	Downtown Neighborhood	Downtown Neighborhood	0.51	NA	NA	108	56	Very Low/Low	Parking lot	Downtown	No	No
38	Underutilized	46829204	DTN	Downtown General	Downtown General	0.69	NA	NA	180	124	Very Low/Low	Motor and parking lot	Downtown	No	No
39	Underutilized	46829316	DTN	Downtown General	Downtown General	0.31	NA	NA	180	93	Very Low/Low	Parking lot	Downtown	No	No
40	Underutilized	46829404	DTN	Downtown General	Downtown General	0.31	NA	NA	180	93	Very Low/Low	Parking lot	Downtown	No	No
41	Underutilized	46829404	DTN	Downtown General	Downtown General	0.31	NA	NA	180	93	Very Low/Low	Parking lot	Downtown	No	No
42	Underutilized	46829413S	DTN	Downtown General	Downtown General	0.60	NA	NA	180	109	Very Low/Low	Other commercial building	Downtown	No	No
43	Underutilized	46829414	DTN	Downtown General	Downtown General	0.52	NA	NA	180	109	Very Low/Low	Parking lot	Downtown	No	No
44	Underutilized	46811230	DTN	Downtown General	Downtown General	1.15	NA	NA	180	303	Very Low/Low	Parking lot	Downtown	No	No
45	Underutilized	46814518	DTN	Downtown General	Downtown General	0.58	NA	NA	180	104	Very Low/Low	Parking lot	Downtown	No	No
46	Underutilized	46818120	DTN	Downtown General	Downtown General	0.58	NA	NA	180	105	Very Low/Low	Parking lot	Downtown	No	No
47	Underutilized	46840054T	DTN	Downtown General	Downtown General	2.87	NA	NA	180	316	Very Low/Low	Parking lot	Downtown	No	No
48	Underutilized	46808131T	DTN	Downtown Neighborhood	Downtown Neighborhood	0.43	NA	NA	108	46	Very Low/Low	Parking lot	Downtown	No	No
49	Underutilized	46828139T	DTN	Downtown Neighborhood	Downtown Neighborhood	0.43	NA	NA	108	46	Very Low/Low	Parking lot	Downtown	No	No
50	Underutilized	46810520	DTN	Downtown Neighborhood	Downtown Neighborhood	0.82	NA	NA	108	89	Very Low/Low	Parking lot	Downtown	No	No
51	Underutilized	46810522	DTN	Downtown Neighborhood	Downtown Neighborhood	0.18	NA	NA	108	20	Very Low/Low	Parking lot	Downtown	No	No
52	Underutilized	46810523	DTN	Downtown Neighborhood	Downtown Neighborhood	0.18	NA	NA	108	20	Very Low/Low	Parking lot	Downtown	No	No
53	Underutilized	46810524	DTN	Downtown Neighborhood	Downtown Neighborhood	0.55	NA	NA	108	60	Very Low/Low	Parking lot	Downtown	No	No

54	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.92	NA	NA	108	99	Very Low/Low	Parking lot	Downtown	No	No
55	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.35	NA	NA	108	37	Very Low/Low	Parking lot	Downtown	No	No
56	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.34	NA	NA	108	37	Very Low/Low	Parking lot	Downtown	No	No
57	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.68	NA	NA	108	73	Very Low/Low	Parking lot	Downtown	No	No
58	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.60	NA	NA	108	65	Very Low/Low	Parking lot	Downtown	No	No
59	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	19	Very Low/Low	Parking lot	Downtown	No	No
60	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	19	Very Low/Low	Parking lot	Downtown	No	No
61	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.15	NA	NA	108	17	Very Low/Low	Parking lot	Downtown	No	No
62	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.24	NA	NA	108	26	Very Low/Low	Parking lot	Downtown	No	No
63	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.16	NA	NA	108	17	Very Low/Low	Other vacant commercial building	Downtown	No	No
64	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.16	NA	NA	108	17	Very Low/Low	Parking lot	Downtown	No	No
65	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.27	NA	NA	108	29	Very Low/Low	Other commercial building	Downtown	No	No
66	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.29	NA	NA	108	31	Very Low/Low	Parking lot	Downtown	No	No
67	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.16	NA	NA	108	17	Very Low/Low	Parking lot	Downtown	No	No
68	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.16	NA	NA	108	17	Very Low/Low	Parking lot	Downtown	No	No
69	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.48	NA	NA	108	57	Very Low/Low	Parking lot	Downtown	No	No
70	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.48	NA	NA	108	57	Very Low/Low	Parking lot	Downtown	No	No
71	Underutilized	DTN	Downtown Core	Downtown Core	0.69	NA	NA	270	186	Very Low/Low	Parking lot	Downtown	No	No
72	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.37	NA	NA	108	40	Very Low/Low	Parking lot	Downtown	No	No
73	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.38	NA	NA	108	41	Very Low/Low	Parking lot	Downtown	No	No
74	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	19	Very Low/Low	Parking lot	Downtown	No	No
75	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	19	Very Low/Low	Parking lot	Downtown	No	No
76	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.75	NA	NA	108	81	Very Low/Low	Parking lot	Downtown	No	No
77	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.36	NA	NA	108	39	Very Low/Low	Parking lot	Downtown	No	No
78	Vacant	DTN-AH	Downtown Neighborhood - Apartment Overlay	Downtown Neighborhood	0.36	NA	NA	54	19	Very Low/Low	Vacant	Downtown	No	No
79	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.28	NA	NA	108	50	Very Low/Low	Parking lot	Downtown	No	No
80	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	1.10	NA	NA	108	119	Very Low/Low	Parking lot	Downtown	No	No
81	Vacant	DTG	Downtown General	Downtown General	0.21	NA	NA	180	37	Very Low/Low	Vacant	Downtown	No	No
82	Underutilized	DTG	Downtown General	Downtown General	0.35	NA	NA	180	62	Very Low/Low	Parking lot	Downtown	No	No
83	Vacant	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	18	Very Low/Low	Vacant	Downtown	No	No
84	Vacant	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	18	Very Low/Low	Vacant	Downtown	No	No
85	Underutilized	DTN	Downtown Neighborhood	Downtown Neighborhood	0.78	NA	NA	108	84	Very Low/Low	Vacant commercial building and parking lot	Downtown	No	No
86	Vacant	DTN	Downtown Neighborhood	Downtown Neighborhood	0.09	NA	NA	108	9	Very Low/Low	Vacant	Downtown	No	No
87	Vacant	DTN	Downtown Neighborhood	Downtown Neighborhood	0.18	NA	NA	108	19	Very Low/Low	Vacant	Downtown	No	No
88	Vacant	DTN	Downtown Neighborhood	Downtown Neighborhood	0.28	NA	NA	108	30	Very Low/Low	Vacant	Downtown	No	No
89	Vacant	DTN	Downtown Neighborhood	Downtown Neighborhood	0.35	NA	NA	108	38	Very Low/Low	Vacant	Downtown	No	No
90	Vacant	DTN	Downtown Neighborhood	Downtown Neighborhood	0.17	NA	NA	108	18	Very Low/Low	Vacant	Downtown	No	No
91	Vacant	DTN	Downtown Neighborhood	Downtown Neighborhood	0.12	NA	NA	108	13	Very Low/Low	Vacant	Downtown	No	No

Total Potential Units Calculation:
of floors allowed by the zoning x 38' x lot acres
*Based on the past decade of Downtown housing construction, which has averaged 18 units per acre per floor
Floors Allowed Per Zoning District:
DTN-AH: 3 floors
DTN: 6 floors
DTG: 10 floors
DTC: 15 floors