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

Date: 4/28/16

CITY CLERK, FRESNO CA

## FRESNO CITY COUNCIL



### Supplemental Information Packet

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

### **Contents of Supplement: Letter from Granville Homes** **Item(s)**

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

#### **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.



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April 27, 2016

CITY CLERK, FRESNO CA

City of Fresno  
Jennifer Clark, Director  
Development and Resource Management Department  
2600 Fresno Street, Room 3065  
Fresno, CA 93721

Re: Comments on Agenda Item ID16-404 - The Housing Element (Supplemental Information Packet)

Dear Ms. Clark,

We have reviewed the most recent slate of comments and changes to the Housing Element, as a part of Agenda Item ID16-404 (The Housing Element) via a Supplemental Information Packet released by the City Clerk's office on Wednesday April 20, 2016 at 4:58 PM. We'd like to submit the questions and issues identified here below. Please also advise us on your response to the comments made to our submittal dated March 31, 2016 (attached), as it is unclear how, or if, these were addressed.

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

1. Page 1, Program 2 Revisions: We understand the rationale for the narrative changes to clarify the program goals, but what happens to Plan Amendment projects that are currently in progress at the City?
2. Page 4, Program 10A – Mobile Home Parks: The City should make it easier to “Convert” the Mobile Home Parks to Mobile Home Subdivisions with an HOA and self - management.
3. Page 6, Objective H-3: Define “High Need Area” and provide a map of these areas. How/who identified these areas, and was public input invited in making these critical decisions?
4. Page 8, Policy LU-4-c, establishing an interagency housing task force. One already exists for the entire central valley, and it includes an interdisciplinary group of agencies: The San Joaquin Valley Housing Collaborative. The City should consider joining this established group.
5. Page 8, Objective H-5: Define “High Opportunity Area” and provide a map of these areas. How/who identified these areas, and was public input invited in making these critical decisions?
6. Page 9, Program 26 – new: Define what an “integrated approach” is. How is this type of approach different than what the City currently does to provide services to neighborhoods?
7. Page 9, The statement “Expand affordable housing opportunities that prevent the concentration of single family and multifamily dwelling units affordable to low and moderate income households”: What does this mean? What specific action is anticipated?
8. Page 10, Program 10B ( new ): The text states: “ Outreach to developments in high opportunity areas about participation in the Housing Choice Voucher ( HVC ) program”. Please provide a definition and map of these areas and how will the City staff “reach out” to new development?

Letter to J Clark (Housing Element)  
Page 2

B. *Proposed Text Amendments to Chapters 3 and 9 of the General Plan (Exhibit B)*

Page 3-77, "New Development": This paragraph proposes to use new development to fix existing deficiencies beyond the scope/impact of the development in question. The text fails to mention the need to determine a "nexus" between the new developments impacts and the proposed infrastructure improvements. This wording needs to be modified.

C. *Revisions to Chapter 6 of the Housing Element (Exhibit C)*

See Comments in "A." above.

We truly appreciate your consideration of these comments and questions. If you should have any question, please feel free to call me, or Jeffrey T. Roberts at (559) 436-0900.

Best regards,



Claudia Cázares, Project Manager  
Granville Homes, Inc.

c: Bruce Rudd, Fresno City Manager, Yvonne Spence, Fresno City Clerk, Jeff Roberts, Darius Assemi – Granville Homes Inc.



March 31, 2016

Jennifer Clark, Director  
Development and Resource Management Department  
City of Fresno  
2600 Fresno Street, Room 3065  
Fresno, CA 93721

Subject: City of Fresno 2015 Housing Element, Comments

Dear Ms. Clark,

We are truly appreciative of the opportunity to comment on the City's 2015 Housing Element Draft. We understand this proposed amendment to the General Plan will meet the City's housing needs, including housing for all income levels and special needs groups, within the City's Sphere of Influence.

Our comments as attached are made on the City's red-line document made available in March 2016, and we would request these be made a part of the public record.

If you have any questions please feel free to call me, or Jeffrey T. Roberts at (559) 436-0900.

Best regards,

A handwritten signature in blue ink, appearing to read "Darius Assemi", with a stylized flourish at the end.

Darius Assemi, President  
Granville Homes, Inc.

1. Page 1-2: First Paragraph states that the Housing Element programs is limited to the City of Fresno and the areas annexed into the City within the plan period, but the Public Notice Map as promulgated in the Fresno Bee and on the City website identifies the area of applicability as all areas within the Sphere of Influence. There should not be a discrepancy of this magnitude.
2. Page 1-8: We are very supportive of the following statement: "The Housing Element sites inventory shows that the distribution of residential sites at various densities is evenly distributed throughout the City."
3. Page 1-10: It is unclear if any comments were received by the City from the State Housing and Community Development. If so, the comments should be available for public review.
4. Page 2-18: Paragraph one, states that the Housing Choice Voucher program is not currently accepting new applicants, though it WAS accepting applicants the week of 3/21/16. A more correct statement would be "...and accepts applicants periodically during the year, as funds are available." Additionally the paragraph states that the program is closed due to an overwhelming amount of callers requesting assistance, when in reality, the program only accepts applications on-line via their web portal. The City should make sure a representative from the Housing Authority has reviewed this paragraphs, and others where they are mentioned, to ensure factual information is provided.
5. Page 2-19: It is unclear how the City encourages development of subsidized and private multi-family rental units city wide for large families.
6. Page 2-21: Paragraph four states that the City supports application for new farmworker housing within the City. City should provide data on how many applications have been submitted in the previous planning period, and which ones they have supported.
7. Page 2-22: Paragraph two states "Although there are affordable housing programs available, the funding continues to decrease annually." This is not the case these past two years with Cap and Trade funding. This new program should be used to re-write this paragraph.
8. Page 2-22: Last paragraph states that emergency shelters can be located in approximately 14,674 acres of RMX, CG, IL and PI zoned districts. The City should clearly identify the acreage that is available for immediate development, for a more meaningful and factual statement.
9. Page 2-23: Paragraph two, Please explain how the discrepancy between the statement that in 2014 Fresno Unified School district reported over 2,400 homeless schoolchildren, yet the 2015 Point in Time Survey only counted \_\_\_\_ homeless. The discrepancy will call for additional programs and adjustments in this document.
10. Page 2-23: Paragraph six, misspells "First Fresno Steps Home", should say "Fresno First Steps Homes". Also data on this paragraph is 3 years old. Please provide the most current actions taken by this "non-profit", otherwise it is irrelevant for the future planning period, and should be deleted.
11. Page 2-24: "Housing Characteristics". The introductory paragraph in this section is fairly confusing and should be written to clarify the statements, and make them relevant to the Fresno area. Additionally, sentence #2 states "Past housing crises created a huge inventory of

- single-family houses, most of which have been purchased by investors to rent out” – this is an unqualified statement with no data or research to support it, and should be deleted.
12. Page 2-26: Paragraph one states “When the overall vacancy rate decreases, population mobility within an area becomes limited.” This statement should also include the fact that this drives prices up as well.
  13. Page 2-27: Paragraph one states that the City “periodically” operates a housing rehabilitation program. This statement is not true, as the housing rehabilitation program is a permanent annual program. Staff should share this paragraph, along with other paragraphs regarding the Housing Division, with Housing Division staff to ensure accuracy.
  14. Page 2-30: Paragraph two state that the City’s housing rehabilitation program came about as a result of the Housing Quality Survey. This is incorrect, as the program was pre-existing for many years before that. Staff should share this paragraph, along with other paragraphs regarding the Housing Division, with Housing Division staff to ensure accuracy.
  15. Page 2-32: We are very supportive of the following statement, and believe it is good to include it here: “Housing is generally very affordable in Fresno County, relative to the rest of the state.”
  16. Page 3-6: Table 3-3 identifies the South Stadium project will provide 137 extremely and very low-income units, but it is unclear why this project is being used to meet previous plan period RHNA numbers if this project is new and hasn’t been constructed yet.
  17. Page 3-7: “Residential Land Inventory” identifies “Cap and Trade sites”, but these are not identifiable on the Housing Element Sites Maps page located on pages 3-22, nor 3-23.
  18. Page 3-8: Last paragraph, states “For the mixed use designations, residential stand-alone uses are allowed by right...”, this is not true, as a commercial component is demanded on the ground floor of new developments. The City should delete this reference, or amend the Development Code to accurately reflect this statement’s intention.
  19. Page 3-9: Paragraph two states that for downtown and inner city projects, the City will process projects for permitting within an average of 75 working days. This is not an incentive unless set timelines are provided. Citing an undefined “average” will not entice development downtown. How long does the process actually take?
  20. Page 3-10: “Downtown Sites” references densities and planning scenarios for the Downtown Planning area. It also states “In fact, because there will be no density limits for Downtown properties once the new standards are in place, the .....”, it should be made extremely clear that the Downtown Plans have not been approved by Council, nor received public input, nor reviewed by an environmental impact report, therefore there are no facts that can be taken for granted on a non-existing plan. Staff should edit or delete these references.
  21. Page 3-10: Paragraph two states that the City is preparing an environmental impact report for the Downtown Planning Area and New Code development. It is unclear what report is being prepared, as this planning program has not recently included the public in any processes.
  22. Page 3-11: Typo in last paragraph, add “one” as follows: “In Fresno, residential developments on sites of less than [one] acre in size are comment.”
  23. Page 3-11. The last paragraph states the CityView project as achieving 118 units per acres (45 total units). It should be clearly identified as a publicly funded project, which is what made this project work financially.
  24. Page 3-12: Table 3-6 identifies “Cap and Trade Fund Sites” but these are not included in Housing Element Sites Maps located on page 3-22, nor 3-23.



25. Page 3-13: In reference to the "Underutilized Sites" paragraph. It would be more useful to have these sites (53 acres – with potential for 1,526 units) also identified separately on their own map, so that potential applicants can clearly identify them.
26. Page 3-14: The "Fancher Multifamily and Fancher Senior Housing" project incorrectly states that the developer may consider seeking Cap and Trade Funds. This project applied for these funds in 2015.
27. Page 3-14: The City failed to also identify the Blackstone/Clinton Project as a project to potentially seek Cap and Trade Funds. The project should be removed from Infill Project list (Page 3-15), and added here.
28. Page 3-16: The City failed to adequately identify the number of proposed units at 1743 and 1752 L Street. The correct amount is 20 units total for these projects. Blackstone/Clinton can also be considered potential infill here at 48 development units per acre.
29. Page 3-18: DA-4 East is SEGA, but there are no numbers shown for this area.
30. Page 3-28: In regards to the "No Net Loss Provision": How will this program work? Who will determine what is adequate and available?"
31. Page 3-28: The last paragraph states "Full urban-level services are available throughout the City and specifically to each site in the inventory. Such sites are more than adequate for the potential unit yield on this site." Yet the City continuously requires applicants to enlarge roadways, enlarge and repair utilities, add park space. This paragraph is misleading, and should be heavily edited.
32. Page 3-32: Paragraph two states "The City also works closely with other private and non-profit developers to expand affordable housing opportunities in Fresno." This paragraph needs to identify private development that the City has assisted, otherwise delete.
33. Page 4-1: Graphic – Misspelling on the name of the project. Correct spelling is Parc Grove Commons.
34. Page 4-1: The last paragraph was crossed out. It references the government's role in land cost as it relates to Market Constraints. The paragraph should be left in as it correctly establishes these links. By taking it out, the narrative seems to place all "blame" on land costs, when in reality all costs are to blame (City fees, schools, fire stations, streets, etc.)
35. Page 4-3: Paragraph three states that the City is in the process of updating the Analysis of Impediments to Fair Housing Choice. The information on this process has not been available to the general public, and will be impactful on this Housing Element. The City should identify here how the public will be involved, timelines, and goals of this Analysis.
36. Page 4-4: Annexation Paragraph. The entire paragraph is obscure and unclear, and should be rewritten. In addition, the last sentence referencing a "balance" is unclear as to what is needing balancing.
37. Page 4-7: Paragraph three identifies a 2 to 3 month processing timeline for Development Permits, but these haven't been processed before to identify a typical timeline. This sentence needs to be rewritten to clearly identify past timelines, or future timing goals.
38. Page 4-8: Table 4-3 – Tract Maps are subject to appeal, therefore a "1" should be added as a superscript.
39. Page 4-9: The Urban Growth Management paragraph states UGM processes "limits disorganized growth". This statement is subjective, derogatory, subject to personal interpretation and should be deleted.

40. Page 4-12: In regards to "Special permit and Related Planning Application Fees", Table 4-6. These fees should be compared side by side to fees in place in 2008, and the impact of any increases discussed in this narrative as a disincentive or impediment.
41. Page 4-15: Paragraph one states "The City of Fresno has recently adopted a fee waiver program that applies to mixed use project in economically disadvantaged areas." What is the name of this program? Does this refer to the program that has been in effect for several years in the downtown neighborhoods?
  - a. Additionally, the narrative should include a map of "economically disadvantaged neighborhoods" to clearly show the impact on meeting RHNA numbers.
42. Page 4-16: We strongly disagree with the statement that Business-Friendly Fresno is easy to follow, customer-focused and straightforward.
43. Page 4-17: Paragraph one states that the City initiated "pre-zoning" as a result of Business Friendly Fresno. That is incorrect, the City would not pre-zone properties in conformance with the Plan, and the statement should be deleted.
44. Page 4-19: Paragraph 3 and 4, typo, repeated the following statement twice "zoning standards for three Downtown districts are in the process of being established and will be in place by mid-2016." One of these references should be deleted.
45. Page 4-19: The last paragraph references densities and planning scenarios for the Downtown Planning area. It also states "The Downtown zoning standards will contain a residential capacity limit for the area of 9,000 units with unlimited density on Downtown properties" and "There will be no density limits for Downtown properties...", it should be made extremely clear that the Downtown Plans have not been approved by Council, nor received public input, nor reviewed by an environmental impact report, therefore these statements cannot be made on a non-existing plan. Staff should edit or delete these references.
46. Page 4-20: Paragraph three, again states, that downtown planning areas have a high density. Again, since this area has not been updated via the planning or zoning, this statement should be deleted.
47. Page 4-32: Paragraph two identifies the total cost for replacement of an "at risk" housing unit is estimated to average about \$200,000. The dollar amount is extremely high and should be replaced with a more realistic and Fresno-based amount.
48. Page 4-34: Reference to NOAH – Staff should identify the relevance of this agency, particularly if they have not been active in the Fresno area in the last several years, and the reference should be deleted if applicable.
49. Page 4-34: Staff should include Habitat for Humanity as a viable and important partner in affordable housing development.
50. Page 4-34: Staff should delete the reference to West Fresno Coalition for Economic Development, as they may no longer be active in Fresno.
51. Page 4-36: The reference to Proposition 1C funds, is outdated, and should be deleted if the State no longer utilized this funding mechanism. It should be replaced with a paragraph identify AHSC/Cap and Trade Funds).
52. Page 5-2: Program 1.1.1.c in regards to SEGA – the narrative states that SEGA was implemented, but that is not factual, as it was not included in the General Plan.
53. Page 5-5: Program 2.1.1 in regards to Land Demand – the program identified the need to monitor available land every year. The program performance column should clearly state that



the City failed to annually monitor this program, as the General Plan was not updated until 6 years later in 2014.

54. Page 5-6: Program 2.1.3 in regards to Housing in the Central Community Plan Area – the program performance states that during the reporting period 9 project were processed. That is incorrect, and should be corrected to include projects that were developed, and units that were built.
55. Page 5-7: Program 2.1.6 Multi-Family Land Supply and Program 2.6.1a Facilitate the Development of Multi-family Housing Affordable to Lower Income Households – neither of these programs were implemented as stated in the goals. The narrative should clearly state this, and identify why a different program was implemented.
56. Page 5-9: Program 2.1.8 states “In mixed use districts, residential stand-alone uses are now allowed by right...”, this is not true, as a commercial component is demanded on the ground floor of new developments. The City should delete this reference, or amend the Development Code to accurately reflect this statement’s intention.
57. Page 5-11: Program 2.1.14, typo should say “...the siting of ~~on~~ a single room occupancy...”
58. Page 5-12: Program 2.1.16 states that six senior housing development received City funding. The narrative should clearly state which of the projects listed in the Program Performance are senior housing projects funded by the city.
59. Page 5-13: Program 2.1.18 in regards to Inclusionary and Alternative Housing Program from 2008 – the program performance narrative states that the “intent of the program will be folded into a general affordable housing program”. The statement should clearly identify where this “idea” is being folded into, who is drafting this program and when the program will be drafted and implemented.
60. Page 6-3: Continuation of Program 1 – the narrative has red line changes stating that the total acres of vacant land is changed from 2,942, to the correct number of 4,526, and new units yield changed from 22,698, to the correct number of 36,337, without an explanation as to drastic increase in acreage and units available. Staff should provide some level of explanation as to the increase.
61. Page 6-3: Program 2 Residential Densities on Identified Sites – “If a proposed reduction of residential density will potentially result in the residential sites inventory failing to accommodate the RHNA, 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.” If there is a program to be developed it should be developed in conjunction with all affected parties so that no applicant is blindsided. So far, the City has not provided any public input into this new “program”. We would like to be included in the development of this process.
62. Page 6-4: Program 3: Annual Reporting Program. The “Objectives” state that the City will partner with housing advocates and organization to provide annual information...” The City should clearly identify that applicants and developers, and property owners as interested parties, and they should make it a point to have these groups as partners.
63. Page 6-5: Program 4, Density Bonus Program, states that the City will encourage the use of the State Affordable Housing Density Bonus. The new development code, codifies an Affordable Housing Density Program, and this City program should be referenced here.
64. Page 6-5: Program 5: Housing Funding Sources, states “The City will also continue to assist Low Income Housing Tax Credit (LIHTC) applications and Affordable Housing and Sustainable

Communities (AHSC/Cap and Trade applications. While this is commendable, it is unclear what criteria is used by City staff to determine what projects are assisted, thus making it impossible to gauge whether or not an application will be supported.

65. Page 6-5: Program 5: Housing Funding Sources, states that the City is exploring the “development of a Transit Oriented Affordable Housing Loan Fund” but this program has not been discussed with the public, and there has been no information posted in any public meetings. The reference here should be deleted if it is a hypothetical program that has not received public input.
66. Page 6-7: typo on second bullet point should be edited as follows “Emergency Solutions ~~Shelter~~ Grant”
67. Page 6-8: Program 8, Homebuyer Assistance, the deletion of “HOME Program”, under funding source seems to be incorrect. It should be re-inserted if it is still a viable funding source, particular as it is listed as a funding source in the PY 2016 Annual Action Plan.
68. Page 6-8: Program 9, Homeless Assistance, states that here is a 40% decrease in the homeless population. It would be useful to identify what year this is a decrease from. For example, there was a 40% decrease from 2014 count of \_\_\_\_\_.
69. Page 6-11: Program 13 – Expedited Processing/Business Friendly Fresno, states that the City’s BFF program aligns with “pre-zoning” done by the City. This is not true, the City has not done any pre-zoning, and the narrative should be deleted.
70. Page 6-12: Program 14 – Development Incentives refers to Ordinance 2015-44 for Fee Waivers, but it has titled the Ordinance wrong. It should be corrected as follows: “Exemption of Development Impact Fees for Certain Projects in Economically Disadvantaged Neighborhoods”, as this is the correct heading/name on the ordinance. Additionally, the narrative should include a map of “economically disadvantaged neighborhoods” to clearly show the impact on meeting RHNA numbers.
71. Page 6-12: Program 15 – Large and Small Lot Development, states that a Voluntary Parcel Merger Program will go into effect in 2016. This “program” has not been discussed with the public, and there has been no information posted in any public meetings. The reference here should be deleted if it is a hypothetical program that has not received public input.
72. Page 6-14: Program 18, Policy H-4-f states “Facilitate the removal of existing housing, including illegal, nonconforming, and blighted properties, that poses serious health and safety hazards to residents and adjacent structures.” The City should also “facilitate the removal” of hazardous older/historic homes to facilitate public safety.