



Legislation Details (With Text)

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On agenda:	4/13/2017	Final action:		4/13/2017	
Title:	<p>Hearing to consider Plan Amendment Application No. A-17-001 and related environmental findings for the Housing Element Amendment, filed by the Development and Resource Management Department Director pertaining to the following:</p> <ol style="list-style-type: none">ADOPT the environmental findings of Environmental Assessment No. A-17-001, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno 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 Fresno 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; andRESOLUTION -To adopt Plan Amendment Application No. A-17-001, amending the text of Chapter 11 of the Fresno General Plan to incorporate the Housing Element Amendment, including all Text, Policies, Maps, Tables, and Exhibits contained in the Fresno Housing Element Amendment Revised Public Draft document dated March 2017.				
Sponsors:	Planning and Development Department				
Indexes:					
Code sections:					
Attachments:	1. A - Area of Applicability Map.pdf, 2. B - Housing Element Amendment March 2017 (2).pdf, 3. C - CA Dept of Housing and Community Development Letter.pdf, 4. D - Public Comment final_.pdf, 5. E - Summary of Changes.pdf, 6. F - Environmental Assessment.pdf, 7. G - Findings.pdf, 8. H - Resolution.pdf, 9. Supplement re Housing Element.pdf, 10. Supplement PowerPoint Presentation.pdf, 11. Supplement Letter from Leadership Counsel.pdf				

Date	Ver.	Action By	Action	Result
4/13/2017	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

April 13, 2017

FROM: JENNIFER CLARK, Director
Development and Resource Management Department

THROUGH: DANIEL ZACK, Assistant Director
Development and Resource Management Department

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

SUBJECT

Hearing to consider Plan Amendment Application No. A-17-001 and related environmental findings for the Housing Element Amendment, filed by the Development and Resource Management Department Director pertaining to the following:

1. **ADOPT** the environmental findings of Environmental Assessment No. A-17-001, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno 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 Fresno 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; and
2. **RESOLUTION** -To adopt Plan Amendment Application No. A-17-001, amending the text of Chapter 11 of the Fresno General Plan to incorporate the Housing Element Amendment, including all Text, Policies, Maps, Tables, and Exhibits contained in the Fresno Housing Element Amendment Revised Public Draft document dated March 2017.

RECOMMENDATION

Hearing to consider Plan Amendment Application No. A-17-001 and related environmental findings for the Housing Element Amendment, filed by the Development and Resource Management Department Director pertaining to the following:

1. **ADOPT** the environmental findings of Environmental Assessment No. A-17-001, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno 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 Fresno 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; and
2. **ADOPT RESOLUTION** - A Resolution of the Council of the City of Fresno, California, to adopt Plan Amendment Application No. A-17-001, amending the text of Chapter 11 of the Fresno General Plan to incorporate the Housing Element Amendment, including all Text, Policies, Maps, Tables, and Exhibits contained in the Fresno Housing Element Amendment Revised Public Draft document dated March 2017.

EXECUTIVE SUMMARY

Plan Amendment Application No. A-17-001 proposes to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Chapter, with a Housing Element Amendment. 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-17-001 includes amendments to Chapter 1: Introduction to include more information on public outreach, Chapter 3: Land for Housing to include an additional sites inventory related to the 2008 Regional Housing Needs Allocation, and Chapter 6: Housing Plan to incorporate the above changes, as well as adding detail to Program 1: Adequate Sites; Program 2: Residential Densities on Identified Sites; Program 3: Annual Reporting Program; Program 5: Housing Funding Sources; Program 8:

Homebuyer Assistance; Program 10-A: Mobile Home Parks; Program 10-B: Housing Choice Vouchers; Program 12: Downtown Development; Program 12-A: Downtown Displacement Prevention; Program 16: Large and Small Lot Development; Program 16-A: State Laws Related to Housing Development; Program 20: Comprehensive Code Enforcement; and Program 27: Equitable Communities.

BACKGROUND

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

The City's previous Housing Element covered the period 2008-2015. The City adopted its current 2015-2023 Housing Element on April 28, 2016. Plan Amendment A-17-001 is an amendment to the 2015-2023 Housing Element and will be incorporated into Chapter 11 of the Fresno General Plan. No land use changes or zone changes are proposed with this amendment (see Attachment B for the March 2017 Public Review Draft-Revised for a redline of the amendment).

The California Department of Housing and Community Development (HCD) is required to certify the City's Housing Element. HCD provided guidance on the adopted Housing Element in a letter dated August 11, 2016, and updated on November 1, 2016 (see Attachment C). Since that time, the City has worked diligently to follow the guidance provided.

Outreach

The following outreach was conducted for the Housing Element Amendment :

- **December of 2016**, 2 workshops and a stakeholder meeting were held. These were publicized in the following manner:
 - Several radio announcements on Radio Bilingue and Hmong Radio
 - Trilingual Flyers to 8 schools in the vicinity of the workshops
 - Multilingual notices in the Fresno Bee and Vida en el Valle
 - Emailed to 500+ stakeholders and posted on the City's website
 - Document placed in all Fresno libraries
 - Phone calls to housing network leaders
- **December 13, 2016 - January 13, 2017** - Public Comment Period on the December 2016 Public Draft of the Housing Element Amendment was publicized as follows:
 - Multilingual notices in the Fresno Bee and Vida en el Valle
 - Emailed to 500+ stakeholders and all workshop attendees
 - Posted on the City's website
 - Placed in all Fresno libraries
- **January 27, 2017** - January 2017 Revised Public Draft Housing Element Amendment

released and distributed in the following manner:

- February 1, 2017 Workshop before the Fresno Planning Commission
 - February 8, 2017 Workshop before the Housing and Community Development Commission
 - Comment Matrix provided to all commentors on the December 2016 Public Draft
 - Posted on the City's website
 - Placed in all Fresno libraries
 - Sent to HCD for review and certification
- **March 31, 2017** - March 2017 Revised Public Draft Housing Element Amendment released and distributed in the following manner:
 - Multilingual notices in the Fresno Bee and Vida en el Valle
 - Emailed to 500+ stakeholders and posted on the City's website
 - Radio announcements on Hmong Radio

Public Comment

Three comments letters (one signed by 27 residents) were received during the public comment period and 23 verbal comments from 10 residents were made at the workshops/stakeholder meeting held in December 2016. An additional comment letter was received on March 6, 2017. All comments were recorded in the comment matrix (attached) with responses indicating how each comment was addressed. Copies of the letters, with the exception of the March 6 letter, are contained in the Housing Element Amendment Appendix A. The March 6, 2017 letter is included with the Comment Matrix in Attachment D to this staff report.

Housing Element Amendment Summary

The City has worked diligently throughout the amendment process to satisfy comments in HCD's comment letters. Specifically, HCD authored a letter dated August 11, 2016, and revised on November 1, 2016, providing guidance on the City's Housing Element Amendment (see Attachment C). The changes proposed in the amendment compared to the adopted Housing Element (April 2016) can be summarized below:

Chapter 1: Introduction

This section was updated to incorporate outreach conducted for the Housing Element Amendment.

Chapter 2: Housing Needs No changes

Chapter 3: Land for Housing

This chapter was updated to revise data pertaining to unaccommodated need from the prior 4th cycle (2008-2013) Housing Element planning period. This is also sometimes referred to as the "rollover RHNA" (Regional Housing Needs Allocation). The Amendment now shows the sites inventory with two separate components: sites to meet the 2013-2023 RHNA and sites to meet the 2008-2013 RHNA. Analysis includes discussion on how the sites are in compliance with the requirements in

65583.2(h) of the Government Code. See Figures 3-1 and 3-2 in the March 2017 Public Review Draft of the Housing Element for maps depicting the sites inventories.

Chapter 4: Constraints to Housing Production No changes

Chapter 5: 2008-2013 Program Accomplishments No changes

Chapter 6: Housing Plan

This is the implementation chapter of the Housing Element and it contains 27 programs. Several were edited to reflect the adoption of the Downtown Development Code (which had not yet been adopted when the Housing Element was adopted in April of 2016), the revision of the sites inventories in Chapter 3, and provide additional clarification and information on various programs. Specific Program revisions are listed in Attachment E, Summary of Changes and are shown in redline form in the Housing Element Amendment.

ENVIRONMENTAL FINDINGS

The Housing Element was previously found in conformance with the General Plan Master Environmental Impact Report ("MEIR" SCH No. 2012111015) for the Fresno General Plan on April 28, 2016. Plan Amendment A-17-001, which would amend the adopted housing element, also falls within the scope of the Fresno General Plan MEIR, since no land use or zoning changes are included in the amendment. Dwelling unit capacities calculated to meet the City's Regional Housing Needs Allocation are based on land use and zoning identified in the Fresno General Plan. Because the Fresno General Plan was recently amended to incorporate new land uses in the Downtown Planning Area, and because a new sites inventory was added to the Housing Element Amendment that includes downtown sites, the Downtown Plans and Code Program Environmental Impact Report ("PEIR" SCH No. 2012041009) is also referenced, since it analyzed the proposed land use and zoning changes that occurred with the adoption of the Downtown Plans and Code in October of 2016.

This new sites inventory includes an additional dwelling unit capacity of 4,873 dwelling units by means of zoning that allows by-right development of projects complying with housing element criteria. The environmental impacts of the zoning code changes that facilitated this streamlined approach were analyzed in the PEIR for the Downtown Plans and Code. The Housing Element Amendment does not propose further land use or zoning changes to these sites. In addition, the PEIR assumed up to 10,000 dwelling units in the Downtown Planning Area; the dwelling unit capacity of the new sites inventory (4,873 dwelling units) is well below this threshold. Therefore, the addition of the new sites inventory would not result in additional impacts beyond those analyzed in the MEIR or the PEIR.

Finally, Plan Amendment A-17-001 also includes several changes to Housing Programs in Chapter 6. The intent of these programs is to maintain and track the sites inventories, and focus various resources and departments within the City of Fresno on facilitating the development of a range of housing types, including affordable housing. These programs would not result in development that is more intense or different than that envisioned in the Fresno General Plan MEIR or the Downtown Plans and Code PEIR.

Since the proposed project will not result in additional impacts, it may be determined that: (1) The

project falls within the scope of MEIR No. SCH 2012111015 prepared for the Fresno General Plan and Citywide Development Code and the PEIR SCH No. 2012041009 for the Downtown Plans and Code; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the environmental finding for MEIR No. SCH 2012111015 or PEIR SCH No. 2012041009 was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to MEIR No. SCH 2012111015 and PEIR SCH No. 2012041009 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines (see Attachment F for Environmental Assessment).

FRESNO MUNICIPAL CODE FINDINGS

Based upon analysis of Plan Amendment A-17-001, staff concludes that the required findings of Section 15-5812 can be made. These findings are found in Attachment G.

GOVERNMENT CODE FINDINGS

Government Code Section 65863(b) requires all plan amendments to be consistent with the Housing Element. Since the adoption of the Housing Element in April 2016, the City of Fresno approved a plan amendment as part of a General Plan “clean up” (Plan Amendment A-16-006) that resulted in a net reduction of 44 units in the Lower Income category of the sites inventory. A recital is included in the attached resolution (Attachment H) that finds the reductions adopted in A-16-006 are consistent with the Fresno General Plan and the 2015-2023 Housing Element, inclusive of this amendment, and that due to the excess capacity in both the sites inventory for the 2008-2013 RHNA and the sites inventory for the 2013-2023 RHNA, the remaining sites identified in the housing element are adequate to accommodate the City’s share of the regional housing need pursuant to Government Code Section 65584.

LOCAL PREFERENCE

NA-No purchasing.

FISCAL IMPACT

NA

Attachments:

- A: Area of Applicability Map
- B: Housing Element Amendment March 2017 Public Review Draft
- C: CA Department of Housing and Community Development Letter
- D: Public Comments

E: Summary of Changes
F Environmental Assessment
G: Findings
H: Resolution