



# Kingsburg Planning Commission

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Chairperson  
THOMAS HENSLEE

Vice Chairperson  
ROBERT JOHNSON

Commission Members  
DR. PAUL KRUPER  
DR. JASON ROUNTREE  
JEREMY KINNEY  
JASON POYNOR  
TROY COZBEY

Planning & Development  
Director  
HOLLY OWEN

Secretary  
MARY COLBY

## AGENDA

### KINGSBURG PLANNING COMMISSION

FEBRUARY 11, 2015

6:00 P.M.

### KINGSBURG CITY COUNCIL CHAMBER

1401 DRAPER STREET

1. **Call to order - Reminder for all Commissioners and Staff to speak clearly and loudly into the microphones to ensure that a quality recording is made of tonight's meeting. We ask that all those attending this meeting please turn off pagers and wireless phones.**

### NEXT RESOLUTION 2016-02

2. **INTRODUCE NEW MEMBER OF PLANNING COMMISSION TROY COZBEY.**
3. **APPROVAL** of the November 12, 2015 and the January 14, 2016 Planning Commission minutes as mailed or corrected.
4. **PUBLIC COMMENTS** - Any person may directly address the Commission at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Commission. A maximum of five minutes is allowed for each speaker.
5. **PUBLIC HEARING – HOUSING ELEMENT UPDATE – REVIEW KINGSBURG SPECIFIC PORTION OF THE HOUSING ELEMENT.**
  - A. Open Public Hearing scheduled for 6:00 P.M.
  - B. Presentation by Veronica Tam, Consultant, Countywide Housing Element
  - C. Commission Discussion
  - D. Open for Public Comment
  - E. Close Public Comment
  - F. Continued Commission Discussion
  - G. Close Public Hearing
  - H. Possible Actions:
    1. Decisions regarding Environmental Document
    2. Adopt/Deny/Modify Resolution
6. **PUBLIC HEARING – PM 2015-01 TO DIVIDE ONE PARCEL INTO TWO LOCATED AT 2321 18<sup>TH</sup> AVENUE APPLICANT RICK SCHUIL**
  - A. Open Public Hearing scheduled for 6:00PM
  - B. Presentation by Consulting Planning Director Holly Owen.
  - C. Commission Discussion
  - D. Open for Public Comment

- E. Close Public Comment
- F. Continued Commission Discussion
- G. Close Public Hearing
- H. Possible Actions:
  - 1. Decisions regarding Environmental Document
  - 2. Adopt/Deny/Modify Resolution

**7. FUTURE ITEMS**

**8. ADJOURN**

**KINGSBURG PLANNING COMMISSION  
REGULAR MEETING  
NOVEMBER 12, 2015**

**CALL TO ORDER** – At 6:04PM the Kingsburg Planning Commission meeting was called to order.

**COMMISSIONERS PRESENT** – Holder, Kruper, Johnson, Henslee

**COMMISSIONERS ABSENT** – Soto, Rountree and Dix

**STAFF PRESENT** – Planning Consultant Holly Owen, Planning Secretary Mary Colby.

**OTHERS PRESENT** – Councilmember Bruce Blayney

**APPROVAL** – Commissioner Johnson made a motion, seconded by Commissioner Kruper to approve the minutes of the October 8, 2015 meeting as mailed. The motion carried by unanimous vote of those Commissioners present.

**PUBLIC COMMENTS** – There were no citizens present who wished to comment at this time.

**REVIEW EXPIRING TERMS FOR PLANNING COMMISSIONERS** – Planning Director Owen stated that there are two expiring terms one is Commissioner Soto and the other is Commissioner Kruper. If they would like to continue on the Planning Commission they must reapply and have it reviewed by Council for appointment.

**CONTINUED WORKSHOP ON TEMPORARY SIGNAGE USE**

Planning Consultant Holly Owen Continuing stated that when we last met we discussed temporary signage in the City and recognized there is no formal process for display. Each submittal was looked at on a case by case basis. She stated that the Form Based Code is clear on the type of signs allowed but there is no process tied to this.

The next step is to take the existing Zoning Ordinance regarding signage and recommend changes to the wording. They reviewed the wording in the handout presented and Ms. Owen stated that when we are satisfied with the changes it will be sent to the City Attorney for review. At the December 10<sup>th</sup> meeting there will be a more refined ordinance to review.

The Commissioners discussed the following:

- The maximum size for temporary signs will be 50 square feet.
- Will be utilized mostly for grand openings and holiday sales.
- Would prefer to see wayfinding signs with multiple advertisements instead of individual stake signs. (Look into grants or funding for this project)
- Temporary sign permits, review the exempt section and remove and redefine exempt signs.
- A sign in a window will count towards overall signage allowance due to visibility issues.
- Penalties for leaving a sign up, usually a warning is sufficient and a penalty is not needed.

- \$50.00 fee for a temporary sign, there is some administrative involvement in reviewing the sign.

Planning Director Owen will present the ordinance with the Planning Commission suggestions to the City Attorney and bring back to the December meeting for the next review.

**FUTURE ITEMS** – Zoning Ordinance Text amendment for Temporary signage will be presented at the next meeting.

Planning Director Owen stated that the Marion Villas Grand Opening was today. The Commissioners should be proud of this development and will be sure it is nominated for a Planning Award.

A proposed modification to the CUP for Grace Church may be coming to the next meeting.

**ADJOURN** – AT 7:05PM the Planning Commission meeting was adjourned.

Submitted by

Mary Colby  
Planning Secretary

**KINGSBURG PLANNING COMMISSION  
REGULAR MEETING  
JANUARY 14, 2015**

**Call to order** – At 6:03PM the Kingsburg Planning Commission meeting was called to order

**Members Present** – Kinney, Rountree, Poynor, Kruper and Johnson

**Members Absent** – Henslee and one vacant seat.

**Staff Present** – Planning Consultant Holly Owen and Planning Secretary Mary Colby

**Others Present** - None

**APPROVAL-** The minutes from the November 12, 2015 Planning Commission meeting will be on the next agenda. Not enough members were present to approve.

**WELCOME OUR TWO NEWEST PLANNING COMMISSIONERS JEREMY KINNEY AND JASON POYNOR.** Commissioner Johnson introduced the two newest members and asked them to tell a little bit about themselves and what they would like to get out of their experience here.

**PUBLIC COMMENTS** – There were no citizens present who wished to comment at this time.

**PUBLIC HEARING - MUNICIPAL CODE AMENDMENT-AMENDMENTS TO VARIOUS PROVISIONS OF SECTION 17.56.040 OF TITLE 17 OF THE KINGSBURG MUNICIPAL CODE REGULATING TEMPORARY SIGNS AND POLITICAL SIGNS**

The Public Hearing was opened at 6:08PM

Planning Director Holly Owen welcomed the new Commissioners and stated that this is the third presentation on an issue that was brought to the Planning Commissioners attention for review. There have been many requests for temporary signs but there has not been a process in place, they have been handled on a case by case basis. This will allow the City to track where signs go up around town and a better control over enforcement.

The resolution for the adoption of this update and a diagram to be attached to the Temporary Sign Permit was distributed at the meeting. Ms. Owen stated that there will be a \$50.00 fee for processing but that 5013C entities will have their fee waived.

Open for Public Comment at 6:28 PM

Close Public Comment at 6:29PM

Continued Commission Discussion then the Public Hearing was closed at 6:30PM.

Commissioner Johnson made a motion seconded by Commissioner Rountree to adopt Resolution 2016-01 approving the amendments to various provisions of Section 17.56.040 of Title 17 of the Kingsburg Municipal Code regulating the use of temporary signs and political

signs. Also to approve the processing of the use of temporary signs with a temporary sign permit form and the collection of an administrative fee of \$50.00 with the following addition to Item #9 to permit Barber Poles with proper permits and in appropriate locations. The motion carried by unanimous vote of those Commissioners present.

**FUTURE ITEMS –**

Lot line adjustment for February meeting

Housing Element consultant will present the final product for recommendation.

We have proposed subdivisions and annexations but nothing in the immediate future.

**ADJOURN** – At 6:33 PM the Kingsburg Planning Commission was adjourned.

Submitted by

Planning Secretary  
Mary Colby

# **KINGSBURG PLANNING COMMISSION**

## **STAFF REPORT**

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**TO:** Kingsburg Planning Commission  
**FROM:** Holly R. Owen, AICP, Planning Director  
**DATE:** February 11, 2016  
**SUBJECT:** **General Plan Amendment (GPA 2016-01) to adopt the City of Kingsburg Housing Element as part of the 2015-2023 Multi-Jurisdictional Housing Element and an Initial Study and Negative Declaration as adequate environmental documentation for the project**  
**APPLICANT:** City of Kingsburg

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### **Recommendation:**

Staff recommends that the Planning Commission approve the attached resolutions recommending that the City Council adopt a Negative Declaration and the 2015-2023 Housing Element as an amendment to the Kingsburg General Plan.

### **Summary**

State Law requires cities and counties to update their Housing Elements on a regular basis. The current Housing Element adoption deadline for jurisdictions in Fresno County is December 31, 2015. In the past, Housing Elements were required to be updated every five years. Recent changes to State law extended the update cycle for local agencies with certified Housing Elements to every eight years. The current Housing Element planning period is for eight years, from 2025 through 2023. However, if a jurisdiction does not adopt its Housing Element within 120 days of the mandated deadline (i.e., before April 29, 2016), a jurisdiction must update its Housing Element every four years.

Prior to adopting the Housing Element, State law requires the State Department of Housing and Community Development (HCD) to review Housing Elements for compliance with State law, and will certify Housing Elements it finds to be in compliance. The City Council reviewed the Draft Housing Element on June 3, 2015, and staff subsequently submitted the Housing Element to HCD on August 12, 2015. HCD reviewed the Draft Housing Element and issued a comment letter on October 9, 2015 (Attachment B). Those comments were addressed by Staff and the Consultants in December 2015. The revisions were found to be satisfactory by HCD and resulted in a letter (Attachment C) dated February 1, 2016, stating that the City's Housing Element will be in full compliance with State Law once it has been adopted by the City Council.

Staff is presenting the Public Hearing Draft Housing Element to the Planning Commission at this time for public comment on the document and to obtain a favorable recommendation to forward the document to the City Council for adoption.

## **Background**

### General Plan State Law

Government Code Section (GCS) 65300 requires cities and counties to adopt and maintain a General Plan with a minimum of seven mandatory elements: Land Use; Circulation; Housing; Conservation; Open Space; Noise; and Safety.

### Housing Elements

GCS 65580 through 65589.8 specifies the contents for Housing Elements and the update schedule. The Housing Element must identify and analyze Kingsburg's existing and projected housing needs to ensure adequate housing exists for all economic segments of the community. The California Department of Housing and Community Development (HCD) must review and certify the Housing Element to ensure compliance with State law.

SB 375, enacted in 2008, changed the update cycle for Housing Elements from five years to eight years, provided that HCD certifies a community's Housing Element. This new cycle corresponds to the timing for greenhouse gas reduction targets and Regional Transportation Plan (RTP) preparation.

SB 375 also established a new penalty, requiring communities that do not adopt their housing elements on time to update their Housing Element every four years. The adoption deadline for the 2015-2023 Housing Element is December 31, 2015. According to the schedule established by SB 375, the City has until April 29, 2016 to adopt the Housing Element without incurring the four-year penalty. For Kingsburg to meet this schedule, Planning Commission must take action on the Housing Element at this public hearing and City Council must take action on the Housing Element at their regularly scheduled meeting of March 16, 2016.

### Multi-Jurisdictional Housing Element

The Multi-Jurisdictional Housing Element is a regional housing document that effectively acts as the State-mandated housing element for all participating jurisdictions. Participating jurisdictions include Fresno County, Clovis, Coalinga, Fowler, Huron, Kerman, Kingsburg, Mendota, Parlier, Reedley, San Joaquin, Sanger, and Selma. This is a uniquely collaborative effort on the part of all cities involved to accomplish this task.

The Multi-Jurisdictional Housing Element is a single document, made up of two sections: 1) the main body, which describes demographics, housing needs, resources, and constraints at a regional level and includes goals and policies common to all participating jurisdictions; and 2) individual appendices, which contain details for each jurisdiction (i.e., sites inventory, governmental constraints, evaluation of existing Housing Element) and individual implementation programs for Kingsburg.

The Draft 2015-2023 Multi-jurisdictional Housing Element describes housing needs in Kingsburg, identifies available sites for housing development, explains potential barriers to housing production, and contains the proposed policies to address the City's housing needs. For the City of Kingsburg, Sections 1, 2, 3, 4, 5, Appendix 1, and Appendix 2G of the Multi-Jurisdictional Housing Element constitute the Draft Housing Element. These sections will be brought before City Council for their determination and adoption by the City of Kingsburg.

## Discussion

### Revisions to Address HCD Comments

The City Council reviewed the Draft Housing Element on June 3, 2015, and staff subsequently submitted the Housing Element to HCD on August 12, 2015. HCD reviewed the Draft Housing Element and issued a comment letter on October 9, 2015 (see Attachment B). Some of the comments in the letter apply to the main chapters of the Housing Element, which apply to all participating jurisdictions. The letter also has individual appendices that contain the comments for each of the participating jurisdictions. Comments pertaining to Kingsburg are contained in a special Appendix for the City of Kingsburg.

Staff and the Consultants submitted responses to HCD comments in December 2015. The revisions are shown as underline (new text) / strikeout (deletions) in the Final Draft Housing Element, which is available at the front counter of City Hall. To summarize, the most revisions included, but were not limited to, the following:

- Revisions to the main chapters of the Housing Element (Chapters 1-5) include:
  - Further description of public outreach efforts (Chapter 1)
  - Further description of housing rehabilitation needs (Chapter 2)
  - Expanded analysis of the farmworker population (Chapter 2)
  - Additional analysis to justify that affordable housing development is feasible at 15 units per acre and feasible in non-residential zones where residential uses are allowed (Chapter 3)
  - New policy to encourage “sweat-equity” homeownership programs (Chapter 5)
- Revisions to the programs in Appendix 2G for the City of Kingsburg include:
  - A new program to continue regional collaboration efforts (Program 1)
  - A new program to review annexation standards in the MOU between the County of Fresno and the cities within the county (Program 2).
  - A new program to encourage lot consolidation and lot splits (Program 5).
  - A new program to provide water and sewer priority to affordable housing consistent with Government Code Section 65589.7 (Program 6)
  - A new program to encourage the development of second units (Program 9)
  - A new program to monitor the City’s Growth Management System (Program 11)
- Revisions made to the analysis in Appendix 2G include:
  - Analysis of the availability of water and sewer infrastructure to serve new development
  - Additional analysis of regional impact fees
  - Additional analysis of the review of past accomplishments
  - Additional analysis on realistic development potential in the City’s vacant sites
  - Additional analysis on the City’s Form Based Code and its impact on the sites inventory
  - Additional analysis on the City’s Growth Management System
  - Additional analysis on the variety of housing types provided for in the City’s Ordinance
  - Additional analysis on the City’s permitting and processing procedures

The revisions were found to be satisfactory by HCD and resulted in a letter dated February 1, 2016 (Attachment C) stating that the City's Housing Element will be in full compliance with State Law once it has been adopted by the City Council.

#### CEQA Process

An Initial Study and Mitigated Negative Declaration have been prepared for this project pursuant to the California Environmental Quality Act (CEQA). Chapters 1-6 of the Countywide Housing Element, which apply to all the participating cities and the county, are available from the Kingsburg City Clerk during normal business hours. The Initial Study is also available for public review from the Kingsburg City Clerk. The Notice of Intent to adopt a Negative Declaration and the Initial Study were circulated for public review. They were filed with the Fresno County Clerk's Office as well as the Governor's Office of Planning and Research State Clearinghouse, and sent to a distribution list of interested agencies. The comment period was extended to accommodate delay in the CEQA preparation process and officially ended on February 6, 2016. The City received comment letters from Caltrans, State Water Resources Control Board, the State Office of Planning and Research, SKF and LAFCo, which are on file with the City Clerk. The letters, from state and local agencies, requested analysis of impacts that will be considered on a project-specific basis by the City as part of the entitlement process.

Although the environmental consultant for the Housing Element recommended a Mitigated Negative Declaration as the environmental determination for the Housing Element, no mitigation measures were proposed other than those in the area of Cultural Resources. As those proposed mitigations were duplicative of State law requirements, the recommendation is that Planning Commission adopt the resolution approving the Initial Study and a Negative Declaration without a Mitigation Monitoring Program.

#### Schedule and Next Steps

Following adoption of the Housing Element, the City will submit the Housing Element to HCD for formal certification. HCD has 90 days to certify the Housing Element.

#### **Recommendation**

Staff recommends that the Planning Commission adopt the attached resolution, recommending approval of General Plan Amendment GPA 2016-01 to adopt the 2015-2023 Housing Element and adoption of the resolution recommending City Council approval of the Initial Study and Negative Declaration as adequate environmental documentation for the project.

#### **Attachments:**

- A. Appendix 2G, City of Kingsburg Housing Element (Complete Multi-Jurisdictional Housing Element on file with City Clerk)**
- B. HCD Comment Letter, October 9, 2015**
- C. HCD Conditional Approval Letter, February 1, 2016**
- D. Planning Commission Resolution 2016-\_\_, recommending City Council approval of the Initial Study and Negative Declaration for the 2015-2023 Housing Element**
- E. Planning Commission Resolution 2016-\_\_, recommending approval of General Plan Amendment 2016-01 and recommending to City Council adoption of the 2015-2023 Housing Element**

# APPENDIX 2G: CITY OF KINGSBURG

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## SECTION 2G-1: ACTION PLAN

### Regional Collaboration

#### Program 1: Regional Collaboration on Housing Opportunities

The Multi-Jurisdictional Housing Element provides an opportunity for countywide housing issues and needs to be more effectively addressed at the regional level rather than just at the local level, and the 13 participating jurisdictions are committed to continuing the regional collaboration in the implementation of the Housing Element. By working together, the jurisdictions can share best practices, explore opportunities for further collaboration, and make the best use of limited resources.

#### *Timeframe and Objectives:*

- The County of Fresno Public Works and Planning Department, with assistance of the Fresno COG, will take the lead in coordinating the Countywide Fifth Cycle Housing Element Committee meetings.
- Continue to participate in the Countywide Housing Element Technical Committee to collaborate on housing program implementation and regional issues including, disadvantaged unincorporated communities (SB 244), infrastructure challenges, farmworker housing, homelessness, and fair housing.
- The Committee will meet at least biannually to evaluate successes in implementation of programs and to identify gaps and additional needs.
- The Committee will meet annually with the California Department of Housing and Community Development (HCD) to discuss funding opportunities and challenges in implementation of programs, and seek technical assistance from HCD and other State agencies in the implementation of housing programs and the pursuit of grant funding.
- The Committee will meet periodically with Fair Housing of Central California to discuss fair housing issues and opportunities for education.
- The Committee will advocate on behalf of the Fresno County region for more grant funding for affordable housing and infrastructure improvements.
- Continue to seek partnerships with other jurisdictions in the region and other agencies (such as the Housing Authority), housing developers, community stakeholders, and agricultural employers/employees to explore viable options for increasing the availability of farmworker housing in suitable locations in the region.

**APPENDIX 2G: CITY OF KINGSBURG**

- Develop a directory of services and resources for lower-income households available in the region, and review and update it annually. Make the directory available on City/County websites and at City/County offices.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 1.3, Policy 1.4, Policy 1.7, Policy 4.2, Policy 4.3, Policy 4.6

**Program 2: Review Annexation Standards in Memorandum of Understanding**

All jurisdictions in Fresno County are subject to the City-County Memorandum of Understanding (MOU), which establishes procedures for annexation of land to cities. The City/County MOU encourages urban development to take place within cities and unincorporated communities in an effort to preserve agricultural land. The MOU standards for annexation require that development be imminent and a minimum of 50 percent of annexation areas have an approved tentative subdivision map or site plan. While cities can take certain steps to “prezone” land in advance of annexation, the annexation of the land into the city limits is dependent upon private developers to request an annexation.

*Timeframe and Objectives:*

- During the Housing Element planning period, the County of Fresno and the cities within the County shall work together to review and revise, as deemed appropriate by all parties, the standards for annexation contained in the Memorandum of Understanding between the County and the cities.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	City Manager
<b>Relevant Policies:</b>	Policy 1.1, Policy 1.3, Policy 1.4

## Adequate Sites

### Program 3: Provision of Adequate Sites

The City of Kingsburg will provide for a variety of housing types and ensure that adequate sites are available to meet its Regional Housing Needs Allocation (RHNA) of 374 units. As part of this Housing Element update, the City has developed a parcel-specific inventory of sites suitable for future residential development. The suitability of these sites has been determined based on the development standards in place and their ability to facilitate the development of housing to meet the needs of the City’s current and future residents.

*Timeframe and Objectives:*

- Maintain and annually update the inventory of residential land resources.
- Provide the updated inventory on City website and make copies available upon request.
- Promote the use of Form Based Code in the downtown area by providing technical assistance to interested developers.
- Monitor development and other changes in the inventory to ensure the City has remaining capacity consistent with its share of the regional housing need.
- Actively participate in the development of the next RHNA Plan to better ensure that the allocations are reflective of the regional and local land use goals and policies.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 1.1, Policy 1.2, Policy 1.3, Policy 1.4, Policy 1.5, Policy 1.6, Policy 1.7, Policy 1.8, Policy 1.9

### Program 4: Monitoring of Residential Capacity (No Net Loss)

The City will monitor the consumption of residential acreage and development on non-residential sites included in the inventory to ensure an adequate inventory is available to meet the City’s RHNA obligations. To ensure sufficient residential capacity is maintained to accommodate the RHNA, the City will develop and implement a formal ongoing (project-by-project) evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction of capacity below the residential capacity needed to accommodate the remaining need for lower-income households, the City will identify and if necessary rezone sufficient sites to accommodate the shortfall and ensure “no net loss” in capacity to accommodate the RHNA.

*Timeframe and Objectives:*

- Develop and implement a formal evaluation procedure pursuant to Government Code Section 65863.
- Monitor and report through the HCD annual report process.
- If rezoning/upzoning is required to replenish the sites inventory for meeting the RHNA shortfall, the sites shall be adequate in size to accommodate at least 16 units per site at a minimum density of 20 units per acre, and shall be rezoned within two years.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 1.1, Policy 1.2, Policy 1.3, Policy 1.4, Policy 1.5, Policy 1.6

**Program 5: Lot Consolidation and Lot Splits**

The City of Kingsburg’s vacant sites inventory is primarily comprised of smaller parcels of less than half acre, potentially constraining residential development, especially to multifamily development. The City will encourage lot consolidation to promote the efficient use of land for residential development pursuant to the Subdivision Map Act.

*Timeframe and Objectives:*

- Assist interested developers/property owners in identifying opportunities for lot consolidation.
- Continue to process requests for lot consolidation concurrent with other development reviews.
- Annually monitor lot consolidation activities as part of the City annual report to HCD on Housing Element progress and evaluate if City efforts are effective in facilitating lot consolidation of small sites for residential development. If appropriate, make necessary changes to facilitate lot consolidation.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 1.1, Policy 1.2, Policy 1.3, Policy 1.4, Policy 1.5, Policy 1.6

### Program 6: Water and Wastewater Capacity

The development viability of the vacant sites in the inventory is directly linked to the availability and capacity of public facilities and services. The City continues to work to address water supply issues and infrastructure capacity limitations.

Additionally, California Government Code Section 65589.7 requires water and sewer providers to establish specific procedures and grant priority water and sewer service to developments with units affordable to lower-income households. The statute also requires local governments to immediately deliver the housing element to water and sewer providers. The City of Kingsburg is the water service provider; the Selma-Kingsburg-Fowler County Sanitation District (SKF) provides sewer service in the City.

#### *Timeframe and Objectives:*

- Continue to monitor water and wastewater capacity and make improvements, as appropriate and feasible, to better serve existing development and strive to accommodate the RHNA.
- Establish procedures by the end of 2016 for granting priority water and sewer service to developments with lower-income units in compliance with California Government Code Section 65589.7.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 1.7

## Affordable Housing Development and Preservation

### Program 7: Affordable Housing Incentives

The City continues to have needs for affordable housing for lower-income households, especially for seniors, disabled (including persons for developmental disabilities), the homeless, and those at imminent risk of becoming homeless. The City will continue to work with housing developers to expand affordable housing opportunities in the community.

#### *Timeframe and Objectives:*

- Maintain a list of interested developers and annually contact developers to explore affordable housing opportunities.

**APPENDIX 2G: CITY OF KINGSBURG**

- Continue to promote the State density bonus, flexible development standards, and other incentives to facilitate affordable housing development by publicizing the incentives on City website and by conducting pre-application consultation with developers regarding incentives available.
- Continue to streamline the environmental review process for housing developments to the extent possible, using available state categorical exemptions and federal categorical exclusions, when applicable.
- Annually pursue State, Federal and other funding opportunities to increase the supply of safe, decent, affordable housing in Kingsburg for lower-income households (including extremely low-income households), such as seniors, disabled (including persons with developmental disabilities), farmworkers, the homeless, and those at risk of homelessness.
- Annually contact affordable housing developers to explore affordable housing opportunities.
- Expand the City’s affordable housing inventory by 80 units over the next eight years (including the 46-unit Marion Villas Apartments) – 10 extremely low-income, 30 very low-income, and 40 low-income units.

<b>Financing:</b>	HOME, CDBG, Successor Agency funds, LIHTC, Multi-Family Housing Revenue Bond, and other funding sources as available
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 1.2, Policy 2.1, Policy 2.2, Policy 2.3, Policy 2.4, Policy 2.5, Policy 2.6, Policy 2.7

**Program 8: Farmworker Housing**

The farming industry is the foundation of the County’s economy base. According to the USDA, National Agricultural Statistics Service (NASS) 2012, about 58,600 workers were employed in farm labor throughout the County, indicating a significant need to provide housing for farmworkers and their families, particularly during peak harvest seasons.

***Timeframe and Objectives:***

- Continue to support and encourage other agencies and housing developers, such as the Fresno Housing Authority and Self-Help Enterprises, in the application of funds for farmworker housing, including State HCD and USDA Rural Development loans and grants and other funding sources that may become available.
- Continue to offer incentives such as gap financing (as funding is available), density bonus, streamlined processing to facilitate the development of farmworker housing.

- Annually monitor the status of farmworker housing as part of the City’s annual report to HCD on Housing Element progress and evaluate if City efforts are effective in facilitating the provision of farmworker housing. If appropriate, make necessary changes to enhance opportunities and incentives for farmworker housing development.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 1.2, Policy 2.1, Policy 2.3, Policy 2.4, Policy 2.5

**Program 9: Preserving Assisted Housing**

Preserving the existing affordable housing stock is a cost-effective approach to providing affordable housing in Kingsburg. The City must guard against the loss of housing units available to lower-income households. This City has a total of 187 publicly assisted rental units in three projects. In addition, a new 46-unit senior housing development is under construction. No publicly assisted rental housing units are considered at risk of converting to market-rate housing before December 31, 2025

*Timeframe and Objectives:*

- Continue to monitor status of affordable housing projects. If projects become at risk of converting to market-rate housing:
  - Monitor the status of any Notice of Intent and Plan of Action filed by property owners to convert to market-rate units.
  - Identify nonprofit organizations as potential purchasers/managers of at-risk housing units.
  - Explore funding sources available to purchase affordability covenants on at-risk projects, transfer ownership of at-risk projects to public or nonprofit agencies, purchase existing buildings to replace at-risk units, or construct replacement units.
  - Ensure the tenants are properly noticed and informed of their rights and eligibility to obtain special Housing Choice Vouchers reserved for tenants of converted HUD properties.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 3.6

**Program 10: Accessory Units (Second Units)**

A second unit (sometimes called an “accessory dwelling unit” or “granny flat”) is an additional self-contained living unit either attached to or detached from the primary residential unit on a single lot. It has cooking, eating, sleeping, and full sanitation facilities. Second units can be an important source of affordable housing given that they are generally less expensive to construct due to their typically smaller sizes and no associated land costs.

*Timeframe and Objectives:*

- By 2019, consider fee reductions for second units and implement a public education program advertising the opportunity for second units through the City website and at the planning counter.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 2.6

**Removal of Governmental Constraints**

**Program 11: Zoning Code Amendments**

In compliance with State laws, the City will amend its Zoning Code to address the provision of a variety of housing options, especially housing for special needs groups. Specifically, the City will amend the Zoning Code to address the following:

- **Density Bonus:** Consistent with Government Code, a density bonus up to 35 percent over the otherwise maximum allowable residential density under the applicable zoning district will be available to developers who provide affordable housing as part of their projects. Developers of affordable housing will also be entitled to receive incentives on a sliding scale to a maximum of three, where the amount of density bonus and number of incentives vary according to the amount of affordable housing units provided.
- **Farmworker/Employee Housing:** Comply with the Employee Housing Act which requires farmworker housing up to 12 units or 36 beds be considered an agricultural use and permitted in any zone that permits agricultural uses, and employee housing for six or fewer employees are to be treated as a single family structure and permitted in the same manner as other dwellings of the same type in the same zone.
- **Reasonable Accommodation:** Establish a reasonable accommodation procedure to provide flexibility in policies, rules, and regulations in order to allow persons with disabilities access to

housing.

- **Definition of Family:** Remove the definition of family in the Zoning Code, or amend the definition to ensure it does not differentiate between related and unrelated individuals, or impose a numerical limit on the number of persons in a family.
- **Manufactured Homes:** Amend the Zoning code to subject permanently sited manufactured homes built to the HUD Code to the same rules as site-built homes in the same zones. Currently manufactured homes are subject to an Administrative Review where site-built homes are permitted by right.
- **Single-Room Occupancy (SRO) Housing:** Amend the Zoning Code to address the provision of SRO housing.
- **Small Residential Care Facilities:** Amend the Zoning Code the address the provision of small residential care facilities in the RA zone.

*Timeframe and Objectives:*

- Amend Zoning Code to address State law requirements within two years of Housing Element adoption.
- Annually review the effectiveness and appropriateness of the Zoning Code and process any necessary amendments to remove or mitigate potential constraints to the development of housing.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 4.1, Policy 4.2, Policy 4.3, Policy 4.4, Policy 4.5, Policy 4.6

**Program 12: Monitoring of Growth Management System**

Pursuant to State law, the City must ensure that its policies and regulations governing residential in the City do not preclude the City from meeting its RHNA for all income levels. The City’s current Growth Management System provides adequate allocations to meet the overall RHNA. The City will monitor its annual and cumulative allocations to ensure that remaining allocations can accommodate its RHNA for all income levels.

***Timeframe and Objectives:***

- As part of the City’s annual allocation process, monitor the remaining allocations available. As necessary to meet the City’s RHNA for all income levels, consider prioritizing allocations to projects that help meet the City’s RHNA.
- By 2018 and at least bi-annually, monitor and modify as appropriate, the Growth Management System to ensure that the allocation process does not unduly constrain housing development in the community.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department; Planning Commission; City Council
<b>Relevant Policies:</b>	Policy 4.1, Policy 4.2, Policy 4.3, Policy 4.4, Policy 4.5, Policy 4.6

**Program 13: Monitoring of Planning and Development Fees**

The City charges various fees to review and process development applications. Such fees may add to the cost of housing development.

***Timeframe and Objectives:***

- Continue to monitor the various fees charged by the City to ensure they do not unduly constrain housing development.
- As appropriate, consider incentives such as deferred or reduced fees to facilitate affordable housing development.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 4.1, Policy 4.2, Policy 4.3, Policy 4.4, Policy 4.5, Policy 4.6

## Housing Quality

### Program 14: Fresno County Housing Assistance Rehabilitation Program (HARP)

This program provides loans to qualifying homeowners in the unincorporated County and participating cities for the improvement of their homes. The City of Kingsburg is a participating city. Eligible improvements include energy efficiency upgrades and installations, health and safety and hazard corrections, and accessibility modifications. Loan terms under this program vary according to household income and the improvements and repairs that are needed.

*Timeframe and Objectives:*

- Promote available housing rehabilitation resources on the City website and public counters.
- Refer interested households to County program with the goal of assisting four low-income households during the planning period.

<b>Financing:</b>	CDBG and HOME funds
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 3.2, Policy 4.1

### Program 15: Fresno County Rental Rehabilitation Program (RRP)

This program provides no interest loans to qualifying property owners in the unincorporated County and participating cities for making improvements to their rental properties. The City of Kingsburg is a participating city. Eligible improvements include repairing code deficiencies, completing deferred maintenance, lead-based paint and asbestos abatement, HVAC repairs, energy efficiency upgrades, accessibility modifications, and kitchen and bathroom upgrades.

*Timeframe and Objectives:*

- Promote available housing rehabilitation resources on the City website and public counters.
- Refer interested property owners to County program.

<b>Financing:</b>	HOME funds
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 3.2, Policy 4.1

**Program 16: Code Enforcement**

The City’s Building Division is in charge of the enforcing the City’s building codes with the objective of protecting the health and safety of residents.

*Timeframe and Objectives:*

- Continue to utilize code enforcement and substandard abatement processes to bring substandard housing units and residential properties into compliance with city codes.
- Refer income-eligible households to County housing rehabilitation programs for assistance in making the code corrections.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Building Department
<b>Relevant Policies:</b>	Policy 1.8, Policy 2.5, Policy 3.1, Policy 3.2, Policy 3.3, Policy 3.4, Policy 3.5, Policy 4.1

**Housing Assistance**

**Program 17: Fresno County Homebuyer Assistance Program (HAP)**

City of Kingsburg participates in the County’s Homebuyer Assistance Program. This program assists lower-income families with purchasing their first home by providing a zero interest, deferred payment loan that does not exceed 20 percent of the purchase price of the single family residence (plus loan closing costs). Households earning up to 80 percent AMI in unincorporated Fresno County and participating cities are eligible for this program.

*Timeframe and Objectives:*

- Promote available homebuyer resources on the City website and public counters.
- Refer interested households to County program with the goal of assisting four households.

<b>Financing:</b>	HOME funds
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 2.8

**Program 18: First-Time Homebuyer Resources**

Kingsburg residents have access to a number of homebuyer assistance programs offered by the California Housing Finance Agency (CalHFA):

- Mortgage Credit Certificate (MCC): The MCC Tax Credit is a federal credit which can reduce potential federal income tax liability, creating additional net spendable income which borrowers may use toward their monthly mortgage payment. This MCC Tax Credit program may enable first-time homebuyers to convert a portion of their annual mortgage interest into a direct dollar for dollar tax credit on their U.S. individual income tax returns.
- CalPLUS Conventional Program: This is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalPLUS Conventional is fixed throughout the 30-year term. The CalPLUS Conventional is combined with a CalHFA Zero Interest Program (ZIP), which is a deferred-payment junior loan of three percent of the first mortgage loan amount, for down payment assistance.
- CalHFA Conventional Program: This is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalHFA Conventional is fixed throughout the 30-year term.

CalHFA loans are offered through local loan officers approved and trained by CalHFA.

***Timeframe and Objectives:***

- Promote available homebuyer resources on City website and public counters in 2016.
- Annually review funding resources available at the state and federal levels and pursue as appropriate to provide homebuyer assistance.

<b>Financing:</b>	CalHFA
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 2.8

**Program 19: Energy Conservation**

The City promotes energy conservation in housing development and rehabilitation.

*Timeframe and Objectives:*

- Consider incentives to promote green building techniques and features in 2017, and as appropriate, adopt incentives in 2018.
- Continue to promote and support Pacific Gas and Electric (PG&E) Company programs that provide energy efficiency rebates for qualifying energy-efficient upgrades by providing a link to PG&E programs on City website and make available brochures about PG&E programs at City counters.
- Expedite review and approval of alternative energy devices.

<b>Financing:</b>	General Fund
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 6.1, Policy 6.2, Policy 6.3

**Program 20: Housing Choice Vouchers**

The Housing Choice Voucher (HCV) Program extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. The program offers a voucher that pays the difference between the current fair market rent (FMR) as established by the HUD and what a tenant can afford to pay (i.e. 30 percent of household income). The Fresno Housing Authority administers the housing choice voucher program in Fresno County.

*Timeframe and Objectives:*

- Provide information on the HCV program on City website and public counters in 2016.
- Refer interested households to the Fresno Housing Authority and encourage landlords to register their properties with the Housing Authority for accepting HCVs.
- Work with the Housing Authority to disseminate information on incentives for participating in the HCV program throughout the City neighborhoods with varying income levels to promote housing opportunities for all residents.

<b>Financing:</b>	HUD Section 8
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 2.2

**Program 21: Fair Housing**

Residents in the Central Valley, including Fresno County, can access fair housing services provided by the Fair Housing Council of Central Valley (FHCCC). FHCCC offers mediation, counseling, advocacy, research, and fair housing training and workshops for residents as well as housing providers. Other fair housing resources include the Fresno Housing Authority, Fair Housing and Equal Opportunity (FHEO) division of HUD, and the State Department of Fair Employment and Housing (DFEH). The City will assist in promoting fair housing resources available in the region.

*Timeframe and Objectives:*

- Participate in the Fresno Urban County’s efforts in updating the Analysis of Impediments to Fair Housing Choice required by the CDBG program.
- Work collaboratively with other jurisdictions in the region to provide education to lenders, real estate professionals, and the community at large.
- Actively advertise fair housing resources at the public counter, community service agencies, public libraries, and City website.
- Refer fair housing complaints to HUD, DEFH, Fair Housing Council of Central California, and other housing agencies, as appropriate.

<b>Financing:</b>	CDBG; HOME; Other resources as available
<b>Implementation Responsibility:</b>	City of Kingsburg; FHCCC; Fresno Housing Authority; FHEO; DFEH
<b>Relevant Policies:</b>	Policy 5.1, Policy 5.2

## Quantified Objectives

The Housing Element must contain quantified objectives for the maintenance, preservation, improvement, and development of housing. The quantified objectives set a target goal to achieve based on needs, resources, and constraints. Table 2G-1 shows the quantified objectives for the 2015-2023 Housing Element planning period. These quantified objectives represent targets. They are not designed to be minimum requirements. They are estimates based on past experience, anticipated funding levels, and expected housing market conditions.

**Table 2G-1 Summary of Quantified Objectives – 2015-2023**

Project Types	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
New Construction	10	30	40	40	200	320
Rehabilitation	--	--	4	--	--	4
Homebuyer Assistance	--	--	4	--	--	4
Conservation (Subsidized Rental Housing and Public Housing)	--	116	117	--	--	233

Note: New construction objective is based on a one-percent growth annually. The lower income units include the 46-unit Marion Villas Apartments.

## SECTION 2G-2: SITES INVENTORY

### Fourth Cycle Housing Element - AB 1233 RHNA Carryover Analysis

AB 1233 was signed into law on October 5, 2005 and applies to housing elements due on or after January 1, 2006. Specifically, the law states that if a jurisdiction fails to provide adequate sites in the prior planning period, within one year of the new cycle, the jurisdiction must rezone/upzone adequate sites to accommodate the shortfall. This requirement is in addition to rezoning/upzoning that may be needed to address the Regional Housing Needs Allocation (RHNA) for the new cycle.

This law affects the City of Kingsburg's 2015-2023 Housing Element, requiring the City to address its deficit in sites, if any, for the previous housing element cycle (2008-2015, extended from 2013 by legislation). The City of Kingsburg did not submit a fourth cycle (2008-2015) Housing Element for State HCD review or adopt an official Housing Element for the previous planning period. Consequently, the fifth cycle update must demonstrate the City's ability in meeting its prior RHNA, and roll over any shortfall in sites to the new planning period.

In the previous planning period, the RHNA assigned to the City of Kingsburg was 1,213 units (314 very low-income, 230 low-income, 170 moderate-income, and 499 above moderate-income units). The previous RHNA period covered from January 1, 2006 through June 30, 2013 (extended through December 31, 2015 by legislation). The potential AB 1233 penalty will be equal to the portion of RHNA not accommodated either through actual housing production or land made available for residential development within each income category. To determine any potential penalty, the analysis in this Housing Element uses the following approach outlined by HCD:

- Step 1: Subtracting the number of housing units constructed, under construction, permitted, or approved since January 1, 2006 by income/affordability level; and
- Step 2: Subtracting the number of units that could be accommodated on any appropriately zoned sites available in the City during the RHNA cycle.

### ***Progress toward Fourth Cycle RHNA***

Since January 1, 2006, the City issued building permits for 274 new residential units, including 228 single family homes and a 46-unit affordable senior housing project. The 46-unit project includes 21 very low-income units, 24 low-income units, and one manager's unit (assumed to be at moderate-income level). Therefore, the City must demonstrate adequate sites for 293 very low-, 206 low-, 169 moderate-income, and 271 above moderate-income units, for a total of 939 units from the prior RHNA planning period.

**Table 2G-2 Permits Issued, Kingsburg, January 1, 2006 – December 31, 2014**

Affordability Methodology	Units by Income Level				Total Units
	VLI	LI	MI	AMI	
Deed-restricted affordable	21	24	1		46
Market-rate single family				309	228
<b>Total</b>	<b>21</b>	<b>24</b>	<b>1</b>	<b>228</b>	<b>274</b>

Source: City of Kingsburg, 2014.

### ***Vacant Sites Available***

In assessing if the City would incur any RHNA penalty from the previous planning period, this section examined the amount of vacant land available in the city with the potential for residential development. Table 2G-3 below summarizes the amount of vacant land available as of December 2014. The sites inventory uses the following assumptions:

- **Relation of density to income categories.** The following assumptions were used to determine the income categories according to the allowed densities for each site:
  - **Lower-income Sites.** Based on a market analysis of affordable housing projects in the region, sites that allow at least 16 units per acre were inventoried as feasible for lower-income (low- and very low-income) residential development in accordance with the market-based analysis included in this housing element. This includes sites with the Zoning below:
    - Sites that are Multi-Family Residential (RM-2.5, RM-2) (up to 17.4 units per acre);
    - Sites that are zoned Central Commercial (CC) (no density specified); and
    - Sites that are zoned Mixed Use Combining District (MXU) (any uses identified in the General Plan land use diagram are eligible for consideration, including High Density Residential Use up to 22 units per acre).
  - **Moderate-Income Sites.** Sites that are zoned Residential Medium allow for a density range of 8.1 to 14.5 dwelling units per net acre. Typical dwelling units include small apartments and other attached units. These areas were inventoried as feasible for moderate-income residential development.
    - Sites that are Multi-Family Residential (RM-MH-5.5) (up to 7.9 units per acre);
    - Sites that are Multi-Family Residential (RM-MH-5.4) (up to 8.1 units per acre); and
    - Sites that are Multi-Family Residential (RM-3) (up to 14.5 units per acre).
  - **Above Moderate-Income Sites.** All other sites, which allow only single family homes at lower densities, were inventoried as above moderate-income units.
- **Realistic Development Potential.** The CC district has no density limit. Development potential

in the CC district is determined by estimating a building envelope using with the following development standards:

- No limitation on lot coverage
- 15-foot yard requirements
- 75-foot height limit
- No more than 25 percent of the residential units may be located on the ground floor;
- Ground floor units may not be located along street frontages; and
- After parking structure, garages, or carports have been deducted, no more than 50 percent of the ground floor building area may be occupied by residential units.

A recent (2013) affordable senior housing project in the CC zone was constructed at 33.3 units per acre. Assuming non-senior housing may have a larger average unit size, a density of 25 units per acre can easily be achieved within the flexible building envelope.

The MXU district is intended to facilitate development within the former redevelopment project areas characterized by a mixture of existing uses, blighted structures and sites, and inadequate existing improvements. The MXU district offers flexibility in uses to enhance economic feasibility for redeveloping these properties – all land uses identified in the City’s General Plan may be considered, including stand-alone residential under the General Plan designation of High Density Residential (up to 22 units per acre). Single family use is not allowed in the MXU district, ensuring the efficient use of land.

For the purpose of this analysis, development potential on properties zoned CC and within the MXU is based on the CC zoning, which offers flexible development standards with no specified density limit.

For other zoning districts where there a density limit is established, the development potential is estimated at 80 percent of the allowable density. This density limit is consistent with typical suburban development. Furthermore, for the RM-2 and RM-2.5 districts, estimating development potential at 80 percent of the allowable density (80 percent of 17.4 units per acre) would yield an average density of 13.9 units per acre, below the allowable density of the lower density district of RM-3 (allowable up to 14.5 units per acre).

To receive credits for sites available to accommodate the City’s fourth cycle RHNA, State law requires that adequate zoning must be available prior to the beginning of the prior Housing Element period (i.e., July 1, 2009). Table 2G-3 summarizes the vacant sites that are available for residential development in Kingsburg within the current city limits, based on zoning standards that were in place prior to July 1, 2009. The locations of these sites are shown in Figure 2G-1. Table 2G-4 provides a detailed listing of the vacant parcels.

Table 2G-3 Summary of Vacant Sites Inventory – Zoning Existed Prior to July 2009

Zoning	Acres	No. of Parcels	Max Units/ Acre	Average Units/acre	DU Capacity
R-1-10	8.83	33	4.4	3.52	34
R-1-7	3.85	15	6.2	4.96	19
RM-5.5	0.13	1	7.9	6.32	1
RM-3	11.74	8	14.5	11.6	136
RM-2					
Within MXU	0.48	2	22	17.6	9
Outside MXU	0.46	4	17.4	13.92	6
HC					
Within MXU	32.21	36	22	17.6	572
CC					
Within MXU	9.68	15	Not Specified	25.0	243
Outside MXU	2.69	11	Not Specified	25.0	67
<b>Total</b>	<b>70.07</b>	<b>125</b>			<b>1,087</b>

Table 2G-4 Vacant Sites, Kingsburg, December 2014

APN	Size (acres)	Existing Zoning	General Plan Land Use	Existing Use	Max. Density (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
39604315	0.04	CC	Central Commercial	Vacant	25	1			1	None
39605103	1.33	CC	Central Commercial	Vacant	25	33			33	None
39605109	0.08	CC	Central Commercial	Vacant	25	2			2	None
39607213	0.16	CC	Central Commercial	Vacant Land with Minor Imps Only	25	4			4	None
39607304	0.25	CC	Central Commercial	Vacant Land with Minor Imps Only	25	6			6	None
39607305	0.16	CC	Central Commercial	Vacant Land with Minor Imps Only	25	4			4	None
39607306	0.16	CC	Central Commercial	Vacant Land with Minor Imps Only	25	4			4	None
39607401	0.07	CC	Central Commercial	Vacant Land with Minor Imps Only	25	2			2	None
39607402	0.10	CC	Central Commercial	Vacant Land with Minor Imps Only	25	3			3	None
39610211	0.25	CC	Central Commercial	Vacant	25	6			6	None
39606401	0.09	CC	Central Commercial	Vacant	25	2			2	None
<i>Subtotal</i>	<i>2.69</i>					<i>67</i>			<i>67</i>	
39404410	1.16	CC/MXU	Central Commercial	Vacant	25	29			29	None
39505038	1.99	CC/MXU	Central Commercial	Vacant	25	50			50	None
39603111	1.28	CC/MXU	Central Commercial	Vacant	25	32			32	None
39604316	1.56	CC/MXU	Central Commercial	Vacant	25	39			39	None
39606301	0.54	CC/MXU	Central Commercial	Vacant	25	14			14	None
39606409	0.33	CC/MXU	Central Commercial	Vacant Land with Minor Imps Only	25	8			8	None
39606410	0.25	CC/MXU	Central Commercial	Vacant Land with Minor Imps Only	25	6			6	None
39608303	0.25	CC/MXU	Central Commercial	Vacant	25	6			6	None

Table 2G-4 Vacant Sites, Kingsburg, December 2014

APN	Size (acres)	Existing Zoning	General Plan Land Use	Existing Use	Max. Density (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
39608305	0.26	CC/MXU	Central Commercial	Vacant Land with Minor Imps Only	25	7			7	None
39612122	0.13	CC/MXU	Central Commercial	Vacant	25	3			3	None
39612123	0.20	CC/MXU	Central Commercial	Vacant	25	5			5	None
39612124	0.31	CC/MXU	Central Commercial	Vacant	25	8			8	None
39612125	0.30	CC/MXU	Central Commercial	Vacant	25	8			8	None
39505040S	0.75	CC/MXU	Central Commercial	Vacant	25	19			19	None
39608109	0.37	CC/MXU	Central Commercial	Vacant Land with Minor Imps Only	25	9			9	None
<i>Subtotal</i>	<i>9.68</i>					<i>243</i>			<i>243</i>	
39404207	0.90	HC/MXU	Highway Commercial	Vacant	22	16			16	None
39439004	0.69	HC/MXU	Highway Commercial	Vacant	22	12			12	None
39439008	1.34	HC/MXU	Highway Commercial	Vacant	22	24			24	None
39439009	1.34	HC/MXU	Highway Commercial	Vacant	22	24			24	None
39439010	1.34	HC/MXU	Highway Commercial	Vacant	22	24			24	None
39439011	1.34	HC/MXU	Highway Commercial	Vacant	22	24			24	None
39439012	0.28	HC/MXU	Highway Commercial	Vacant	22	5			5	None
39439013	0.33	HC/MXU	Highway Commercial	Vacant	22	6			6	None
39439014	0.54	HC/MXU	Highway Commercial	Vacant	22	10			10	None
39439015	0.55	HC/MXU	Highway Commercial	Vacant	22	10			10	None
39439016	0.33	HC/MXU	Highway Commercial	Vacant	22	6			6	None
39439017	0.28	HC/MXU	Highway Commercial	Vacant	22	5			5	None
39439018	0.37	HC/MXU	Highway Commercial	Vacant	22	7			7	None
39439019	0.45	HC/MXU	Highway Commercial	Vacant	22	8			8	None
39439020	0.57	HC/MXU	Highway Commercial	Vacant	22	10			10	None
39440001	0.77	HC/MXU	Highway Commercial	Vacant	22	14			14	None

Table 2G-4 Vacant Sites, Kingsburg, December 2014

APN	Size (acres)	Existing Zoning	General Plan Land Use	Existing Use	Max. Density (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
39440003	0.78	HC/MXU	Highway Commercial	Vacant	22	14			14	None
39440008	0.28	HC/MXU	Highway Commercial	Vacant	22	5			5	None
39440009	0.33	HC/MXU	Highway Commercial	Vacant	22	6			6	None
39440010	0.53	HC/MXU	Highway Commercial	Vacant	22	9			9	None
39440011	0.56	HC/MXU	Highway Commercial	Vacant	22	10			10	None
39404205	1.98	HC/MXU	Highway Commercial	Vacant	22	35			35	None
39404206	0.94	HC/MXU	Highway Commercial	Vacant	22	17			17	None
39404208	1.76	HC/MXU	Highway Commercial	Vacant	22	31			31	None
39440004	1.23	HC/MXU	Highway Commercial	Vacant	22	22			22	None
39440005	1.42	HC/MXU	Highway Commercial	Vacant	22	25			25	None
39440006	2.79	HC/MXU	Highway Commercial	Vacant	22	49			49	None
39440007	1.42	HC/MXU	Highway Commercial	Vacant	22	25			25	None
39440012	0.36	HC/MXU	Highway Commercial	Vacant	22	6			6	None
39440013	0.48	HC/MXU	Highway Commercial	Vacant	22	8			8	None
39440019	2.11	HC/MXU	Highway Commercial	Vacant	22	37			37	None
39440020	1.35	HC/MXU	Highway Commercial	Vacant	22	24			24	None
39404212	0.42	HC/MXU	Highway Commercial	Vacant	22	7			7	None
39513137	0.66	HC/MXU	Highway Commercial	Vacant	22	12			12	None
39513138	0.62	HC/MXU	Highway Commercial	Vacant	22	11			11	None
39440002	0.77	HC/MXU	Highway Commercial	Vacant	22	14			14	None
39404207	0.90	HC/MXU	Highway Commercial	Vacant	22	16			16	None
39439004	0.69	HC/MXU	Highway Commercial	Vacant	22	12			12	None
39439008	1.34	HC/MXU	Highway Commercial	Vacant	22	24			24	None
39439009	1.34	HC/MXU	Highway Commercial	Vacant	22	24			24	None
39439010	1.34	HC/MXU	Highway Commercial	Vacant	22	24			24	None

Table 2G-4 Vacant Sites, Kingsburg, December 2014

APN	Size (acres)	Existing Zoning	General Plan Land Use	Existing Use	Max. Density (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
39439011	1.34	HC/MXU	Highway Commercial	Vacant	22	24			24	None
39439012	0.28	HC/MXU	Highway Commercial	Vacant	22	5			5	None
39439013	0.33	HC/MXU	Highway Commercial	Vacant	22	6			6	None
39439014	0.54	HC/MXU	Highway Commercial	Vacant	22	10			10	None
39439015	0.55	HC/MXU	Highway Commercial	Vacant	22	10			10	None
39439016	0.33	HC/MXU	Highway Commercial	Vacant	22	6			6	None
39439017	0.28	HC/MXU	Highway Commercial	Vacant	22	5			5	None
39439018	0.37	HC/MXU	Highway Commercial	Vacant	22	7			7	None
39439019	0.45	HC/MXU	Highway Commercial	Vacant	22	8			8	None
39439020	0.57	HC/MXU	Highway Commercial	Vacant	22	10			10	None
39440001	0.77	HC/MXU	Highway Commercial	Vacant	22	14			14	None
39440003	0.78	HC/MXU	Highway Commercial	Vacant	22	14			14	None
39440008	0.28	HC/MXU	Highway Commercial	Vacant	22	5			5	None
39440009	0.33	HC/MXU	Highway Commercial	Vacant	22	6			6	None
39440010	0.53	HC/MXU	Highway Commercial	Vacant	22	9			9	None
39440011	0.56	HC/MXU	Highway Commercial	Vacant	22	10			10	None
39404205	1.98	HC/MXU	Highway Commercial	Vacant	22	35			35	None
39404206	0.94	HC/MXU	Highway Commercial	Vacant	22	17			17	None
39404208	1.76	HC/MXU	Highway Commercial	Vacant	22	31			31	None
39440004	1.23	HC/MXU	Highway Commercial	Vacant	22	22			22	None
39440005	1.42	HC/MXU	Highway Commercial	Vacant	22	25			25	None
39440006	2.79	HC/MXU	Highway Commercial	Vacant	22	49			49	None
39440007	1.42	HC/MXU	Highway Commercial	Vacant	22	25			25	None
39440012	0.36	HC/MXU	Highway Commercial	Vacant	22	6			6	None
39440013	0.48	HC/MXU	Highway Commercial	Vacant	22	8			8	None

Table 2G-4 Vacant Sites, Kingsburg, December 2014

APN	Size (acres)	Existing Zoning	General Plan Land Use	Existing Use	Max. Density (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
39440019	2.11	HC/MXU	Highway Commercial	Vacant	22	37			37	None
39440020	1.35	HC/MXU	Highway Commercial	Vacant	22	24			24	None
39404212	0.42	HC/MXU	Highway Commercial	Vacant	22	7			7	None
39513137	0.66	HC/MXU	Highway Commercial	Vacant	22	12			12	None
39513138	0.62	HC/MXU	Highway Commercial	Vacant	22	11			11	None
39440002	0.77	HC/MXU	Highway Commercial	Vacant	22	14			14	None
<i>Subtotal</i>	<i>32.21</i>					<i>572</i>			<i>572</i>	
39606209	0.05	RM-2	High Density Residential	Vacant	17.4		1		1	None
39606225	0.07	RM-2	High Density Residential	Vacant	17.4		1		1	None
39612204	0.17	RM-2	High Density Residential	Vacant	17.4		2		2	None
39612217	0.17	RM-2	High Density Residential	Vacant	17.4		2		2	None
<i>Subtotal</i>	<i>0.46</i>						<i>6</i>		<i>6</i>	
39615101	0.33	RM-2/MXU	High Density Residential	Vacant	22	6			6	None
39615111	0.15	RM-2/MXU	High Density Residential	Vacant	22	3			3	None
<i>Subtotal</i>	<i>0.48</i>					<i>9</i>			<i>9</i>	
39404409	5.54	RM-3	Medium Density	Vacant	14.5		64		64	None
39416503	0.17	RM-3	Medium Density	Vacant	14.5		2		2	None
39425116	1.31	RM-3	Medium Density	Vacant	14.5		15		15	None
39425117	4.15	RM-3	Medium Density	Vacant	14.5		48		48	None
39437008	0.07	RM-3	Medium Density	Vacant	14.5		1		1	None
39517311	0.28	RM-3	Medium Density	Vacant	14.5		3		3	None
39616112	0.07	RM-3	Medium Density	Vacant	14.5		1		1	None
39616113	0.15	RM-3	Medium Density	Vacant	14.5		2		2	None
<i>Subtotal</i>	<i>11.74</i>						<i>136</i>		<i>136</i>	
39509227	0.13	RM-5.5	Medium Density Residential	Vacant	7.9		1		1	None

Table 2G-4 Vacant Sites, Kingsburg, December 2014

APN	Size (acres)	Existing Zoning	General Plan Land Use	Existing Use	Max. Density (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
<i>Subtotal</i>	0.13						1		1	
39337011	0.16	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39406018	0.58	R-1-7	Low Density Residential	Vacant	6.2			3	3	None
39424402	0.20	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39427501	0.29	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39438041	0.21	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39438042	0.22	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39504079	0.16	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39508105	0.17	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39508231	0.16	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39616313	0.21	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39619009	0.20	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39620119	0.21	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39438004S	0.22	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39524005S	0.17	R-1-7	Low Density Residential	Vacant	6.2			1	1	None
39433305	0.69	R-1-7	Low Density Residential	Vacant	6.2			3	3	None
<i>Subtotal</i>	3.85						19		19	
39429022	0.23	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429024	0.30	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429025	0.30	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429026	0.31	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429028	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429029	0.23	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429030	0.23	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429031	0.24	R-1-10	Low Density Residential	Vacant	4.4			1	1	None

Table 2G-4 Vacant Sites, Kingsburg, December 2014

APN	Size (acres)	Existing Zoning	General Plan Land Use	Existing Use	Max. Density (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
39429033	0.26	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429034	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429037	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429038	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429039	0.23	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39429044	0.21	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432118	0.31	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432119	0.26	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432120	0.34	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432121	0.24	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432124	0.23	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432125	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432126	0.37	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432127	0.24	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432129	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432130	0.26	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432131	0.27	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432132	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432133	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432134	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432301	0.25	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432302	0.24	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432303	0.24	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39432401	0.22	R-1-10	Low Density Residential	Vacant	4.4			1	1	None
39337003	0.57	R-1-10	Low Density Residential	Vacant	4.4			2	2	None

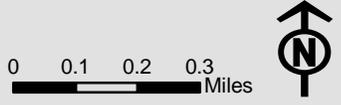
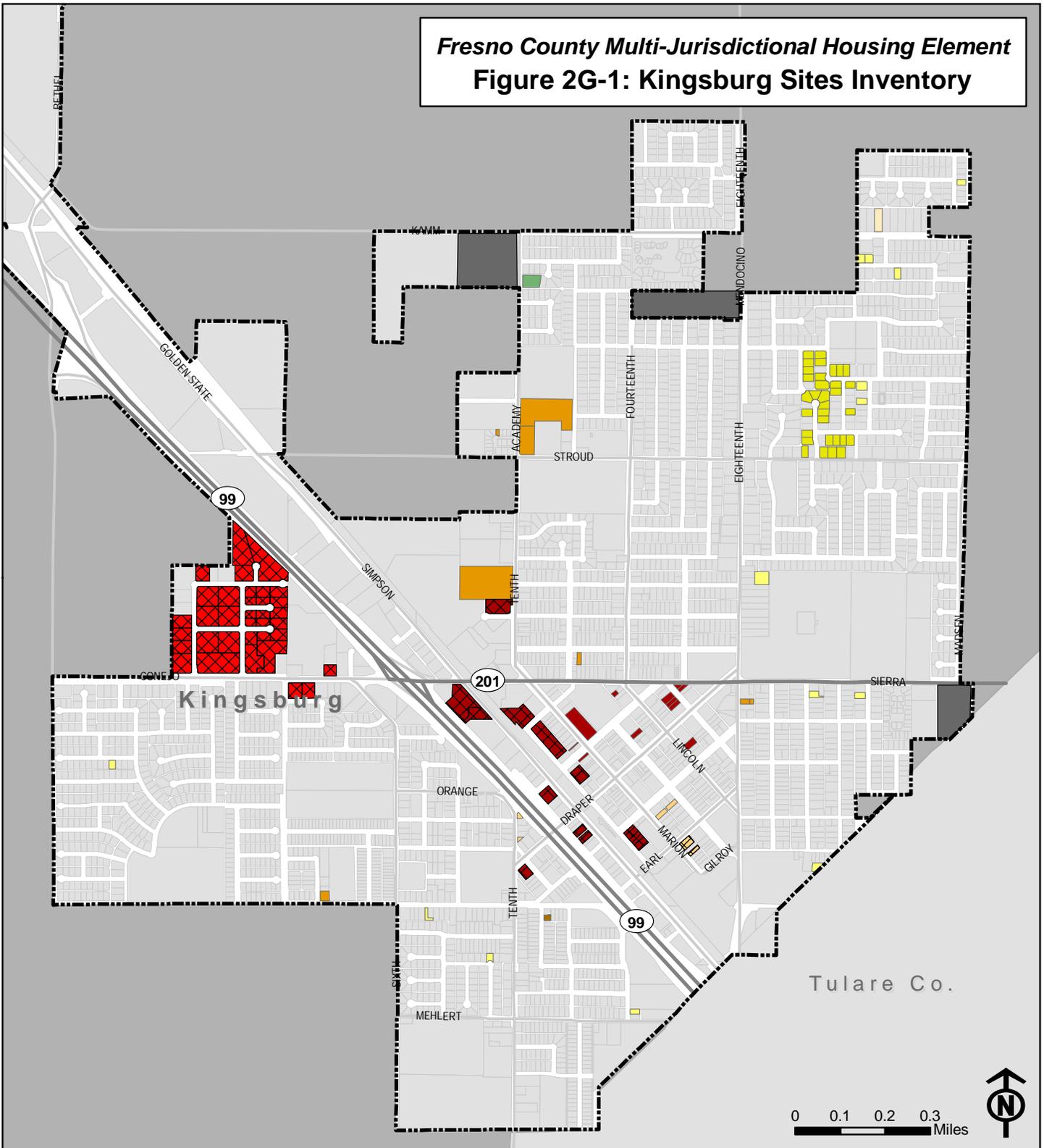
Table 2G-4 Vacant Sites, Kingsburg, December 2014

APN	Size (acres)	Existing Zoning	General Plan Land Use	Existing Use	Max. Density (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
<i>Subtotal</i>	8.83							34	34	
<b>Total</b>	<b>70.07</b>					<b>897</b>	<b>137</b>	<b>53</b>	<b>1,087</b>	

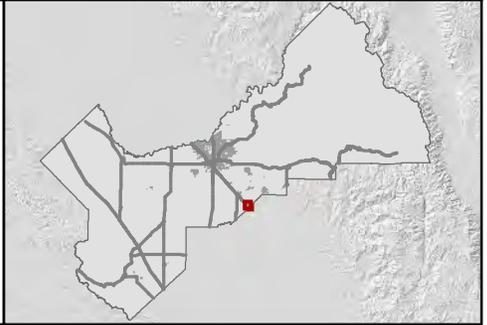
Notes:

1. Potential units are estimated based on 80 percent of the allowable density for all zones except for CC zone, where no density limit is specified.
2. CC zone has no specified density range. A recent senior affordable project was constructed at 33.3 units per acre. A density of 25 units per acre can easily be accommodated within the allowable building envelope.

**Fresno County Multi-Jurisdictional Housing Element  
Figure 2G-1: Kingsburg Sites Inventory**



City Limits	Highway Commercial	RM-5.5
Highways	R-1-20	RM-3
Approved/ Proposed Projects	R-1-10	RM-2
<b>Vacant Parcels</b>	R-1-7	RCO
Central Commercial		Mixed Use



**APPENDIX 2G: CITY OF KINGSBURG**

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## **AB 1233 Carry-Over Analysis Summary**

Combined, the RM-2, CC, and MXU zones have the ability to accommodate 897 multifamily units at allowable densities of at least 16 units per acre, adequate to address the City's remaining lower-income RHNA of 499 units from the previous RHNA planning period. Vacant land designated at RM-3 and RM-5.5 is limited, with a combined capacity of 137 units. Vacant land with a single family zoning (R-1-7 and R-1-10) can accommodate another 53 units. Excess capacity from the CC and MXU zones can make up the shortfall in sites for the moderate-income and above moderate-income units. Therefore, no carryover RHNA is incurred from the previous RHNA period. In August 2015, the City Council adopted the Downtown Form Based Code (FBC) that applies primarily to areas zoned Community Commercial (CC) within the Downtown Kingsburg area. Figure 2G-2 illustrates the location of the vacant CC sites in the City and their relationship to the various FBC districts. The FBC provides flexibility in development standards to encourage revitalization in Downtown Kingsburg. The FBC is described in detail in later sections.

**Table 2G-5 AB 1233 Carry-Over Analysis Summary, Kingsburg, Fourth Cycle RHNA**

Project	Units by Income Level					Total Units
	ELI	VLI	LI	MI	AMI	
<b>Fourth Cycle RHNA</b>	<b>157</b>	<b>157</b>	<b>230</b>	<b>170</b>	<b>499</b>	<b>1,213</b>
Units Constructed 2006-2014 (Table 2G-2)			45	1	228	274
Vacant Sites Available			897	137	53	<b>1,087</b>
<b>Surplus Capacity</b>			<b>398</b>	<b>(32)</b>	<b>(218)</b>	<b>148</b>

Source: City of Kingsburg, 2014

## **Fifth Cycle Housing Element RHNA Analysis**

For the fifth Housing Element update, Kingsburg has been assigned a RHNA of 374 units, including 113 very low-income units, 70 low-income units, 60 moderate-income units, and 131 above moderate-income units.

### **Units Built or Under Construction**

Since the RHNA projection period for the fifth cycle Housing Element runs from January 1, 2013, to December 31, 2023, the City of Kingsburg RHNA can be reduced by the number of units built or under construction since January 1, 2013. According to building permit data, the City issued building permits for 59 new units between January 1, 2013 and September 30, 2014. This includes the 46-unit Marion Villas Apartments by the Housing Authority of Fresno County.

### **Planned or Approved Projects**

As of October 1, 2014, the City also had 46 single family lots that have been approved as a subdivision, 48 units approved for low- and very low-income units, and another 34 single family units in a specific

plan area planned for annexation. The City’s RHNA can also be further reduced by the number of new units in projects that are planned or approved. Table 2G-6 shows an inventory of residential projects that are (as of December 2014) approved or in the planning process and scheduled to be built by the end of the current Housing Element planning period (December 31, 2023). For each project the table shows the name of the development, number of units by income category, a description of the affordable units, and the current status of the project.

**Table 2G-6 Planned or Approved Projects, Kingsburg, December 2014**

Project	Units by Income Level					Total Units	Description of Affordable Units	Status
	ELI	VLI	LI	M	AM			
Northampton (Covington) – (APN 39402113)	0	0	0	0	46	46	--	Final Map
SPR 2012-04 (APN 39408001)	0	0	0	0	34	34	--	Site Plan Review
(APN 39602017T)	0	24	24	0	0	48	County Housing Authority	Final Map
<b>Total</b>	0	24	24	0	80	128		-

Source: City of Kingsburg, 2015

### ***Vacant Sites Inventory***

The vacant sites inventory identified earlier (see Table 2G-4) continues to provide potential for future residential and mixed use development. More importantly, the City of Kingsburg adopted a Form Based Code in August 2015 to facilitate development within central commercial areas (i.e. in the downtown area) – primarily areas designated CC in the City’s Zoning Ordinance. Among the objectives of the Form Based Code (FBC) are:

- To provide neighborhoods with a variety of housing types to serve the needs of a diverse population; and
- To remove barriers and provide incentives for walkable urban projects.

With the adoption of the FBC, the City anticipates increased interests in providing housing in the Form Based Code areas in the future. The FBC offers reduced parking standards and reduced setbacks, establishes minimum height, and permits shared and off-site parking for commercial uses. These tools help facilitate the development of mixed use projects. Furthermore, the City (and the region as a whole) is beginning to receive inquiries for opportunities to place housing in the downtown area.

Because the Form Based Code regulates development capacity based on building types, building envelopes, and performance standards, not by density, this Housing Element assumes the same development potential using existing zoning standards (Table 2G-3) could be accommodated, recognizing that the Form Based Code provides flexibility and incentives that could result in higher density

development than the existing zoning standards. The Form Based Code is discussed in details later.

## RHNA Summary

Table 2G-7 provides a summary of Kingsburg ability to meet the 2013-2023 RHNA. The total RHNA for the 2013-2023 RHNA is 374 units, including 113 very low-income units, 70 low-income units, 60 moderate-income units, and 131 above moderate-income units. After accounting for units built or under construction, planned and approved projects, and capacity on vacant sites, Kingsburg has a surplus capacity of 900 units.

**Table 2G-7 RHNA Summary, Kingsburg, December 2014**

Project	Units by Income Level				Total Units
	ELI/VLI	LI	M	AM	
<b>2013-2023 RHNA</b>	<b>113</b>	<b>70</b>	<b>60</b>	<b>131</b>	<b>374</b>
Units Built or Under Construction	21	24	1	13	59
Planned or Approved Projects (Table 2G-6)	24	24	--	80	128
Capacity on Vacant Sites (Table 2G-4)		897	137	53	1,087
<b>Surplus<sup>1</sup></b>		807	78	15	900

<sup>1</sup> Remaining Need is calculated by subtracting planned projects and capacity on vacant sites from the total RHNA.

Source: City of Kingsburg

## Availability of Infrastructure and Services

The City of Kingsburg provides water services to residents and businesses in the City. Based on the recent usage data that has been reduced from recent years due to conservation efforts, the City could approximately add an additional 600 homes before significant expansion of the system is necessary (i.e., new wells, transmission mains, etc.) Therefore, no significant water system capacity expansion projects are budgeted in the near term.

The Selma-Kingsburg-Fowler County Sanitation District (SKF), a Joint Power Authority, provides sewer service to the City of Kingsburg as well as to the Cities of Fowler and Selma. According to the District Engineer, the SKF treatment plant has a capacity of 8.0 (mgd) with existing flows of 4.2 mgd (52.5 percent of capacity). By 2026, the SKF Capital Improvement Program (CIP) projects total flow at 5.71 mgd (71 percent of capacity). Kingsburg currently has 4,140 residential units. In 2025, if flow ratios from the three cities remain constant, SKF will have capacity for approximately 5,790 residential units in Kingsburg, significantly higher than the RHNA allocations for Kingsburg during the Housing Element period. At full capacity to 8.0 mgd, SKF would have capacity for an estimated 8,155 residential units in Fowler.

Expansion plans for a wastewater treatment plant are generally required by the Regional Water Quality Control Board when 70 percent of design capacity is reached. This threshold is not expected at the SKF plant until after 2025. The District, however, is updating its Master Plan to include provisions for long-

## **APPENDIX 2G: CITY OF KINGSBURG**

term expansion and will make interim improvements (refurbishing aerators, basin improvements, fleet replacements, etc.) in conformance with the 10-year CIP.

## SECTION 2G-3: CONSTRAINTS

### Land Use Controls

#### *General Plan*

##### Analysis

The City of Kingsburg offers the following residential land use designations:

- **Low Density:** 4-6 dwelling units per net acre
- **Medium Density:** 7-15 dwelling units per net acre
- **High Density:** 16-22 dwelling units per net acre

##### Conclusion

The City offers a range of housing densities in the community.

##### Recommended Action

None required.

### *Zoning Ordinance*

#### Citywide

The City's Zoning Ordinance provides for the following residential districts:

- **Residential Acreage (RA)** -- The RA residential acreage district is intended to provide living area which combines certain of the advantages of both urban and rural location by limiting development to low density concentrations of one-family dwellings as designated by the General Plan.
- **One Family Residential (R-1-7, R-1-10, R-1-20)** -- The R districts are intended primarily to provide living areas at locations designated by the general plan for low density, involving single family dwellings.
- **Multi-Family Residential (RM-MH-5.4, RM-5.5, RM-3, RM-2.5, RM-2)** -- The RM multifamily residential districts are intended primarily for the development of multifamily residential structures at densities consistent with policies of the general plan.

In addition, the City's Zoning Ordinance allows residential uses in the following nonresidential zones:

- **Professional Office (PO):** This district is intended to provide opportunities for the location of professional and commercial offices in close relationship to one another in areas designated for combined professional office use and high density use, by the General Plan. Residential uses

consistent with the R and RM districts are also permitted uses in this district.

- **Central Commercial (CC):** The Central Commercial district is intended to be applied within and at the periphery of the central business district (CBD) of the city. The CBD serves as the primary commercial district of the community where a wide range of retail, financial, governmental, professional, business service and entertainment activities and uses are encouraged to concentrate to serve the entire community. Mixed use development is conditionally permitted via a Planned Unit Development permit.
- **Mixed Use Combining District (MXU):** The MXU district is intended for application to two types of property:
  - Within commercial base zoning districts, on any site of such a size and configuration that a mixture of businesses is determined to appropriate, such as a commercial subdivision or business park.
  - Those residential, commercial and industrial base zoning districts which lay within the boundaries of the city's former redevelopment project area(s), and which are designated as areas characterized by a mixture of uses, blighted structures and sites, and/or inadequate street and alley improvements.

To improve land use conditions in the MXU, all categories of land use shown on the general plan diagram are eligible for consideration. The MXU district has been in place since 1982.

### Form Based Code

In August 2015, the Kingsburg City Council adopted the Downtown Form Based Code, which replaces the existing Zoning Code for Downtown Kingsburg. The foundation of this Code began in 2006 when the City completed the Downtown Revitalization Plan, which focuses on revitalizing the historic core of the City and maintaining a significant downtown as the community grows. The Downtown Form Based Code (FBC) establishes three transects:

- **FBC 1 – Neighborhood Transition:** This zone provides a flexible area adjacent to Kingsburg's downtown that can evolve to accommodate a variety of medium-density building types and compatible commercial uses while maintaining its existing form and character.
- **FBC 2 – Main Street Transition:** This FBC zone provides a flexible area that can accommodate a range of neighborhood serving commercial, service, and residential uses in a medium to high density, "Main Street" form.
- **FBC 3 – Main Street:** This Zone reinforces and enhances the walkable urban Swedish Village and enables its evolution into a complete neighborhood that provides locally and regionally serving retail and entertainment uses, civic, and public uses, and a variety of urban housing choices.

Figure 2G-2 illustrates the FBC areas. Table 2G-8 below identifies the allowable building types and development standards.

**Table 2G-8 Permitted Uses and Building Types by FBC Zone**

Permitted Uses	FBC 1	FBC 2	FBC 3
Single Family	AA	P	P
Two Family	---	P	P
Multifamily	---	P	P
Accessory/Second	---	P	P
Residential Component of Mixed Use	CUP	CUP	CUP
Live/Work	P	P	AA
Building Types	FBC 1	FBC 2	FBC 3
Carriage House	✓		
Single-Unit House Village	✓		
Single-Unit House Cottage	✓		
Duplex	✓		
Townhouse	✓	✓	
Mansion Apartment	✓		
Bungalow Court	✓		
Courtyard Apartment	✓	✓	
Apartment House	✓	✓	
Main Street Mixed Use		✓	✓
Mid-Rise			✓

AA = Administrative Approval; P = Permitted; CUP = Conditional Use Permit  
 Source: City of Kingsburg, Downtown Form Based Code, 2015

### Conclusion

The City's Zoning Ordinance allows for a range of housing options, especially with the adoption of the Downtown Form Based Code.

### Recommended Action

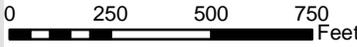
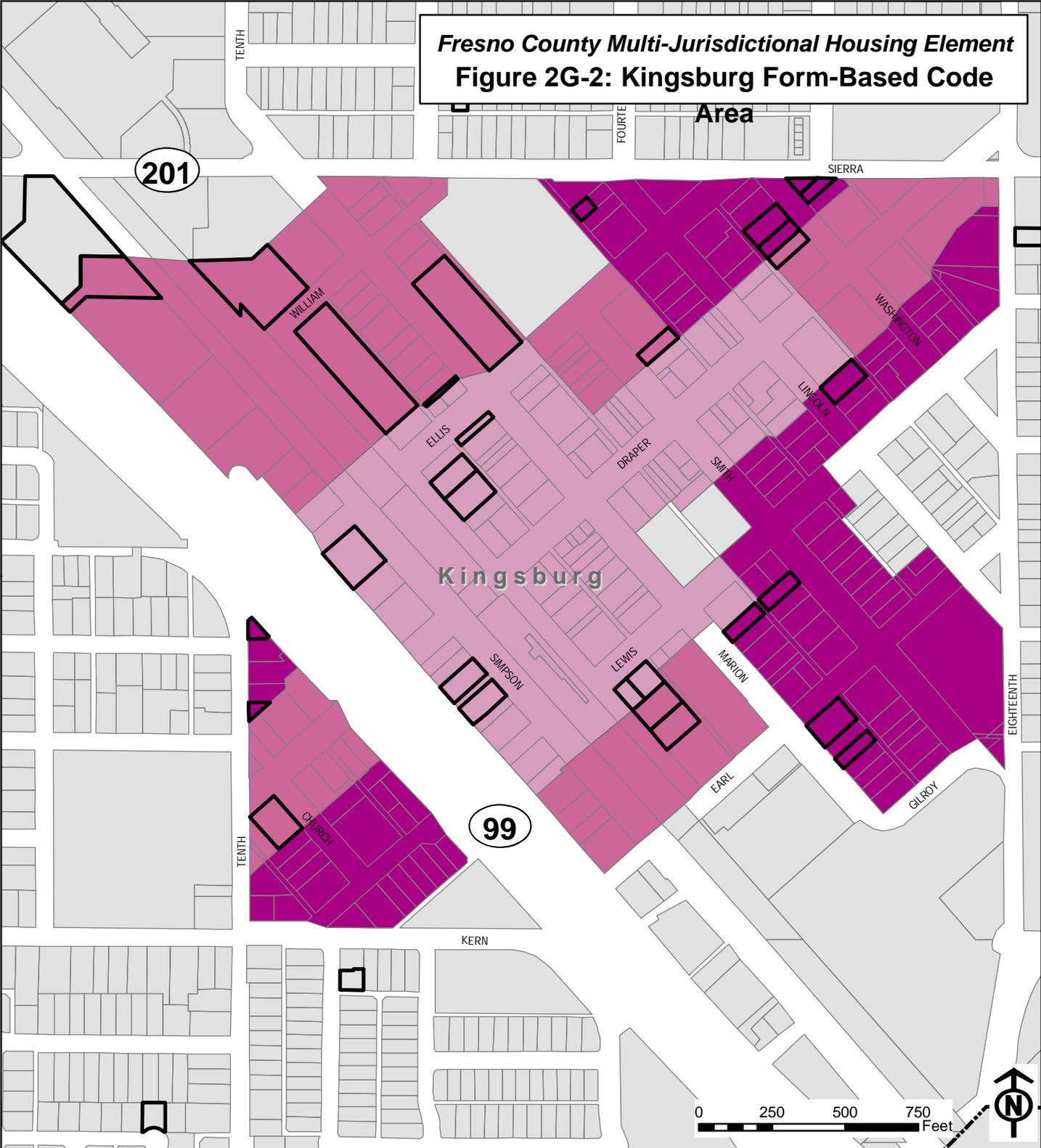
None required.

**APPENDIX 2G: CITY OF KINGSBURG**

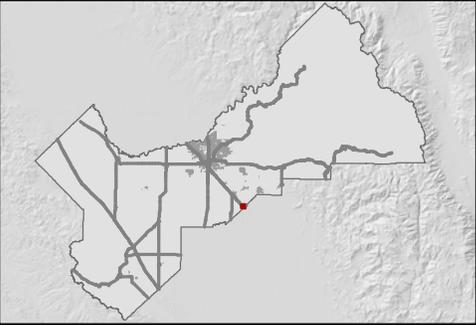
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**Fresno County Multi-Jurisdictional Housing Element  
Figure 2G-2: Kingsburg Form-Based Code**

**Area**



-  City Limits
-  Housing Element Sites
-  FBC 1
-  FBC 2
-  FBC 3



**APPENDIX 2G: CITY OF KINGSBURG**

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## Residential Development Standards

### Citywide

**Error! Reference source not found.** Table 2G-9 lists and describes the residential zoning districts in the City of Kingsburg Zoning Ordinance that allow residential development. These development standards are typical and consistent with standards established in surrounding communities.

Within the CC zone where mixed use development is conditionally permitted, the following standards apply:

- No more than 25 percent of the residential units may be located on the ground floor;
- Ground floor units may not be located along street frontages; and
- After parking structure, garages, or carports have been deducted, no more than 50 percent of the ground floor building area may be occupied by residential units.

In 2013, the City approved a senior housing project in the CC zone. This 46-unit project on a 1.38-acre site yielded a density in excess of 33.3 units per acre.

Within the MXU Combining District, any uses in the General Plan (except single family use) are eligible for consideration.

Table 2G-9 Residential Development Standards

Characteristics of Lot, Location, and Height	RA	R-1-7	R-1-10	R-1-20	RM-MH-5.4	RM-5.5	RM-3	RM-2.5	RM-2
Minimum Site Area (SF)	20,000 sq. ft.	7,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.	5 acres (5,400 sq. ft. per unit)	5,500 sq. ft. (5,500 sq. ft. per unit)	3,000 sq. ft. (2,500 sq. ft. per unit)	3,000 sq. ft. (2,500 sq. ft. per unit)	3,000 sq. ft. (2,500 sq. ft. per unit)
Density Range (DU/AC)	2.2	6.2	4.4	2.2	8.1	7.9	14.5	17.4	17.4
Minimum Lot Dimensions (Interior Lots)									
Width	100'	60'	80'	100'	--	50'	50'	50'	50'
Depth	150'	90'	125'	150'	--	80'	80'	80'	80'
Maximum Lot Coverage	35%	40%	40%	40%	--	50%	50%	55%	60%
Minimum Setbacks									
Front	35'	20'	20'	50'	15'	15'	15'	15'	15'
Rear	10'	10'	10'	10'	5'	5'	5'	5'	5'
Side	10'	5'	5'	5'	5'	5'	5'	5'	5'
Maximum Height	35'	35'	35'	35'	35'	35'	35'	35'	35'
Private Open Space (SF/DU)	--	--	--	--	--	--	--	--	--

Source: City of Kingsburg Zoning Ordinance, 2015.

**Parking**

Table 2G-10 shows residential parking requirements in Kingsburg, which vary by housing type.

**Table 2G-10 Residential Parking Requirements**

Residential Use	Required Parking Spaces
Single-family	2 spaces per unit, including 1 garaged space
Multi-family	2 spaces per unit, including 1 garaged space
Second Dwelling Units	1 covered space for unit with 0 or 1 bedroom 2 spaces for unit with 2+ bedrooms, 1 space must be covered

Source: City of Kingsburg Zoning Ordinance, 2015

**Open Space and Park Requirements**

The City’s current fee schedule requires the payment of Recreation Area Acquisition and Improvement fees ranging from \$400 per multifamily unit to \$1,428 per single family unit.

**Form Based Code**

Table 2G-11 summarizes the development regulations in Downtown Form Based Code (FBC) for Downtown Kingsburg. To facilitate development in the Downtown area, the FBC provides reduced parking standards and reduced setbacks, and establishes minimum height. Shared and off-site parking is also permitted for commercial uses, potentially further enhancing the development of mixed use projects.

**Table 2G-11 Development Standards by FBC Zone**

Standards	FBC 1	FBC 2	FBC 3
Height	2.5 Stories (max)	20’ (min) 3 stories (max)	20’ (min) 3 stories (max)
Setbacks (min)			
Front	10’	0’	0’
Side	5’	0’	0’
Rear	5’	0’	0’
Parking	≤ 1,500 sf: 1 space/1,000 sf (min) > 1,500 sf: 1.5 spaces/unit (max)	1 space/1,000 sf (min)	1 space/unit (max)

Source: City of Kingsburg, Downtown Form Based Code, 2015

## **Conclusion**

The City's Downtown Form Based Code provides flexibility in development standards that should foster residential and mixed use development in Downtown Kingsburg. The Mixed Use Combining District (MXU) also provides flexibility in use and development standards.

## **Recommended Action**

None required.

## **Growth Management**

The City of Kingsburg implements a growth management system that regulates residential development. The system limits the rate of residential growth in the City to a level compatible with the size, financial limitations, resource constraints, and services capabilities of the City and service providers within the City. The growth management system was implemented in response to the housing boom that had significantly inflated the housing market throughout California between 2000 and 2005.

The current system provides for 115 new allocations of housing units to become available at the beginning of each calendar year. Allocation is defined as the right to apply for a building permit to construct one single family residence or one multifamily residential housing unit. The allocations are divided between two categories of housing: multiple-family housing units with 35 allocations per year (30%) and single family housing units, with 80 allocations per year (70%). Of the 80 allocations per year of single family housing units, 20 allocations are reserved for large lot development on parcels of at least 10,000 square feet.

### ***Unused Allocations***

At the discretion of the City Council, any unused allocations may be carried over for a period of up to three years. Unused allocations are:

- Which were never issued;
- Previously issued and expired because of denial of development entitlements or failure to commence construction of off-site improvements on or before the construction start date as specified; or
- The failure of the applicant to comply with the provisions of Chapter 16.09 of the Municipal Code.

Therefore, if a developer who has received issued allocations fails to complete the subdivision as required by Chapter 16.09 or allows its tentative map to expire without satisfying the requirements of Chapter 16.09, the City Council, may, in its discretion, allow the unused allocations to be carried over for a period of three years.

### ***Exemptions***

The Growth Management System provides for the following exemptions:

- Residential housing units constructed upon parcels that were previously fully developed and which have adequate infrastructure to service the new residential development as determined by the City;
- Second housing units added to lots with single family homes in conformance with the City Zoning Ordinance and applicable California law;
- Residential housing projects which received all required development entitlements prior to enactment of this system in 2005.

### ***Senior Housing***

Demand for senior housing in the City exceeds the supply of senior housing within the city. As a result, and in order to address this need for more senior housing, allocations for a senior housing project are issued on the basis of one-half of one allocation for each senior housing unit to be constructed.

### ***Maximum Allocation Per Project***

Each calendar year, the maximum number of allocations that can be issued through the competitive process for any one application for development entitlements to construct residential housing units is 25 allocations for single-family housing or multiple-family housing, or 35 allocations for mixed-density projects which include at least ten single-family homes and at least ten multiple-family dwelling units.

However, in order to meet the need for mobilehome parks or multifamily housing developments, an applicant seeking to develop a mobilehome park with more than 15 spaces and/or multi-family housing development with more than 15 units may request issuance of allocations which would otherwise be issued over a three-year period. The purpose of this three-year allocation is to satisfy the housing needs of persons who wish to reside in mobilehome or multi-family developments, through the development of a project which is larger than would otherwise be allowed with only one year of allocations. Therefore, a large scale multifamily housing can be accommodated via the three-year allocation request.

### ***Phased Projects***

Projects having more residential units than the maximum allocation allowable or available in a single allocation period may be phased. Allocations for phased projects may include allocations for the calendar year and allocations for up to two years thereafter. Approval of allocations for a phased project should identify the number of allocations that will be issued by the City and used by the applicant during each phase of the project.

### ***Competitive Allocation Process***

New multifamily or single family residential developments of four or fewer dwelling units ("small projects") will automatically receive allocations and will not be required to participate in the competitive allocation process. All other projects are rated based on a number of factors, including:

- Suitability of location – Compact and efficient development is preferred and infill development within the urban limit boundary is encouraged (up to 25 points).
- Inclusionary housing – The City has an inclusionary housing policy of 15 percent. Projects that incorporate an affordable housing component or assist the City in providing affordable housing elsewhere would receive higher rating (up to 15 points). [The City has not adopted an inclusionary housing ordinance. However, if a project proposes to include housing affordable to lower-income households or assists the City in achieving the affordable units through donation of land or payment of fee, the project can receive extra points in the rating system. For every one percent of affordable units included, the project will receive one extra point in the rating system.]
- Meeting special needs – Points are awarded to projects that provide housing for the underserved or special needs populations, including seniors, disabled, and large families (up to 20 points)
- Infrastructure and services – Projects that demonstrate the least impacts on the City's infrastructure and service capacities would receive higher rating (up to 25 points)
- Architectural design and aesthetic considerations – Points are awarded to projects that continue the City's "Swedish village" character (up to 15 points).

Applications for competitive allocations must be filed with the Planning Department on September 30th of each calendar year. The development proposals will be rated and ranked in accordance with the criteria outlined above by Planning staff during the month of October and the Planning staff will make its recommendations for competitive allocations to the Planning Commission. At its first meeting each November, the Planning Commission will conduct a public hearing to review staff's rating and ranking recommendations for the competitive allocations and make recommendations to the City Council regarding the competitive allocations. At its first regular meeting in December, the City Council will consider the recommendations of the planning commission and will issue allocations for the next calendar year ("first allocations").

If not all available allocations are issued in December, then at its first meeting in February of the next year, the City Council may authorize staff to conduct a second competitive allocation process ("second allocations"), following the same process as the first allocations. If there is only one application for second allocations, the City Council may authorize the issuance of all allocations available in the second allocation to the sole applicant, even though the allocations available in the second allocation exceed the maximum annual number of allocations available for issuance and even though the sole applicant for the second allocations received first allocations.

## **Conclusion**

The RHNA for this Housing Element covers an 11-year planning period from January 1, 2013 through December 31, 2023. Over this period, 1,265 allocations can be issued, including 385 allocations for multifamily units, and 880 single family units. This allocation limit is more than adequate to accommodate the City's RHNA of 374 units. The City's 385 allocations for multifamily units more than doubled the City's lower-income RHNA of 155 units. Specifically, a senior affordable housing project of 46 units is currently under construction. This project utilized only 23 multifamily allocations based on the City's Growth Management System.

To date, the City has not had more applications than available allocations. Furthermore, the allocation process is conducted consistently according to set schedule, allowing developers to plan for the application of allocations. Overall, the Growth Management System has built in flexibility to accommodate multifamily developments – three-year allocation (available at once) and phased allocation (available over up to three years) can accommodate larger projects. The City Council, at its discretion, can also increase the number of allocations by resolution of the City Council.

## **Recommended Action**

A new program is included to monitor the City's Growth Management System to ensure that adequate allocation is available to meet the City's RHNA for all income levels.

## **Density Bonus**

### **Analysis**

Kingsburg's Zoning Ordinance does not include any density bonus provisions. The City will need to adopt a density bonus ordinance that meets all requirements of SB 1818 and AB 2222, among other related and minor amendments.

### **Conclusion**

The City's Zoning Ordinance does not include any density bonus provisions.

### **Recommended Action**

Amend the Zoning Ordinance within one year of Housing Element adoption.

## **Zoning for a Variety of Housing Types**

### **Analysis**

Title 17 of the City of Kingsburg Municipal Code describes the City's regulations for residential development. Table 2G-12 summarizes the housing types permitted and conditionally permitted under the Zoning Ordinance.

Table 2G-12 Variety of Housing Types

Uses	RA	R-1-7	R-1-10	R-1-20	RM-MH-5.4	RM-5.5	RM-3	RM-2.5	RM-2
Single-Family	P	P	P	P	P	P	P	P	P
Multi-family	--	--	--	--	P	P	P	P	P
Manufactured/ Mobilehomes	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Mobilehome Park	C	C	C	C	C	C	C	C	C
Farmworker / Employee Housing	--	--	--	--	--	--	--	--	--
Emergency Shelters	--	--	--	--	--	--	--	--	--
Transitional and Supportive Housing	--	--	--	--	--	--	--	--	--
SRO	--	--	--	--	--	--	--	--	--
Group Homes and Residential Care Facilities (6 or fewer)	--	P	P	P	P	P	P	P	P
Group Homes and Residential Care Facilities (7 or more)	--	C	C	C	C	C	C	C	C
Second Dwelling Units	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A

P = Permitted; A = Administrative Use Permit; C = Conditional Use Permit

Source: City of Kingsburg Zoning Ordinance, 2015

The following is a description of the City’s requirements for various housing types:

**Multifamily**

Multiple family dwellings are permitted by right in the RM zones.

**Manufactured Housing**

Currently, mobile homes on permanent foundations require Administrative Approval in the One-Family (R), Multi-Family (RM), and Residential Acreage (RA) zones, while single family dwellings are permitted by right in these zones.

**Farmworker/Employee Housing**

The City permits agricultural uses in the One-Family (R), Multi-Family (RM), Residential Acreage (RA) and Resource Conservation and Open Space (RCO) zones. While single family dwellings are also permitted in these zones (except within the RCO zone), farmworker housing is not similarly permitted. The City currently has no provisions for farmworker housing. In addition, City’s Zoning Ordinance currently includes no provisions for employee housing.

**Emergency Shelters**

The City amended the Zoning Ordinance on April 1, 2015 to permit emergency shelters by right in the IL zone. According to the Fresno/Madera Continuum of Care, the homeless population in Kingsburg is estimated at eight persons. The available vacant Light Industrial sites in Kingsburg offer adequate capacity for a potential shelter.

**Table 2G-13 Potential Emergency Shelter Sites**

APN	Acreage
39504062	0.15
39614204	0.18
39501008S	0.13
39501009S	0.30
<b>Total</b>	<b>0.76</b>

Source: City of Kingsburg, 2014.

**Transitional and Supportive Housing**

The City amended the Zoning Ordinance on April 1, 2015 to address the provision of transitional and supportive housing as a residential use to be regulated as similar uses in the same zones.

**Single Room Occupancy (SRO) Units**

The Zoning Ordinance does not currently contain provisions or definition for SRO housing.

### **Residential Care Facilities**

The Kingsburg Zoning Ordinance permits small residential care facilities (for six or fewer persons) by right in all residential zones (except the RA). Large residential care facilities are conditionally permitted in all residential zones (except the RA).

### **Second Units**

The City administratively processes applications for the siting and construction of a second housing unit to be attached to or detached from an existing one-family residence located in either the UR, RA, R or RM zoning districts.

### **Conclusion**

In summary, amendments to the City's Zoning Code are required to address the provision of a variety of housing types:

- **Manufactured Housing:** The Zoning Code will need to be updated to permit manufactured homes in a manner consistent with single family housing.
- **Farmworker/Employee Housing:** The Kingsburg Zoning Code is not consistent with State law requirements for farmworker and employee housing.
- **Single Room Occupancy (SRO) Housing:** The Zoning Code does not currently contain provisions for SRO housing.
- **Small Residential Care Facilities:** The Zoning Code will be updated to address the provision of small residential care facilities in the RA zone.

### **Recommended Action**

The Housing Element includes an action to amend the Zoning Ordinance to address manufactured housing, farmworker and employee housing, SRO housing, and small residential care facilities in the RA zone.

## **On- Off-Site Improvements**

### **Analysis**

Site improvements are regulated by the Subdivision and Parcel Map Ordinance and through conditions and standards imposed through the City's Site Plan Review process. Site improvements include off-street parking, landscaping, walls, signage, and utility systems. In order to reduce housing costs, the City requires only those improvements that are deemed necessary to maintain public health, safety, and welfare. Improvement requirements for single family and multifamily uses are described below.

### ***Subdivision Improvements***

Requirements of the subdivision ordinance which most affect the cost of housing are standards for the provision of utility services (e.g., water, sewer, drainage) and street improvements. Basic improvements required include the following:

- Water, sewer and drainage lines and facilities, including the extension of lines to the property and to adjacent vacant properties that eventually will also need them;
- Street improvements include curb, gutter, sidewalk, A/C paving, driveway approaches, fire hydrants, street lights, street signs and street trees. Rights-of-way requirements are 56' for minor streets (36' curb-to-curb), 66' for collector streets (46' curb-to-curb) and 84' for arterial streets (64' curb-to-curb);
- Undergrounding of electrical, telephone and cable utility services.

While the cost of required improvements adds considerably to housing costs, the improvements are necessary to serve the new development and provide a decent living environment.

### ***On-Site Improvements for Multifamily***

In addition to requirements for utility connections and street improvements, multifamily projects are required to provide the following:

- One or more trash enclosures within walking distance of all units;
- Tot lots for pre-school children;
- Landscaping of the site, including automatic irrigation;
- Ornamental walls along the site perimeter.

### **Conclusion**

Development requirements of the City of Kingsburg are considered standard in the Central Valley and are comparable to surrounding cities.

### **Recommended Action**

None required.

### **Fees and Exactions**

#### **Analysis**

Some of these City typical fees are summarized in Table 2G-14.

Table 2G-14 Schedule of Fees for Residential Development

Type of Fee		Cost Per Unit
<b>Permit Processing Fees</b>		
Pre-Application Design Review		
Use Permit	Administrative Approval	\$150
	Conditional Use Permit	\$2,000
Site Plan Review	Minor/Existing Site	\$350
	Subdivisions	\$1,000 + \$20/unit
Land Use/ Zoning	General Plan Amendment	\$3,000
	Zoning Amendment	\$2,000
	Planned Unit Development	\$2,000
	Negative Declaration/Mitigated Negative Declaration	Cost + 10%
	Environmental Impact Report	Cost + 20%
Subdivisions	Tentative Parcel Map	\$800
	Final Parcel Map	\$800
	Tentative Tract Map	\$1,800 + \$25/lot
	Final Tract Map	\$1,200 + \$25/lot
<b>Development Impact Fees</b>		
Traffic	Single-Family	\$574/unit
	Multi-Family	\$374/unit
Capital Facilities	Single-Family	\$5,344/unit
	Multi-Family	\$3,413/unit
Storm Drainage	Residential Reserve	\$4,228/acre
	Low Density Residential	\$3,656/acre
	Medium High Density Residential	\$5,941/acre
Combined Recreation Area Acquisition and Improvement	Single-Family Detached	\$1,428/unit
	Single-Family Attached	\$1,428/unit
	2-4 Units/Site	\$663/unit
	Multi-Family 5-15 Units/Site	\$400/unit
	Multi-Family 16+ Units/Site	\$533/unit

Source: City of Kingsburg, 2014.

In addition to City fees, several regional fees are also charged for residential development: Regional Transportation Mitigation and Indirect Source Review. The Selma-Kingsburg-Fowler County Sanitation District also charges a one-time fee for connection. For school fees, the Kingsburg (Kingsburg Elementary Charter School District, Kingsburg Joint Union High School District) has adopted the State Level I fee of \$3.36 per square foot of residential use.

Table 2G-15 shows plan checking, permit, and impact fees for single family and multifamily prototype developments. The single family prototype is a single family detached residential dwelling unit with 2,235 square feet of living area and a 587-square-foot garage. The estimated building valuation of this

unit is \$267,058. The plan check, permit, and impact fees account for an additional sum of \$28,250.18, or approximately 11 percent of the estimated valuation. The multifamily prototype is a single-story duplex. The estimated valuation for this prototype is \$282,812.70. In summary, the fees for plan check, permits, and development impact total \$17,400.7 per unit. This constitutes approximately 12 percent of the estimated valuation per unit.

**Table 2G-15 Prototypical Construction Fees**

Fee Description	Amount	
	Single-family	Multi-family
Plan Check and Building Permits	\$5,417.58	\$2,859.70
Impact Fees	\$8,487.00	\$5,591
School Fee	\$7,509.60	\$4,300
Regional Transportation Mitigation Fee	\$1,637	\$1,150
Indirect Source Review <sup>1</sup>	\$1,100	\$500
County Sanitation District	\$4,099	\$3,000
<b>Total per Unit</b>	<b>\$28,250.18</b>	<b>\$17,400.70</b>

Note 1: Projects under 50 units are not subject to this fee.

Source: City of Kingsburg

## Conclusion

In summary, the fees for plan check, permits, and development impact constitute approximately 11 to 12 percent of the building valuation. However, approximately one-third of the fees are school and regional impact fees that are consistent throughout the County and would not serve to constrain housing development in Kingsburg.

## Recommended Action

A program is included in the Housing Element to monitor the City's fees and impacts on residential development.

## Processing and Permit Procedures

### Analysis

The City permits most types of residential development by right with a site plan review by the staff. Site Plan Review is performed by the Site Plan Review Committee comprising of staff representatives of the Fire, Engineering, Planning, Building, Solid Waste, Police, Community Services, and Public Works departments. The Committee reviews and approves, conditionally approves or denies a site plan review application in accordance with City codes and ordinances. To approve a site plan, the Site Plan Review Committee must make all of the following findings:

## APPENDIX 2G: CITY OF KINGSBURG

- That the site plan complies with all applicable provisions of the Zoning Ordinance and all applicable City standards and specifications.
- The following are so arranged that traffic congestion is avoided and that pedestrian and vehicular safety and welfare are protected and there will not be adverse effect on surrounding property:
  - Facilities and improvements.
  - Vehicular ingress, egress, internal circulation and off-street parking and loading.
  - Setbacks.
  - Height of buildings.
  - Location of services.
  - Walls and fences.
  - Landscaping, including screen planting and street trees.
  - Drainage of site.
  - Refuse enclosures.
- Proposed lighting is so arranged as to deflect the light away from adjoining properties.
- Proposed signs will comply with all of the applicable provisions of [Chapter 17.56](#) of Zoning Ordinance.
- That adequate provision is made to reduce adverse or potentially adverse environmental impacts to acceptable levels.
- The site plan conforms with all other applicable laws, rules and regulations relating to traffic safety, street dedications and street improvements, environmental quality, and zoning, fire, police, building and health and safety codes.

These findings relate primarily to the physical characteristics and site planning considerations, and conformance with established standards. They do not serve to constrain housing development.

Mixed use development requires approval of a Conditional Use Permit (CUP), which requires review and approval by the Planning Commission, including a public hearing. In granting the CUP, the Planning Commission must be able to make the following findings:

- That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
- That the proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance.

- That the proposed use will comply with each of the applicable provisions of the Zoning Ordinance.

The conditions for approval may include:

- That all applicable provisions of the Zoning Ordinance are complied with;
- That the following are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected with no adverse effect on surrounding property and the site plan conforms with city standards, specifications and policies:
  - Special yards, spaces and buffers.
  - Fences and walls.
  - Surfacing of parking areas and provisions for surface water drainage subject to city specifications.
  - Requiring street dedications and improvements, including service roads or alleys when practical, and the requiring of drainage, sewer and water connection fees, and other development fees, when applicable. A traffic study may be required if impacts to roads are anticipated.
  - Regulation of points of vehicular ingress and egress.
  - Regulation of signs, in accordance with the standards prescribed in the Zoning Ordinance.
  - Requiring maintenance of the grounds and the undergrounding of utilities.
  - Requiring landscaping and refuse enclosures and maintenance.
  - Regulation of noise, vibration, odors and other similar characteristics.
  - Measures necessary to eliminate or to effect mitigation to acceptable levels of environmental impact.
  - Regulation of time for certain activities to be conducted on the site.
  - Regulation of the time period within which the proposed use shall be developed.
  - A bond, deposit of money, or letter of credit for the completion of street and site improvements and other facilities or for the removal of such use within a specified period of time to assure conformance with the intent and purposes set forth in this title.
  - Such other requirements which reasonably may be required to ensure compliance with city codes and policies.

**APPENDIX 2G: CITY OF KINGSBURG**

These conditions for approval relate primarily to site plan considerations and specific performance standards. They are typical for similar developments in the region and do not serve to constrain mixed use development in the City. In fact, the City recently approved the development of Marion Villas Apartments, a mixed use development with commercial space on the ground floor. The adoption of the Downtown Form Based Code is also intended to promote mixed use developments in the Downtown area. Based on City records, no residential/mixed use developments have been denied a CUP. The City encourages concurrent processing of applications and considers all entitlement applications, including the environmental document, at single public hearings before the Planning Commission and City Council. The City does not have a lengthy project review process.

**Table 2G-16 Approvals and Processing Times for Typical Developments**

	<b>Single-Family</b>	<b>Single-Family (2-4 units)</b>	<b>Single-Family (5+ units)</b>	<b>Multi-Family (2-4 units)</b>	<b>Multi-Family (5+ units)</b>	<b>Mixed Use</b>
Approvals Required	Building Permit	Site Plan Review	Tentative Tract Map	Site Plan Review	Site Plan Review	Public Hearing/CUP
Processing Time	14-21 days	45	90-120	45	45-60	60-90

Source: City of Kingsburg.

**Recommended Action**

None required.

**Building Codes**

**Analysis**

The City uses several uniform codes, including the 2013 California Building Code (CBC), the 2013 California Electrical Code (CEC), the 2013 California Plumbing Code (CPC), the 2013 California Mechanical Code (CMC), and the 2013 California Fire Code, as the basis for its building standards and code enforcement procedures.

**Conclusion**

No major local amendments to the building codes have been made that would significantly increase the cost of housing.

**Recommended Action**

None required.

## Constraints on Housing for Persons with Disabilities

### Analysis

#### ***California Building Code***

The City adopted the 2013 California Building Code, including Title 24 regulations concerning accessibility for persons with disabilities.

#### ***Definition of Family***

The definition of “family” in Kingsburg’s Zoning Ordinance (Section 17.96.030) is as follows: “An individual, or two (2) or more persons related by blood or marriage, or a group of not more than five persons not necessarily related by blood or marriage, living together in a dwelling unit.” This definition exceeds the zoning power of a local jurisdiction and would be considered restrictive.

#### ***Zoning and Land Use Policies***

The Kingsburg Zoning Ordinance permits small residential care facilities (for six or fewer persons) by right in all residential zones (except the RA). Large residential care facilities are conditionally permitted in all residential zones (except the RA).

#### ***Reasonable Accommodation***

The City does not currently have a formal process to grant reasonable accommodation requests to allow flexibility of rules and regulations for persons with disabilities in order for them to have access to housing. The Zoning Ordinance must be amended to establish a formal reasonable accommodations process.

### Conclusion

Amendments to the City’s Zoning Ordinance are required to address the definition of “family” and the reasonable accommodation procedures.

### Recommended Action

The Housing Element includes an action to amend the Zoning Ordinance to address the definition of “family” and the reasonable accommodation procedures.

## SECTION 2G-4: REVIEW OF PAST ACCOMPLISHMENTS

This section reviews and evaluates the City’s progress in implementing the 1992 Housing Element. The last official Housing Element was adopted in August 1992 for the second update cycle, with supplemental revisions in 1997. Given the outdated status of the 1992 Housing Element (more than 20 years old), many of the programs and policies contained in that Housing Element have long become obsolete. Therefore, this evaluation focuses on the City’s current efforts in the areas of: New construction; Rehabilitation; and Housing Assistance in general.

### Progress Toward the RHNA

Each jurisdiction in California is responsible for accommodating its share of the region’s housing needs. The process of determining each jurisdiction’s share of housing needs is called the Regional Housing Needs Assessment (RHNA). The RHNA projection period for the previous Housing Element was from January 1, 2006 to June 30, 2013. The City of Kingsburg was assigned a RHNA of 1,213 units, divided into four income categories:

- Very Low-Income (less than 50 percent of the Area Median Income): 314 units
- Low-Income (50 to 80 percent of the Area Median Income): 230 units
- Moderate-Income (80 to 120 percent of the Area Median Income): 170 units
- Above Moderate-Income (greater than 120 percent of the Area Median Income): 499 units

Table 2G-17 summarizes the City’s accomplishments in meeting the RHNA during the previous RHNA projection period. A total of 228 new single family units have been constructed in Kingsburg since January 1, 2006. In addition, an affordable housing project is under construction. The 46-unit Marion Villas Apartments will provide affordable housing to low-income seniors. This project (funded with LIHTC and County HOME funds and completed in November 2015) provides five extremely low-income units, 16 very low-income units, and 24 low-income units, along with one manager’s unit.

**Table 2G-17 Units Built During RHNA Projection Period, Kingsburg**

	Very Low Income Units	Low Income Units	Moderate Income Units	Above Moderate Income Units	Total Units
2006-2015 RHNA	314	230	170	499	1,213
Units Built 2006-2015	21	24	1	228	274
Percent of RHNA Met	6.7%	10.4%	0.6%	45.7%	22.6%

*Source: City of Kingsburg, 2014.*

In 2013, the City adopted a resolution amending the Growth Management System to allow a rolling accumulation of allocation units for housing under the Growth Management Ordinance (with a three-year accumulation). This change would accommodate larger-scale urban development, as opposed to the previous 115-unit annual limit. Typically, the City reassesses the Growth Management Ordinance along with every election cycle to make sure the ordinance reflects current market conditions.

The City recognizes the need to revitalize its downtown area while respecting the unique historic and architectural character of the area, the need to flexibly accommodate a variety of urban uses in the area, and that conventional zoning would not offer the tools to achieve these objectives. Therefore in July 2015, the City adopted the Downtown Kingsburg Form Based Code (FBC) that applies primarily to the area zoned Community Commercial. The City will be promoting the FBC to developers in order to encourage infill development in Downtown.

Without redevelopment as a tool, the City has little ability to provide financial support to affordable housing projects. However, the City continues to partner with the County Housing Authority to create quality affordable housing.

To facilitate residential development in the future, recognizing the challenges of the City's sites inventory being comprised primarily of small sites and commercial properties, the 2015-2023 Housing Element includes the following programs: Adequate Sites; Sites Inventory Monitoring for "Not Net Loss", and Lot Consolidation. In addition, the new Housing Element includes the Affordable Housing Incentives program to expand affordable housing opportunities in the City.

## **Housing Rehabilitation**

The City of Kingsburg offers housing rehabilitation assistance to homeowners through the County's Housing Assistance Rehabilitation Program (HARP). This program provides loans to eligible homeowners for moderate to substantial home rehabilitation and/or reconstruction projects. Loan funds are designed to address housing code deficiencies. Between 2006 and 2014, three households in Kingsburg received HARP loans for rehabilitation. The City will continue to participate in these rehabilitation programs, assisting in the promotion of these programs to residents.

The City recognizes the importance of providing rehabilitation assistance to the City's lower income households. The City will continue to utilize Code Enforcement efforts to preserve and improve housing quality in the City and continue to participate in housing rehabilitation programs offered by the County. In addition, the 2015-2023 Housing Element includes the Affordable Housing Incentives program to expand affordable housing opportunities in the City, including the acquisition/rehabilitation of existing housing and deed restriction as affordable housing.

## Homebuyer Assistance

The City also provides homebuyer assistance to low-income households through the County's Homebuyer Assistance Program (HAP). Between 2006 and 2014, no first-time homebuyers received assistance through HAP to purchase a home in Kingsburg. In addition, the County utilized Neighborhood Stabilization Program (NSP) funds to purchase one foreclosed home in Kingsburg and resold the unit at affordable price to a low-income homebuyer. The low-income homebuyer received an HAP loan to purchase the foreclosed home.

The NSP program is no longer available as funding has been exhausted. However, the City will continue to participate in the County Homebuyer Assistance Program. The 2015-2023 Housing Element also includes a program (First-Time Homebuyer Resources) to direct residents to available resources.

## SECTION 2G-5: AT RISK

Table 2G-18 shows assisted housing units in Kingsburg. There are 232 assisted affordable units in Kingsburg and none are at risk of expiring in the next 10 years.

**Table 2G-18 Assisted Housing Developments, Kingsburg**

Name	Address	Target Population	Funding Source	# of Units	# of Affordable Units	Affordable Units Expiration	Risk Level
Park Kingsburg Apartments	333 Kern Street	Senior	USDA Section 515, Rural Development Rental Assistance	101	101	Perpetuity	Not At-Risk
Linmar	2395 14th Ave	Senior	USDA Section 515, Rural Development Rental Assistance	48	48	Perpetuity	Not At-Risk
Kingsburg Apartments	801 Stroud Avenue	Family	LIHTC, USDA Section 515, Rural Development Rental Assistance	38	38	2027	Not At-Risk
Marion Villas Apartments	1600 Marion Street	Senior	LIHTC, HOME	46	45	Under Construction (40 years from Place In Service Date)	Not At-Risk
<b>Total</b>				<b>233</b>	<b>232</b>		
<b>Total At Risk</b>				<b>-</b>	<b>0</b>		

Sources: Fresno Council of Governments HCD Pre-Approved Data Package; [www.affordablehousingonline.com](http://www.affordablehousingonline.com); City of Kingsburg, 2015.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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www.hcd.ca.gov



October 9, 2015

\*\*\*\*CORRECTED\*\*\*\*

Ms. Holly Owen, Director  
Planning and Development Department  
City of Kingsburg  
1401 Draper Street  
Kingsburg, CA 93631

Dear Ms. Owen:

**RE: Review of Kingsburg's 5<sup>th</sup> Cycle (2015-2023) Draft Housing Element**

Thank you for submitting Kingsburg's draft housing element through the Fresno County multi-jurisdictional effort. The element was received for review on August 12, 2015. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. In addition, the Department considered comments from Leadership Council for Justice and Accountability pursuant to GC Section 65585(c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (GC, Article 10.6). Please refer to the Appendix of this letter and enclosed letter to Fresno County Council of Governments (Fresno COG) which describes the Departments findings. Once the element is revised and adopted to address these requirements, the element will comply with State housing element law.

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008), Cities must adopt the housing element within 120 calendar days from the statutory due date of December 31, 2015 for Fresno COG. If adopted after this date, GC Section 65588(e)(4) requires the housing element be revised every four years until adopting at least two consecutive revisions by the statutory deadline. For more information on adoption requirements, please visit our website at:  
[http://www.hcd.ca.gov/hpd/hrc/plan/he/he\\_review\\_adoptionsteps110812.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf).

The Department is committed to continue working with Kingsburg and Fresno COG. If you have any questions or need technical assistance, please contact Tom Brinkhuis, of our staff, at (916) 263-6651.

Sincerely,

Glen A. Campora  
Assistant Deputy Director

Enclosure

## APPENDIX CITY OF KINGSBURG

The following changes, in addition to those listed above, would bring Kingsburg's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at [www.hcd.ca.gov/hpd](http://www.hcd.ca.gov/hpd). Among other resources, the Housing Element section contains the Department's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at [www.hcd.ca.gov/hpd/housing\\_element2/index.php](http://www.hcd.ca.gov/hpd/housing_element2/index.php) and includes the Government Code addressing State housing element law and other resources.

### **A. Housing Needs, Resources, and Constraints**

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

Unaccommodated Need from the Previous Planning Period: The unaccommodated need analysis indicates that "the RM-2, CC, and MXU zones have the ability to accommodate 897 multifamily units at allowable densities of at least 15 units per acre" that are sufficient to accommodate the 4<sup>th</sup> cycle planning period RHNA of 499 units for lower income households (page 2G-25). To demonstrate adequate sites were made available in the prior planning period, the element must include an analysis or programs demonstrating compliance with the statutory requirements. For example, the element could describe that the sites zoned CC and MXU had their respective zoning designation for the entirety of the 4<sup>th</sup> cycle planning period. If the City failed to make adequate sites available to accommodate the regional housing need in the prior planning period, it must zone or rezone sites to accommodate any unaccommodated need within the first year of the 2015-2023 planning period (Section 65584.09). For additional information, see Department's AB 1233 Memorandum at [http://www.hcd.ca.gov/hpd/hrc/plan/he/ab\\_1233\\_final\\_dt.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/ab_1233_final_dt.pdf) and the *Building Blocks* at [http://www.hcd.ca.gov/hpd/housing\\_element2/GS\\_reviewandrevise.php](http://www.hcd.ca.gov/hpd/housing_element2/GS_reviewandrevise.php).

Realistic Capacity: For sites zoned Central Commercial and Mixed Use Combining District, the element must describe how the estimated number of residential units for each site was determined. The estimate may rely on established minimum density standards or include analysis demonstrating how the number of units for each site was determined (Section 65583.2(c)). In addition, the estimate must also account for land-use controls such as allowing 100 percent nonresidential uses. To demonstrate the likelihood for residential development in nonresidential zones, the element could describe any

performance standards mandating a specified portion of residential and any factors increasing the potential for residential development such as incentives for residential use, and residential development trends in the same nonresidential zoning districts. For additional information, see the *Building Blocks* at [http://www.hcd.ca.gov/hpd/housing\\_element2/SIA\\_zoning.php](http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php).

More than two-thirds of the sites identified to accommodate housing for lower income households are small sites, less than one acre in size. The element must describe whether small sites are expected to develop individually or consolidated with other small sites. *For sites anticipated to be consolidated*, the element must demonstrate the potential for lot consolidation. For example, analysis describing the City's role or track record in facilitating small-lot consolidation, policies or incentives offered or proposed to encourage and facilitate lot consolidation, conditions rendering parcels suitable and ready for redevelopment, recent trends of lot consolidation, and information on the owners of each aggregated site. *For sites anticipated to develop individually*, the element must describe existing and proposed policies or incentives the City will offer to facilitate development of small sites. This is important given the necessary economies of scale to facilitate development of housing affordable to lower-income households. For example, most assisted housing developments utilizing State or federal financial resources typically include at least 50 to 80 units. For additional information and sample analysis, see the *Building Blocks* at: [http://www.hcd.ca.gov/hpd/housing\\_element2/SIA\\_zoning.php#capacity](http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php#capacity).

Sites with Zoning for a Variety of Housing Types (Residential Care Facilities and Group Homes): The housing element indicates small residential care facilities are permitted in all residential zones, except the RA zone. Single family homes are permitted in the RA zone (Table 2G-10, page 2G-35). The housing element must add, or revise, a program to amend the zoning ordinance to comply with state law to treat residential care facilities and group homes with six or fewer residents no differently than other single-family housing uses (See Health and Safety Code Sections 1267.8, 1566.3, 1568.08).

2. *Analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land-use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

Land-Use Controls: While the housing element indicates "any uses in the General Plan (except single family use)" are eligible for consideration within the

MXU Combining District, it must identify all relevant land-use controls for the MXU zone and evaluate their cumulative impacts of land-use controls on the cost and supply of housing, including the ability to achieve maximum densities and cost and supply of housing. In addition, the two parking space per unit, 1 garaged space for all multifamily units, including studio and one-bedroom multifamily units, must be analyzed as a potential constraint on the cost and supply of housing. The housing element should include programs to address or remove the identified constraints.

Fees and Exaction: Clarify whether Tables 2G-12 and 2G-13 include all applicable fees, including school, County and Regional impact fees.

Local Processing and Permit Procedures: The element indicates mixed use development in the Central Commercial (CC) zone is conditionally permitted and residential development in the Mixed Use Combining District (MXU) is eligible for consideration. The element must describe the processing and permit procedures for residential development in the MXU zone and analyze the CUP process as a potential constraint on housing supply and affordability. The analysis should identify findings of approval for the CUP and their potential impact on residential/mixed use development approval certainty, timing, and cost. The element must demonstrate this process is not a constraint or it must include a program to address and remove or mitigate the CUP requirement. For additional information, see the *Building Blocks* at [http://www.hcd.ca.gov/hpd/housing\\_element2/CON\\_permits.php](http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php).

Growth Management System (GMS): While the housing element includes a general description of the GMS, it must also describe the GMS implementation process and include analyses of the impacts on the cost, supply, timing and affordability of housing. The housing element generally concludes that due to the fact that there are 385 allocations for multifamily housing units during the planning period, this is adequate to accommodate the City's regional housing need for lower income households. Among other things, the element must demonstrate the GMS allows for attaining regional housing needs for each income category. For example, if the multifamily housing unit allocations are awarded to market rate units, would an affordable housing development be ineligible to obtain an allocation. The analysis should also address the following:

- Describe and analyze options for carryover of unused allocations. If carryover is not allowed, describe the impact on the availability of sufficient allocations to accommodate the City's RHNA throughout the planning period.
- Describe if awarded allocations expire if not used within the allowed timeframe.
- Describe how the GMS ensure the RHNA for each income category can be accommodated.
- Identify and analyze any limit to the number of allocations which could be received by a project in a single year and the process for obtaining allocations for layered or phased projects.

- Length of time for approval of allocations and how the approval process relates to other entitlements.
- An analysis of the impacts of scoring criteria on costs and timing of development.
- An analysis of the RDCS process on the certainty and predictability of development approval.

Inclusionary Housing: The housing element indicates that there is “an inclusionary housing policy of 15 percent” (page 2G-33). The housing element should describe the City’s inclusionary housing requirements including a description of how the policy is implemented and analyze its potential impacts on the cost and supply of housing. A specific description and analysis of the policy’s implementation framework, including levels of mandated affordability and a description of the types of options and incentives the City offers to encourage and facilitate compliance with the inclusionary requirements should be included. Analyzing the inclusionary provisions is particularly important given current market conditions and the cumulative impact of local regulations. The City could engage the development community to facilitate this analysis.

## **B. Housing Programs**

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land-use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

To address the program requirements of Government Code Section 65583)(c)(1-6), and to facilitate implementation, programs should include: (1) a description of the City’s specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include:

Program 2: Monitoring of Residential Capacity. Include a timeline for completing any necessary rezoning to accommodate an identified shortfall of sites. For example, all rezones will be completed within two years of identifying a shortfall of sites.

Program 3: Affordable Housing Incentives. Describe the following:

- How developers will be assisted in identifying affordable housing opportunities;
- How an affordable housing development qualifies for flexible development standards and other incentives. For example, must fifty percent of the units

- be affordable to lower income households;
- How will the jurisdiction promote density bonus, flexible development standards, and other incentives;
- What flexible development standards and other incentives offered; and
- If the density bonus offered is in addition to state density bonus law.

The program could also include quantified objectives for housing for persons with special needs.

Program 11: Energy Conservation. The program could describe the following:

- Next steps after “consider incentives” and timelines for the next steps. For example, consider incentives and adopt, as appropriate, identified incentives by 2018;
- How the jurisdiction promotes PG&E programs
- Any other energy conservation programs the jurisdiction promotes; and
- What are “alternative energy devices?”

Program 12: Housing Choice Vouchers (HCV). The element could describe how and where the jurisdiction will “encourage landlords” to participate in the HCV Program.

Include quantified objectives or benchmarks for each program action.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in Finding A1, the element does not include a complete site analysis and therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

As the element relies on consolidated small sites to accommodate a portion of the RHNA for lower-income households, it should include a program(s) to facilitate lot consolidation and development of housing on small sites. For example, the program could commit to (1) granting density bonuses above State density bonus law (Section 65915); (2) deferring fees specifically for consolidation; (3) expediting permit processing; (4) identifying and targeting

specific financial resources; and, (5) modifying development standards. For additional information, see the *Building Blocks* at [http://www.hcd.ca.gov/hpd/housing\\_element2/PRO\\_adqsites.php](http://www.hcd.ca.gov/hpd/housing_element2/PRO_adqsites.php).

3. *The housing element shall contain programs which address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing (Section 65583(c)(3)).*

As noted in Finding A2, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
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February 1, 2016

Ms. Holly Owen, Director  
Planning and Development Department  
City of Kingsburg  
1401 Draper Street  
Kingsburg, CA 93631

Dear Ms. Owen:

**RE: Review of Kingsburg's 5<sup>th</sup> Cycle (2015-2023) Revised Draft Housing Element**

Thank you for submitting the City of Kingsburg's revised draft housing element update, as part of the Fresno County Multi-jurisdictional Housing Element. The element was received on December 10, 2015 along with revisions received on January 25 and 28, 2016. Pursuant to Government Code Section 65585(b), the Department is reporting the results of its review. Our review was facilitated by various communications with Ms. Veronica Tam, the City's consultant. In addition, the Department considered comments from Leadership Council of Justice and Accountability pursuant to Government Code Section 65585(c).

The revised draft element meets the statutory requirements described in the Department's October 9, 2015 review. The revised element will comply with State housing element law (Article 10.6 of the Government Code) when adopted and submitted to the Department, in accordance with Government Code Section 65585(g).

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008), the City must adopt its housing element within 120 calendar days from the statutory due date of December 31, 2015 for Fresno COG localities. If adopted after this date, GC Section 65588(e)(4) requires the housing element be revised every four years until adopting at least two consecutive revisions by the statutory deadline. For more information on housing element adoption requirements, please visit the Department's website at: [http://www.hcd.ca.gov/hpd/hrc/plan/he/he\\_review\\_adoptionsteps110812.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf).

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process and implementation, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

For your information, some other elements of the general plan must be updated on or before the next adoption of the housing element. The safety and conservation elements of the general plan must include analysis and policies regarding fire and flood hazard management (GC Section 65302(g)). Also, the land-use element must address disadvantaged communities (unincorporated island or fringe communities within spheres of influence areas or isolated long established "legacy" communities) based on available data, including, but not limited to, data and analysis applicable to spheres of influence areas pursuant to GC Section 56430. Additional information can be obtained from these two Technical Advisories issued by the Governor's Office of Planning and Research at: [http://opr.ca.gov/docs/SB244\\_Technical\\_Advisory.pdf](http://opr.ca.gov/docs/SB244_Technical_Advisory.pdf)  
[http://opr.ca.gov/docs/Final\\_6.26.15.pdf](http://opr.ca.gov/docs/Final_6.26.15.pdf).

Also, on January 6, 2016, HCD released a Notice of Funding Availability (NOFA) for the Mobilehome Park Rehabilitation and Resident Ownership Program (MPRROP). This program replaces the former Mobilehome Park Resident Ownership Program (MPROP) and allows expanded uses of funds. The purposes of this new program are to loan funds to facilitate converting mobilehome park ownership to park residents or a qualified nonprofit corporation, and assist with repairs or accessibility upgrades meeting specified criteria. This program supports housing element goals such as encouraging a variety of housing types, preserving affordable housing, and assisting mobilehome owners, particularly those with lower-incomes. Applications are accepted over the counter beginning March 2, 2016 through March 1, 2017. Further information is available on the Department's website at: <http://www.hcd.ca.gov/financial-assistance/mobilehome-park-rehabilitation-resident-ownership-program/index.html>.

The Department commends the City for participating in the multi-jurisdictional effort. Multi-jurisdictional coordination can result in benefits to the region and Kingsburg. The Department appreciates the hard work and dedication provided by you and Ms. Tam, the City's consultant, in preparation of the housing element and looks forward to receiving Kingsburg's adopted housing element. If you have any questions or need additional technical assistance, please contact Tom Brinkhuis, of our staff, at (916) 263-6651.

Sincerely,



Glen A. Campora  
Assistant Deputy Director

**RESOLUTION NO. 2016-\_\_**

**RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT  
A NEGATIVE DECLARATION FOR THE CITY OF KINGSBURG HOUSING  
ELEMENT 2015-2023**

**WHEREAS**, a Housing Element Update has been prepared for the period 2015-2023 for the City of Kingsburg in accordance with State Planning Law (Government Code Sections 65580 through 65589.8); and

**WHEREAS**, the Kingsburg Housing Element establishes appropriate goals, policies, and programs to address such issues as adequate housing sites, affordability, governmental constraints, preservation of housing and neighborhoods, housing accessibility, and energy conservation; and

**WHEREAS**, the City of Kingsburg caused to be prepared an Initial Study for the project to evaluate potentially significant adverse environmental impacts; and

**WHEREAS**, the City caused to be prepared a Negative Declaration for the project; and

**WHEREAS**, the Negative Declaration has been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (“CEQA”), Public Resources Code, sections 21000, et seq., and the Guidelines for implementation of CEQA, 14 California Code of Regulations, sections 15000, et seq.; and

**WHEREAS**, the Planning Commission has evaluated and considered all comments, written and oral, received from persons who reviewed the Negative Declaration, or otherwise commented on the Project.

**NOW, THEREFORE**, the Planning Commission of the City of Kingsburg resolves as follows:

1. Adopts the foregoing recitals as true and correct.
2. Finds that the Initial Study and Negative Declaration for the project are adequate and have been completed in compliance with CEQA and the State CEQA guidelines.
3. Finds and declares that the Initial Study and Negative Declaration presented to the Planning Commission were independently reviewed and the Commission considered the information contained in the Initial Study and Negative Declaration prior to considering the Housing Element update.
4. Finds on the basis of the whole record before it, including the Initial Study, Negative Declaration, and any comments received, that there is no substantial evidence in the record that the project will have a significant effect on the environment.

5. Finds that the project as proposed and described in the Negative Declaration may be approved (pursuant to separate resolution).
6. Directs that the record of these proceedings be contained at the City Hall located at 1401 Draper Street, Kingsburg, CA, 93631, and that the custodian of the record be the Planning Secretary or other person designated by the City Manager.
7. Recommends that the City Council adopt the Negative Declaration for the 2015-2023 Housing Element.

\*\*\*\*\*

I, Mary Colby, Secretary to the Planning Commission of the City of Kingsburg, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Kingsburg Planning Commission held on the 11th day of February, 2016, by the following vote:

Ayes:           Commissioners:  
 Noes:           Commissioners:  
 Absent:        Commissioners:  
 Abstain:       Commissioners:

---

Mary E. Colby  
 Planning Commission Secretary  
 City of Kingsburg

**RESOLUTION NO. 2016-\_\_**

**PLANNING COMMISSION RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT 2016-01 AND ADOPT THE CITY OF KINGSBURG 2015-2023 HOUSING ELEMENT**

**WHEREAS**, the City of Kingsburg Planning Commission held a duly noticed public hearing on February 11, 2016 to consider a recommendation to the City Council to approve General Plan Amendment 2016-01 and adopt the 2015–2023 Housing Element; and

**WHEREAS**, on May 20, 2015, the Kingsburg City Council held a public meeting to receive input from the public resulting in authorization for the City Manager to forward the Draft Housing Element to the State Department of Housing and Community Development (HCD) for review; and

**WHEREAS**, on August 12, 2015, staff submitted the Draft Housing Element to HCD for review; and,

**WHEREAS**, on October 9, 2015, HCD issued a comment letter on the Draft Housing Element resulting in revisions delivered to HCD in December 2015; and,

**WHEREAS**, on February 1, 2016, HCD issued a letter of conditional approval to the City Manager stating that the Draft Housing Element and associated revisions meet the statutory requirements of State housing Element law and will comply with State law (Government Code, Article 10.6) when they are adopted and submitted to HCD pursuant to Government Code Section 65585(g); and,

**WHEREAS**, an Initial Study and Negative Declaration has been prepared, in accordance with the California Environmental Quality Act of 1970, as amended.

**NOW, THEREFORE, BE IT RESOLVED** that based on evidence in the staff report, public testimony, and the project file, the Planning Commission hereby recommends that the City Council approve General Plan Amendment 2016-01 and adopt the 2015-2023 Housing Element based on the following findings:

1. The Initial Study/Negative Declaration is adequate in assessing the impacts associated with the proposed Housing Element and there is no substantial evidence that the proposed Housing Element will result in significant impacts to the environment.
2. The proposed Housing Element maintains internal consistency with all elements of the General Plan and would not create any inconsistencies.
3. The 2015-2023 Housing Element establishes appropriate goals, policies, and programs to address such issues as adequate sites, affordability, governmental constraints, preservation of housing and neighborhoods, housing accessibility, and energy conservation.

4. The Housing Element has been prepared in conformance with the provisions of State law requirements of California Government Code Article 10.6 and adoption of the 2015-2023 Housing Element is the final requirement per Government Code Section 65585(g).

\*\*\*\*\*

I, Mary Colby, Secretary to the Planning Commission of the City of Kingsburg, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Kingsburg Planning Commission held on the 11th day of February, 2016, by the following vote:

Ayes:           Commissioners:

Noes:           Commissioners:

Absent:         Commissioners:

Abstain:       Commissioners:

\_\_\_\_\_  
Mary E. Colby  
Planning Commission Secretary  
City of Kingsburg

## STAFF REPORT

**TO:** Kingsburg Planning Commission  
**FROM:** Holly R. Owen, AICP, Planning Director  
**DATE:** February 11, 2016  
**SUBJECT: PUBLIC HEARING, TENTATIVE PARCEL MAP (TPM) 2321 18<sup>th</sup> AVENUE, KINGSBURG/SCHUIL**

### Recommendation:

Following a public hearing, take the following separate actions:

1. Determine that the project is categorically exempt from the California Environmental Quality Act (CEQA). Under Section 15315 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6), minor land divisions are exempt activities. The project meets the conditions listed in the Guidelines because it is in an urbanizing area where farming has ceased, involves four or fewer parcels, conforms to the General Plan and zoning (or in this case, pre-zoning), requires no variances or exceptions, has access to all utilities and public streets, has not been involved in another land division in the past two years, and does not involve a slope of greater than 20 percent.
2. Adopt Resolution 2016-\_\_\_ approving Tentative Parcel Map (TPM) 73 subject to the listed conditions of approval identified during the Site Plan Review Meeting held on November 3, 2015.

The Planning Commission has final authority over a tentative parcel map unless its decision is appealed to the City Council. If the tentative map is approved a final map can proceed to action by the City Council. The Council's review would be limited to a determination whether the final map conforms to the tentative map. The Council would also authorize execution of a parcel map agreement that formalizes the tentative map conditions of approval.

### Description:

The proposal is to divide one parcel (APN 394-133-04) of .87 acres into two parcels. The property is located on the northwest corner of 18<sup>th</sup> and Winter Streets. The proposed lot split would create two parcels, Parcel 1, to the northeast, would be 13,786 square feet and Parcel 2 would be 23,990 square feet. The purpose of the request is to facilitate future development.

The infrastructure surrounding the proposed parcels is developed, but requires improvements to comply with current standards. Utilities have been stubbed into the undivided parcel.

The Kingsburg General Plan land use designation is low-density residential, and the property is zoned R-1-7 (single-family residential use, minimum lot size of 7,000 square feet).

### Discussion

Standard conditions of approval were recommended by City Staff, made up of representatives of various City departments and the Selma-Kingsburg-Fowler County Sanitation District. The following are recommended conditions of approval for the parcel map:

### **General:**

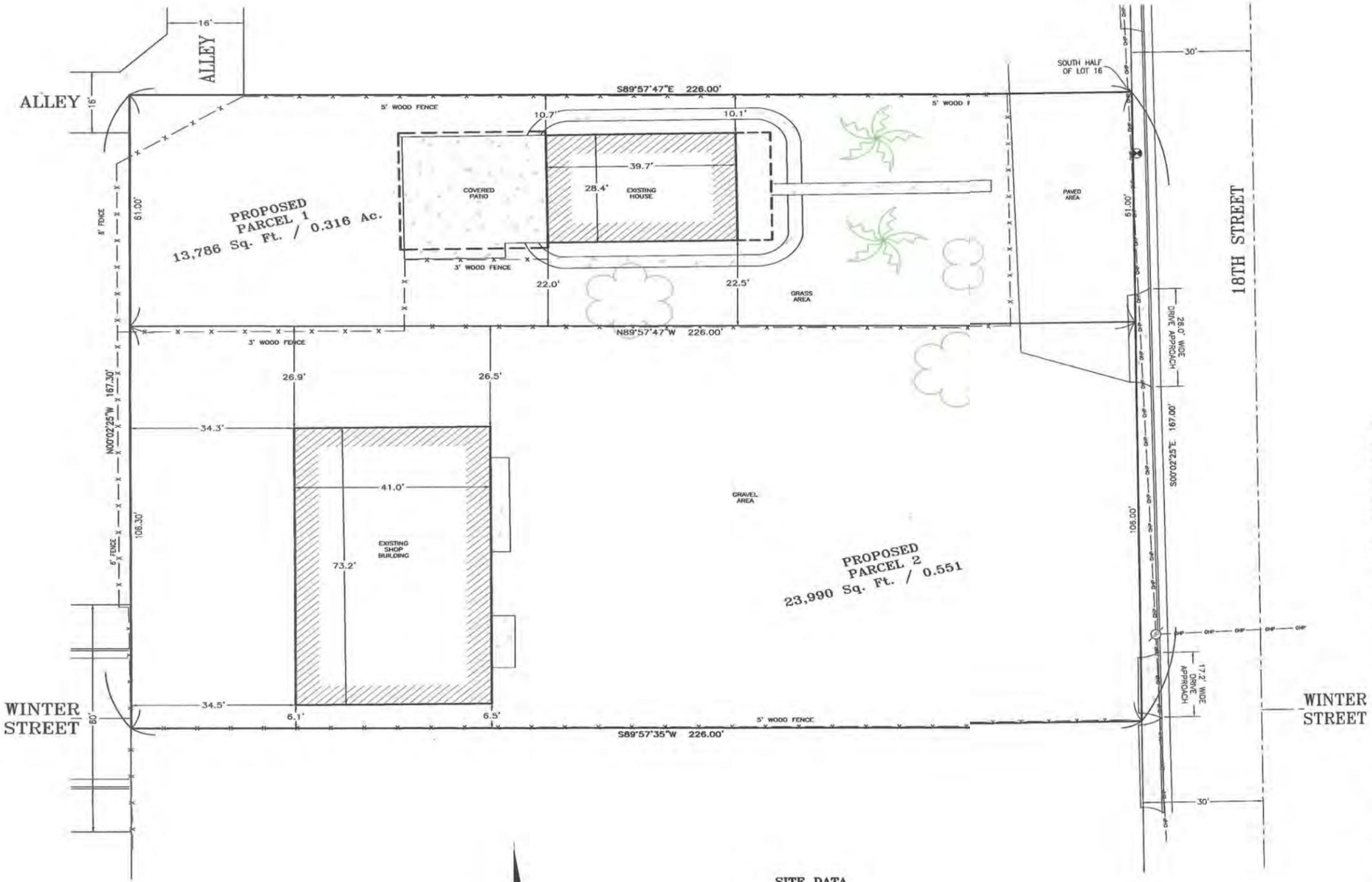
1. All conditions of the applicant shall be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
2. The applicant shall pay all fees as required by existing ordinances and schedules.
3. A right to farm covenant shall be recorded prior to recordation of the final map.
4. Both lots shall be provided with a 1” water service and City-standard water meter.
5. Both lots shall be provided with 4” sewer services subject to SKF standards and approval.
6. Applicant shall construct a City standard driveway approach into each parcel. Driveway approaches shall meet current City and ADA standards which may require reconstruction of existing improvements. Shared driveway serving more than one parcel shall be eliminated.

### **Final Map:**

1. All existing easements shall be shown on the Final Map.
2. Applicant shall provide the City of Kingsburg with an irrevocable offer of dedication for 30 feet along the south side of Parcel 2 for the purposes of future street right-of-way.
3. The final map shall be submitted to the City Engineer for review and approval.
4. All City and County requirements pertaining to acceptance and recordation of the Final Map shall be met by the Applicant.

### **Attachments**

- A. Tentative Parcel Map, submitted November 3, 2015
- B. Aerial Map, 2321 18<sup>th</sup> Avenue
- C. Resolution 2016-\_\_\_\_, Approval of TPM 73



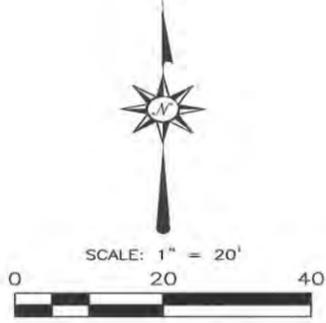
**LEGAL DESCRIPTION**

PER DOCUMENT NO. 2005-01051193 RECORDED JULY 7, 2005, OFFICIAL RECORDS OF FRESNO COUNTY.  
 REAL PROPERTY SITUATE IN THE CITY OF KINGSBURG, COUNTY OF FRESNO, STATE OF CALIFORNIA, DESCRIBED AS:  
 THE EAST 266 FEET OF THE SOUTH HALF OF LOT 16 OF KINGSBURG COLONY, IN THE CITY OF KINGSBURG, COUNTY OF FRESNO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN PLAT BOOK 4, PAGE 33, FRESNO COUNTY RECORDS.  
 EXCEPT THE SOUTH 160 FEET THEREOF, THE EAST LINE OF SAID LOT 16, BEING CONSIDERED A LINE PARALLEL WITH AND 30 FEET WEST OF THE ONE-HALF SECTION LINE DRAWN NORTH AND SOUTH THROUGH SECTION 23, TOWNSHIP 16 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN.  
 ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED LAND: COMMENCING AT A POINT 167 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTH HALF OF LOT 16 OF KINGSBURG COLONY, ACCORDING TO THE MAP THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF FRESNO, STATE OF CALIFORNIA, IN BOOK 4 OF PLATS AT PAGE 33, THE EAST LINE OF SAID LOT 16 BEING CONSIDERED A LINE PARALLEL WITH THE END 30 FEET WEST OF THE ONE-HALF SECTION LINE DRAWN NORTH AND SOUTH THROUGH SECTION 23, TOWNSHIP 16 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE AT RIGHT ANGLES WEST A DISTANCE OF 226 FEET TO A POINT; THENCE AT RIGHT ANGLES SOUTH A DISTANCE OF 3 FEET; THENCE AT RIGHT ANGLES EAST A DISTANCE OF 226 FEET; THENCE AT RIGHT ANGLE NORTH A DISTANCE OF 3 FEET TO THE POINT OF COMMENCEMENT.  
 COMMONLY KNOWN AS: 2321 EIGHTEENTH, KINGSBURG, CA 93631  
 FRESNO COUNTY APN: 394-133-04

**TENTATIVE PARCEL MAP**

BEING IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 16 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

CONSISTING OF ONE SHEET



**SITE DATA**  
 APN: 394-133-04  
 OWNER: RICHARD & NECIA SCHUIL  
 SUBDIVIDER: RICHARD & NECIA SCHUIL  
 ADDRESS: 2321 18TH STREET  
 KINGSBURG, CA 93631  
 AREA: 37,776 Sq. Ft. / 0.867 Ac.  
 USE: SINGLE FAMILY RESIDENTIAL  
 ZONING: R-1  
 SOURCE OF:  
 WATER FACILITIES: CITY OF KIC  
 SEWER FACILITIES: CITY OF KIC  
 STORM DRAIN FACILITIES: CITY OF KIC  
 ELECTRICITY: PG&E  
 GAS: PG&E



**DIXON & ASSOCIATES, INC.**  
 LAND SURVEYING  
 620 DEWITT, #101  
 CLOVIS, CALIFORNIA, 93612  
 PH: (559)297-4200 FAX: (559)297-4272



Looks like this street was intended to go through to 18th. I'm asking for an irrevocable offer of dedication to accommodate this in the future.

Google Earth Pro

feet  
meters



Recording Requested by:  
And When Recorded Mail to:

City of Kingsburg  
1401 Draper Street  
Kingsburg, CA 93631

**RESOLUTION NO. 2016-01**  
**A RESOLUTION OF THE PLANNING COMMISSION**  
**OF THE CITY OF KINGSBURG APPROVING**  
**TENTATIVE PARCEL MAP 73**

**WHEREAS**, the applicants, Richard and Nacia Schuil, have requested the City of Kingsburg consider land division as presented in Tentative Parcel Map 73; and

**WHEREAS**, the reconfiguration of said parcels will not create a substandard parcel within the zoning district to which the affected property is pre-zoned; and

**WHEREAS**, the proposed land division is in compliance with the City's General Plan; and The Kingsburg Planning Commission finds that the Tentative Parcel Map, as conditioned, to be in accordance with Chapter 16.28 of the Kingsburg Municipal Code based on evidence provided in the staff report and testimony presented at the public hearing; and

**WHEREAS**, the Kingsburg Planning Commission has determined that the project is categorically exempt consistent with the California Environmental Quality Act.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Kingsburg hereby approves Tentative Parcel Map 73 with the following conditions:

1. That all conditions of the applicants be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
2. That the applicants pay all fees as required by existing ordinances and schedules.
3. A right to farm covenant shall be recorded prior to recordation of the final map.
4. Both lots shall be provided with a 1" water service and City-standard water meter.
5. Both lots shall be provided with 4" sewer services subject to SKF standards and approval.
6. Applicant shall construct a City standard driveway approach into each parcel. Driveway approaches shall meet current City and ADA standards which may require reconstruction of existing improvements. Shared driveways serving more than one parcel shall be eliminated.

**Final Map:**

1. All existing easements shall be shown on the Final Map.
2. Applicant shall provide the City of Kingsburg with an irrevocable offer of dedication for 30 feet along the south side of Parcel 2 for the purposes of future street right-of-way.
3. The final map shall be submitted to the City Engineer for review and approval.
4. All City and County requirements pertaining to acceptance and recordation of the Final Map shall be met by the Applicant.

\* \* \* \* \*

I, Mary Colby, Secretary to the Kingsburg Planning Commission, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Kingsburg Planning Commission held on the 11<sup>th</sup> day of February, 2016, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

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Mary Colby, Secretary  
Kingsburg Planning Commission