



City of Kingsburg

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Mayor Laura North
Mayor Pro Tem Vince Palomar
Council Member Michelle Roman
Council Member Jewel Hurtado
Council Member Brandon Pursell, Jr.
City Manager Alexander J. Henderson

AGENDA

KINGSBURG CITY COUNCIL and the PLANNING COMMISSION WORKSHOP

THE COUNCIL CHAMBER IS OPEN TO THE PUBLIC AT 100% CAPACITY.

Thursday, January 13, 2022 at 6pm

- I. Call to order and roll call –**
- II. Public Comments –** Any person may directly address the Council and the Planning Commission at this time on any item not on the agenda, or on any item that is within the subject matter jurisdiction of the Council and Planning Commission. A maximum of five minutes is allowed for each speaker.
- III. Kingsburg Growth Management Ordinance -** Presentation by Community Development Director Holly Owen
- IV. Adjourn the Workshop**

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.cityofkingsburg-ca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the office of the City Clerk (559) 897-6520. Notification 48 hours prior to a meeting will enable the City to make reasonable arrangements to ensure accessibility to that meeting [28 CFR 35 .102.35.104 ADA Title II].

I hereby certify, under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the front entrance of City Hall not less than 72 hours prior to the meeting. Dated 07 of January 2022.

*Karyl Bartel
Community Development Administrative Assistant*

**Kingsburg City Council &
Planning Commission
January 13, 2022
Allocation Process
Workshop**

**Community Development Director
Holly Owen**



Kingsburg Growth Management Ordinance

..to limit the rate of residential growth in the city to a level compatible with the size, financial limits, resource constraints and services capabilities of the city and service providers within the city (and) also to maintain aesthetic goals of the city...

Chapter 16.09 Growth Management System, Purpose

Kingsburg Growth Management Ordinance

- Original Kingsburg General Plan Policy (1988) called for increase in residential units to be limited to an annual 3%
- Ballot Measure N (amendment) was voted into Kingsburg Charter November 2, 2004 to allow City Council to establish residential growth control regulation
- Council added Ordinance 16.09 in 2005, amended in 2006 to clarify residential allocation process
- 2013-Council allowed 3 year rolling accumulation of unused allocations after economic downturn

Allocations

“Allocation;” the right to apply for a building permit to construct one single family residence or one multi-family residential unit in Kingsburg

Allocations given out sporadically (total applications; not number of units):

2008 (3)

2007 (7)

2016 (3)

2017 (1)

2018 (2)

2019-21 (1)

Allocation Process

Every Calendar Year Actions (Ideal Scenario)

September 30th: Applications filed with Planning and Development

October: Rating and Ranking by Staff

November: First Planning Commission meeting, review and recommend to Council the allocation

December: First Council Meeting, consider and issue allocations

+++++

If no applications?

If No Applications by September 30th?

February: First Council meeting, a second allocation may be opened

March 31st: Deadline for applications to be filed with Planning and Development

April: Rating and ranking by Staff

May: First Planning Commission meeting, review and recommend to Council the allocation

June: First Council Meeting, consider and issue allocations

Ranking and Rating Process

Competitive application process

Point system:

25 points=Location suitability (higher if in the City to lowest, outside SOI)

15 points=Inclusionary housing policy to be followed

20 points=meeting special needs, market demands and community objectives

25 points=infrastructure and services (highest=least impact)

15 points=Architectural design and aesthetic considerations

Interpretation of intent needed-language and process

Rolling allocations:

Do we want to have 3 years of carryover, or 'start clean' every year?

Do we want to stay with only two times a year, or rolling applications throughout the year?

Allocation unit "inflation"; how to require accuracy (as applicants could ask for more than they need and then reduce units in the future without penalty)

Requirements for application – better definition to benefit both staff and applicants (do they need a Tentative Tract Map for application? Does that allow enough time to collaborate with staff for design quality?)

What is the "final entitlement?" (this triggers some of the timelines for applicants that could lose allocations)

Interpretation of intent needed-timing

What about annexations? Process is lengthy, but many allocation submittals have been annexations.

1. Once allocations are granted a Tentative Map can be applied for 6-8 Months (Public Notice Review)
2. Annexation entitlement 12-18 Months (Can not commence until Tentative Map is approved)
3. Final Map / Improvement Documents 6-9 Months.
4. Final Map and Subdivision Agreement=required development entitlement

Interpretation of intent needed-timing

***Final Map and Subdivision Agreement = required development entitlement**

The city's growth management ordinance requires “**construction** of off-site improvements, including, without limitation, installation of utilities and construction and installation of streets, must **commence** within three hundred sixty-five (365) days **after the date of approval of all required development entitlements***.” If not done, all allocations lost (16.09.020(d)).

Grading is first action of off-site improvements, but grading permits cannot be issued until a final map is approved.

Staff Recommendations

Draft/change ordinance language:

1. to cover projects needing annexation, perhaps extending 365 day requirement to 2 years, with Council review at first-year mark (progress milestones identified)
2. Clarify timing of allocation process-only 2 times/year?
3. Rolling allocation-capturing units 'backwards' or 'forwards'? 16.09.80 allows phasing two years in advance. 16.09.020(f) allows a 'carryover' of unused units, implying a backwards look at availability.
4. Language/process to prevent 'allocation inflation' – staff level discretion on TTMs.

REQUESTS BY YEAR

Year	Project	Total Unit Requests		2012		2013		2014		2015		2016		2017		2018		2019		2020		2021	
		Single Family	MF	SF	MF	SF	MF	SF	MF	SF	MF	SF	MF	SF	MF	SF	MF	SF	MF	SF	MF	SF	MF
2012	Chelsea (3) - Now Linnaea (units expired)		48		24																		
2015	Lennar - 6094	34		34																			
2016	Crinklaw - 6122 (phase 1)	60				60																	
	Crinklaw - 6167 (phase 3/4)	121				20		16		80		5											
	Erickson - 6151 (CC)	64						64															
2017	Kingsburg Housing LLC (Tract 6141) - Crown	44												44									
2018	Linnaea Villas		60														30						
2018	Sohal (2*)	21										21										35	
2018	Crinklaw - 6242 (phase 2)	59														59							
2018	Summerlyn	24												24									

				2012		2013		2014		2015		2016		2017		2018		2019		2020		2021	
	Allocations Applied for	427	60	34	24	80	0	80	0	80	0	26	0	68	0	59	30	0	0	0	35	0	0
	Annual Allocations			80	35	80	35	80	35	80	35	80	35	80	35	80	35	80	35	80	35	80	35
	Total Available (3 year running)			206	58	126	81	46	81	0	105	54	105	66	105	87	75	113	75	181	75	240	115
	UNUSED ALLOCATIONS			206	58	126	81	46	81	0	105	54	105	111	105	87	75	113	75	181	40	240	70

Notes

- Each year, 115 units are allocated. Of those, 70% are reserved for Single Family dwellings (80 units) and 30% for Multi Family dwellings (35 units)
- Of the 80 single family units, 20 should be reserved for lots over 10,000 sf in size.

- (1) Units assigned over multiple years
- (2) Allocation expired - project not built
- (3) As an incentive, senior housing projects are assessed at 1/2 a "normal" unit

- *6122 units applied for in 2015 - units delegated to 2013 based upon rolling 3-year available units
- *6094 units applied for in 2014 - units delegated to 2012 based upon rolling 3-year available units
- *6151 units applied for in 2015 - units delegated to 2014 based upon rolling 3-year available units
- *6167 units applied for in 2015 - units delegated to multiple years based upon rolling 3-year available units and phased of project to future years
- *Linnaea count as half units due to low/mod factor
- *Marion Villas (2011) count as half units due to low/mod factor
- *Sohal Allocations (21) expired ; requested and received 35 MF allocations in 2020
- *Summerlyn Project includes only lots in Fresno Co.
- 6141 units applied for in 2018 - units delegated to 2017

CITY OF KINGSBURG
SUBMITTAL FOR ALLOCATIONS
(BUILDING PERMITS)



APPLICANT: _____

DATE _____

ADDRESS: _____

START DATE _____

TRACT # _____

TELEPHONE: _____

(If Applicable)
PROJECT NAME: _____

E-MAIL: _____

LOCATION OF PROJECT: _____

DESCRIPTION OF PROJECT: _____

TOTAL ACREAGE: _____ TOTAL UNITS: _____ MODEL HOMES: _____

SINGLE FAMILY: _____ MULTI-FAMILY: _____ SENIOR: _____ MOBILE HOME: _____

OWNER'S NAME: _____

ADDRESS: _____

TELEPHONE: _____ E-MAIL: _____

DO YOU OWN ADJACENT PARCELS: YES NO

LOCATION: _____

DEVELOPER: _____

ADDRESS: _____

TELEPHONE: _____ E-MAIL: _____

.....
Rating and ranking will be based on information submitted by the applicants in their application materials. Backup documentation and other documents and information provided by applicants which the City deems relevant to each respective project should also be included. Applicants are encouraged to submit any other materials that are relevant in supporting their applications.

CITY OF KINGSBURG
SUBMITTAL FOR ALLOCATIONS
(BUILDING PERMITS)

The scoring system will be based on the following criteria:

SUITABILITY OF LOCATION UP TO 25 POINTS

The City promotes compact and efficient development. Concentric patterns of growth are preferred. Infill development within the Urban Limit Boundary is encouraged. Leapfrog development and irregular boundaries are discouraged. Islands or corridors of unincorporated territory are to be avoided. Projects will not be considered if the property identified in the application is not sufficiently contiguous to the City limits to allow for a logical and reasonable extension of the City limits as determined by the City. Using this information give details of your project. ***(Documentation may include a map and verbal description of location)***

- 25 POINTS Property is within City limits
 - 20 POINTS Infill project and is substantially surrounded by urban development
 - 15 POINTS Property is bordered by the City on more than one side
 - 10 POINTS Property is adjacent to the City, within the Urban Limit Boundary, allowing for logical growth
 - 5 POINTS Property is adjacent to the City but outside the Urban Limit Boundary
 - 0 POINTS Property is outside the Sphere of Influence and annexation is required
-
-
-
-
-
-
-
-

INCLUSIONARY HOUSING UP TO 15 POINTS

The adopted Housing Element of the Kingsburg General Plan has an inclusionary housing policy calling for at least 15 percent of the housing units provided by each project to be affordable to low-income or very low-income households. If the affordable units are not incorporated into the project, the developer may be able to comply with the policy by assisting the City in providing an equal number of affordable housing units elsewhere in the City by dedicating appropriate land or paying an in-lieu fee amount acceptable to the City. For each percentage point of affordable housing included in or provided for by a project, one scoring system point will be awarded up to a maximum of 15 points. ***(Documentation must include a detailed written commitment to provide the affordable housing described in the application. It must include calculation of the probable rental or mortgage costs of the housing units in the project proposed; calculation of the housing costs a low-income household can afford (which can be based on 80 percent of the median household incomes for Fresno County for the current year as provided by the California Department of Housing and Community Development); and an explanation of how any “gap” is the basis for determining an appropriate in-lieu fee, or an appropriate value for land to be dedicated for affordable housing purposes. If third-party subsidies are proposed through use of governmental grant funds or partnership with non-profit affordable housing organizations, the commitment on the part of any third-party entity must be documented in writing.)***

CITY OF KINGSBURG
SUBMITTAL FOR ALLOCATIONS
(BUILDING PERMITS)

**MEETING SPECIAL NEEDS, DEMONSTRATED MARKET DEMANDS AND
COMMUNITY OBJECTIVES UP TO 20 POINTS**

The City’s adopted Housing Element emphasizes the accommodation of special-needs populations. Points will be awarded for projects that provide housing for populations that are underserved or have special needs that are not generally met in other projects. Examples include, without limitation, handicapped-accessible units or housing for senior citizens or large families. *(Documentation may include descriptions of existing housing inventory and market conditions, demographics, explanations of challenges confronted by the developers, description or drawings of proposed housing features, etc.)*

Points will be awarded to projects that:

1. Provide housing for populations that are underserved or have special needs that are not generally met in other projects, such as handicapped-accessible units or housing for senior citizens or large families.
2. Expand the range of housing choices available in the community by offering configurations, densities and/or price ranges that are not otherwise readily available.
3. Satisfy demonstrated market demands (e.g. large lots, or senior housing).
4. Utilize properties that have been bypassed because they are challenging to develop.

Check any appropriate category and provide details

<input type="checkbox"/> Handicapped accessible units	<input type="checkbox"/> Senior citizen housing
<input type="checkbox"/> Large family housing	<input type="checkbox"/> Difficult property to develop

CITY OF KINGSBURG
SUBMITTAL FOR ALLOCATIONS
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INFRASTRUCTURE AND SERVICES UP TO 25 POINTS

Preference will be given to projects that have the most positive impacts and/or the least negative impacts on infrastructure and services provided by the City and other service entities that operate within or provide services to the City. *(Documentation of infrastructure considerations and property dedications can take the form of written descriptions and commitments, maps and diagrams. Conservation features can also be documented with industry or manufacturer data and literature.)*

Scoring shall be based on the following criteria:

1. Proximity to existing infrastructure systems.
2. The extent of extension or expansion needed to increase the capacity of existing infrastructure to serve the proposed development and, if appropriate, future development.
3. The willingness of the developer to enter into a reimbursement agreement if the project involves construction of master-planned facilities and such an agreement is appropriate.
4. Agreement to construct and install new oversized infrastructure and/or construct and install new infrastructure that extends beyond the developer's project in order to service future growth, with reimbursement to developer pursuant to a reimbursement agreement providing for reimbursement by future development connecting to the oversized and/or extended infrastructure.
5. Dedication of real property to the City to improve systems and services, including, without limitation, rights-of-way for streets, alleys or green belts, or sites for water wells, lift stations, drainage basins, (in accordance with the Storm Drain Master Plan) parks, and schools sites, etc.
6. Incorporation of resource conservation features, including, without limitation, active or passive solar systems, water conservation features, drought-tolerant landscaping and energy-efficient appliances.

Check the appropriate category and provide details

- | | |
|--|---|
| <input type="checkbox"/> Existing infrastructure | <input type="checkbox"/> Some infrastructure needed |
| <input type="checkbox"/> Reimbursement agreement | <input type="checkbox"/> Resource conservation features |
| <input type="checkbox"/> Dedication of property for systems and services | |

ARCHITECTURAL DESIGN AND AESTHETIC CONSIDERATIONS UP TO 15 POINTS

Kingsburg continues to project an image as "The Swedish Village" which gives the City a unique identity. Residential housing should include distinctive design, quality construction and accompanying amenities. *(In addition to written descriptions, diagrams and maps, such documentation as elevations, renderings, floor plans and photographs of similar developments*

CITY OF KINGSBURG
SUBMITTAL FOR ALLOCATIONS
(BUILDING PERMITS)

may help to illustrate the proposed project. In the case of walled and gated communities, aesthetics and amenities that are generally viewed by and available to residents and selected guests exclusively will not be considered in scoring in this Architectural Design and Aesthetic Considerations category. Only those features that are visible to the general citizenry outside of the walled and gated community will be evaluated.)

Features that will receive points through the scoring system include:

1. Custom homes or customized features on tract homes that prevent houses in the same development from appearing repetitious.
2. Fostering of neighborhood character.
3. Compatibility with neighboring developments (for example lot sizes and square footage of homes).
4. Utilization of alleys for garage access from the rear.
5. Variable front yard setbacks.
6. Landscaping of street medians and parkways.
7. Green belts with pathways for pedestrians, skaters and bicyclists.
8. Pedestrian-friendly design.
9. Bicycle lanes in appropriate locations.
10. Preservation of existing trees.
11. Open space and recreation facilities.

Check the appropriate categories and provide details.

- Custom homes or features on tract homes that keep them from appearing repetitious
- Landscaping of medians and parkways
- Fostering of neighborhood character
- Compatibility with neighboring developments
- Utilization of alleys for rear access
- Variable front yard setbacks
- Greenbelts with pathways for pedestrians, skaters, and bicyclists
- Bicycle lanes in appropriate locations
- Preservation of existing trees
- Open space and recreation facilities
- Pedestrian-friendly design

CITY OF KINGSBURG
SUBMITTAL FOR ALLOCATIONS
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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 shall identify the number of allocations that will be issued by the City and used by the applicant during each phase of the project.

A separate final map is not required for each phase of a residential subdivision project. Phasing requirements, including, without limitation, number of allocations available for use in each phase, numbers of units that can be constructed and timing of construction, will be enforced as conditions of approval of the tentative tract map and final tract map and as provisions of the subdivision agreement. If a multiple-family residential project includes phasing, phasing requirements including those identified in this paragraph will be enforced through conditions of approval of the site plan or Planned Unit Development and as provisions of the development agreement if one is required by the City.

PHASING REQUIRED: YES _____ NO _____

Please allow time for each submittal to be thoroughly reviewed. A letter of acceptance will be sent to each applicant when submittal is deemed complete. City Staff can only rate applications based on information received therefore please include all supporting documents.

ACCEPTANCE OF THIS PACKET DOES NOT DEEM AN APPLICATION COMPLETE.

CITY OF KINGSBURG
SUBMITTAL FOR ALLOCATIONS
(BUILDING PERMITS)

TYPE OF SUBMITTAL _____ **DATE** _____

CONCEPTUAL _____

TENTATIVE _____

FINAL _____

COMMENTS _____

LOCATION _____

LOW-INCOME _____

SPECIAL NEEDS _____

INFRASTRUCTURE _____

ARCHITECTURE _____

TOTAL POINTS _____

ALLOCATIONS AWARDED _____

FOR OFFICE USE ONLY	
Date: _____	
Reviewed by: _____	Comments: _____
_____	_____
_____	_____
_____	_____
_____	_____

Chapter 16.09 GROWTH MANAGEMENT SYSTEM

Sections:

16.09.010 Purpose.

- A. This chapter implements a growth management system that will manage regulating residential development so that it is compatible with the character and service capabilities of the city and other service providers within the city. This chapter implements the growth management amendment to the city charter passed by the voters of the city in the election of November 2, 2004.
- B. This chapter establishes a growth management system to limit 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. This chapter also seeks to maintain aesthetic goals of the city. This chapter implements fundamental policies of the general plan including particular provisions of the land use and housing elements of the general plan. The growth management system will assist the city in addressing its responsibility to share in the provision of housing for households of various income levels as determined by the regional housing needs allocation plan prepared by the council of Fresno County governments and approved by the State Department of Housing and Community Development.

(Ord. 2006-09 § 1 (part), 2006: Ord. 2005-05 § 2 (part), 2005)

16.09.020 Allocations for housing units.

- A. One hundred fifteen (115) new allocations of housing units will 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 multi-family residential housing unit. The allocations are divided between two categories of housing: multiple-family housing units with thirty-five (35) allocations (less any allocations issued to multi-family small projects as defined in Section 16.09.050 of this chapter) per year (thirty percent (30%)) and single-family housing units, with eighty (80) allocations per year (seventy-percent (70%)). Of the eighty (80) allocations (less any allocations issued to small projects as defined in Section 16.09.050 of this chapter) per year of single-family housing units, twenty (20) allocations shall be reserved for large lot development on parcels of at least ten thousand (10,000) square feet.
- B. Allocations which are issued pursuant to the provisions of this chapter are issued to the specific residential development project identified and described in the application for allocations. Allocations are not issued to any person or entity. Allocations cannot be assigned, transferred or conveyed to another residential development project
- C. Except as otherwise set forth in this subsection, if after allocations are awarded, a residential housing project receiving allocations is modified or changed in any way, the allocations awarded to that residential housing project shall automatically terminate and become unused allocations subject to reallocation at the time of the next award of allocations. In order to obtain allocations, the modified or changed residential housing project must apply for allocations as a new residential housing project. Except that, a residential housing project may file an application with the city requesting that the allocations not terminate but remain with the changed or modified residential housing project. The city council may grant such application only if the city council can make all of the following findings:

-
1. The city council determines that: (i) any modification or change in the type (i.e., single-family, multi-family, senior, etc.) of residential housing; or (ii) any modification or change in any aspect of the residential housing project which is subject to the rating and ranking criteria set forth in Section 16.09.070 of this chapter, identified in the original application for allocations, satisfies a current specific housing need in the city of Kingsburg;
 2. Any modification or change: (i) in the number of residential housing units; or (ii) any modification or change in any aspect of the residential housing project which is subject to the rating and ranking criteria set forth in Section 16.09.070 of this chapter, identified in the original application for allocations, results solely from a modification or change identified in subsection (C)(1) of this section and does not result in a need to increase the allocations initially issued to the residential housing project identified in the original application;
 3. The competitive points the modified or changed residential housing project receives as determined by city staff's reevaluation of the modified or changed residential housing project pursuant to the competitive allocation process identified in Section 16.09.060 of this chapter, does not result in a competitive points ranking different from the residential housing project identified in the original application and does not effect the competitive points ranking of any other residential housing project that competed for allocations with the residential housing project identified in the original application;
 4. No entitlements have been approved or issued for the residential housing project prior to its application seeking to retain the awarded allocations.
- D. After allocations are issued as provided in this chapter, all development entitlements (i.e., parcel maps, subdivision maps, environmental review, etc.) associated with said allocations are required by the city or applicable law, rule or regulation must be approved by the city in order to use the issued allocations. If any required development entitlements are denied, or expire, the issued allocations related thereto shall automatically expire. The city will not accept any application for development entitlements unless allocations have been approved and issued for said development entitlements. Also for issued allocations to remain effective, complete development entitlement applications (including the payment of any and all required fees) for all required development entitlements must be submitted to the city within one hundred eighty (180) days after the date of issuance of the allocations and construction of off-site improvements, including, without limitation, installation of utilities and construction and installation of streets, must commence within three hundred sixty-five (365) days after the date of approval of all required development entitlements ("construction start date"). No fees paid by an applicant to the city as part of the entitlement process will be reimbursed by the city should the applicant fail to satisfy the requirements of this chapter.
- E. An applicant may request an extension of the construction start date by submitting a written application for such extension on the form required by the city. In order to grant an extension request, the city council, upon recommendation by the planning commission, must find that the failure of the applicant to commence construction of off-site improvements on or before the construction start date was beyond the reasonable control of the applicant.
- F. The city council, may, in its discretion, allow unused allocations to be carried over for a period of up to three years and allocated to first allocations and/or second allocations or both (as those terms are defined in Section 16.09.060 of this chapter). Unused allocations are allocations: (i) which were never issued; or (ii) previously issued and expired because of denial of development entitlements, failure to commence construction of off-site improvements on or before the construction start date or any extension thereof; or (iii) failure of the applicant to comply with the provisions of this chapter.
- G. In order to meet the housing needs of persons who will reside in mobilehome parks or multi-family housing developments, an applicant seeking to develop a mobilehome park with more than fifteen (15) spaces and/or multi-family housing development with more than fifteen (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. An applicant may request a three-year allocation by submitting a written application to the city on the form required by the city.

(Ord. 2007-06 § 1, 2007: Ord. 2006-09 § 1 (part), 2006: Ord. 2005-05 § 2 (part), 2005)

16.09.030 Senior housing allocations.

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 shall be issued on the basis of one-half of one allocation for each senior housing unit to be constructed. Senior housing is defined as residential housing which requires that at least one person in residence in each dwelling unit be fifty-five (55) years of age or older. The residential dwelling units must include each of the following elements:

- A. Entryways, walkways, and hallways in the interior common areas of the development, and doorways and paths of access to and within the housing units, shall be as wide as required by current laws applicable to new multi-family housing construction for provision of access to persons using a standard-width wheelchair.
- B. Walkways and hallways in the common areas of the development shall be equipped with standard height railings or grab bars to assist persons who have difficulty with walking.
- C. Walkways and hallways in the common areas shall have lighting conditions which are of sufficient brightness to assist persons who have difficulty seeing.
- D. Access to all common areas and housing units within the development shall be provided without use of stairs, either by means of an elevator or sloped walking ramps.
- E. The development shall be designed to encourage social contact by providing at least some common open space.
- F. Refuse collection shall be provided in a manner that requires a minimum of physical exertion by residents.
- G. The development shall comply with all other applicable requirements for access and design imposed by law, including, but not limited to, the Fair Housing Act (42 U.S.C. Section 3601 et seq.), the Americans with Disabilities Act (42 U.S.C. Section 12101 et seq.), and the regulations promulgated at Title 24 of the California Code of Regulations that relate to access for persons with disabilities or handicaps. If a senior housing project includes the seven elements listed previously in this section and one of the three enhancements listed in subsection (G)(1) through (3) which follow in this section, allocations for that senior housing project shall be issued on the basis of one-third of one allocation for each senior housing unit to be constructed. If a senior housing project includes the seven elements listed previously in this section and two of the three enhancements listed in subsections (G)(1) through (3) which follow in this section, allocations for that senior housing project shall be issued on the basis of one-fourth of one allocation for each senior housing unit to be constructed. If a senior housing project includes the seven elements listed previously in this section and all three of the enhancements listed in subsections (G)(1) through (3) which follow in this section, allocations for that senior housing project shall be issued on the basis of one-fifth of one allocation for each senior housing unit to be constructed. Enhancements are:
 - 1. Development of congregate housing at a density that would meet the medium or high density residential standard in the general plan, at least seven dwelling units per net acre.

-
2. Provision of support services that would enable senior citizens who are otherwise able to live independently to remain in their homes for a longer time. Examples of such services are provision of community meals, transportation, laundry services and cleaning services.
 3. Meeting the housing element inclusionary housing goal by making at least fifteen percent (15%) of the housing units affordable to households of low or very low income (less than eighty percent (80%) of the local median income for households of the same size).

(Ord. 2006-09 § 1 (part), 2006: Ord. 2005-05 § 2 (part), 2005)

16.09.040 Exemption to allocation requirements.

The following types of residential housing may be constructed without the issuance of allocations:

- A. 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.
- B. Second housing units added to lots with single-family homes in conformance with the city zoning ordinance and applicable California law.
- C. Residential housing projects which received all required development entitlements prior to enactment of this chapter.

(Ord. 2006-09 § 1 (part), 2006: Ord. 2005-05 § 2 (part), 2005)

16.09.050 Small projects.

New multi-family 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 identified in Section 16.09.060 of this chapter.

(Ord. 2006-09 § 1 (part), 2006: Ord. 2005-05 § 2 (part), 2005)

16.09.060 Competitive allocations.

- A. Allocations for residential projects consisting of five or more dwelling units will compete for allocations in accordance with the process identified in this section. 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 twenty-five (25) allocations for single-family housing or multiple-family housing, or thirty-five (35) allocations for mixed-density projects which include at least ten (10) single-family homes and at least ten (10) multiple-family dwelling units.
- B. Applications for competitive allocations must be filed with the planning and development department on or before four o'clock p.m. on September 30th of each calendar year. If September 30th falls on a Saturday, Sunday or holiday when the city offices are closed, the time for filing applications for competitive allocations shall be extended to four o'clock p.m. on the next business day. The development proposals identified in the applications shall be rated and ranked in accordance with the rating and ranking criteria identified in this chapter by planning staff during the month of October and the planning staff shall make its recommendations for competitive allocations to the planning commission.
- C. An application may not identify more than five model homes to be constructed for each group of twenty-five (25) allocations issued. At the election of the applicant, the model homes will or will not be counted as part of the allocations issued to the applicant. If the applicant elects not to include model homes as part of the

allocations issued to the applicant, no certificate of occupancy will be issued for the model homes until allocations are issued for the model homes in accordance with the provisions of this chapter.

- D. 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").
- E. 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"). If a second allocation is authorized by the city council, the application process shall be the same as for the first allocations, except that all applications must be received by the planning and development department by four o'clock p.m. on March 31st. If March 31st falls on a Saturday, Sunday or holiday when the city offices are closed, the time for filing applications for second allocations shall be extended to four o'clock p.m. on the next business day. City staff will perform its ranking and rating process during the month of April and a public hearing will be held by the planning commission at its first regular meeting in May to review staff's rating and ranking recommendations for the second allocation and make recommendations to the city council regarding the second allocation. At its first regular meeting in June, the city council will consider the recommendations of the planning commission and determine the number of second allocations to be issued, if any.
- F. 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 under this section of this chapter and even though the sole applicant for the second allocations received first allocations.

(Ord. 2006-09 § 1 (part), 2006: Ord. 2005-05 § 2 (part), 2005)

16.09.070 Rating and ranking criteria.

Projects seeking allocations will be rated using a one hundred (100) point scoring system and then ranked. Rating and ranking will be based on information submitted by the applicants in their application materials, backup documentation provided by applicants and other documents and information the city deems relevant to each respective project. Lists of supporting materials likely to be included in a typical application are found at the end of the description of each scoring category. Applicants are encouraged to submit any other materials that are relevant in supporting their applications. The scoring system will be based on the following criteria:

- A. Suitability of Location (Twenty-five (25) Points). The city promotes compact and efficient development. Concentric patterns of growth are preferred. Infill development within the urban limit boundary is encouraged. Leapfrog development and irregular boundaries are discouraged. Islands or corridors of unincorporated territory are to be avoided. Projects will not be considered if the property identified in the application is not sufficiently contiguous to the city limits to allow for a logical and reasonable extension of the city limits as determined by the city. Scoring for this category is as follows:

25 points	The property proposed for development is already within the city limits.
20 points	An infill project sufficiently surrounded by urban development as determined by the city.
15 points	The property is bordered by the city on more than one side.

10 points	The property is adjacent to the city limits and within the urban limit boundary, allowing for a logical and reasonable extension of the city limits, as determined by the city.
5 points	The property is adjacent to the city limits, allowing for a logical and reasonable extension of the city limits as determined by the city, but the property is outside of the urban limit boundary.
0 points	The property is outside of the sphere of influence and annexation to the sphere is required.

Documentation may include a map and verbal description.

- B. Inclusionary Housing (Fifteen (15) Points). The adopted housing element of the Kingsburg general plan has an inclusionary housing policy calling for at least fifteen percent (15%) of the housing units provided by each project to be affordable to low-income or very low-income households. If the affordable units are not incorporated into the project, the developer may be able to comply with the policy by assisting the city in providing an equal number of affordable housing units elsewhere in the city by dedicating appropriate land or paying an in-lieu fee. For each percentage point of affordable housing included in or provided for by a project, one scoring system point will be awarded up to a maximum of fifteen (15) points. Documentation must include a detailed written commitment to provide the affordable housing described in the application. It must include calculation of the probable rental or mortgage costs of the housing units in the project proposed; calculation of the housing costs a low-income household can afford (which can be based on eighty percent (80%) of the median household incomes for Fresno County for the current year as provided by the California Department of Housing and Community Development); and an explanation of how any "gap" between the two calculations will be eliminated. The "gap" is the basis for determining an appropriate in-lieu fee, or an appropriate value for land to be dedicated for affordable housing purposes. If third-party subsidies are proposed through use of governmental grant funds or partnership with non-profit affordable housing organizations, the commitment on the part of any third-party entity must be documented in writing.
- C. Meeting Special Needs, Demonstrated Market Demands and Community Objectives (Twenty (20) Points). City's adopted housing element emphasizes the accommodation of special-needs populations. Points will be awarded for projects that provide housing for populations that are underserved or have special needs that are not generally met in other projects. Examples include, without limitation, handicapped-accessible units or housing for senior citizens or large families. Points will be awarded to projects that:
1. Provide housing for populations that are underserved or have special needs that are not generally met in other projects, such as handicapped-accessible units or housing for senior citizens or large families;
 2. Expand the range of housing choices available in the community by offering configurations, densities and/or price ranges that are not otherwise readily available;
 3. Satisfy demonstrated market demands (e.g., large lots, senior housing); and
 4. Utilize properties that have been bypassed because they are challenging to develop.

Documentation may include descriptions of existing housing inventory and market conditions, demographics, explanations of challenges confronted by the developers, description or drawings of proposed housing features, etc.

D. Infrastructure and Services (Twenty-five (25) Points). Preference will be given to projects that have the most positive impacts and/or the least negative impacts on infrastructure and services provided by the city and other service entities that operate within or provide services to the city. Scoring shall be based on the following criteria:

1. Proximity to existing infrastructure systems;
2. The extent of extension or expansion needed to increase the capacity of existing infrastructure to serve the proposed development and, if appropriate, future development;
3. The willingness of the developer to enter into a reimbursement agreement if the project involves construction of master-planned facilities and such an agreement is appropriate;
4. Agreement to construct and install new oversized infrastructure and/or construct and install new infrastructure that extends beyond the developer's project in order to service future growth, with reimbursement to developer pursuant to a reimbursement agreement providing for reimbursement by future development connecting to the oversized and/or extended infrastructure;
5. Dedication of real property to the city to improve systems and services, including, without limitation, rights-of-way for streets, alleys or green belts, or sites for water wells, lift stations, drainage basins, parks, and schools sites, etc;
6. Incorporation of resource conservation features, including, without limitation, active or passive solar systems, water conservation features, drought-tolerant landscaping and energy-efficient appliances.

Documentation of infrastructure considerations and property dedications can take the form of written descriptions and commitments, maps and diagrams. Conservation features can also be documented with industry or manufacturer data and literature.

E. Architectural Design and Aesthetic Considerations (Fifteen (15) Points). Kingsburg continues to project an image as "the Swedish Village" which gives the city a unique identity. Residential housing should include distinctive design, quality construction and accompanying amenities. Features that will receive points through the scoring system include:

1. Custom homes or customized features on tract homes that prevent houses in the same development from appearing repetitious;
2. Fostering of neighborhood character;
3. Compatibility with neighboring developments (e.g., lot sizes and square footage of homes);
4. Utilization of alleys for garage access from the rear;
5. Variable front yard setbacks;
6. Landscaping of street medians and parkways;
7. Green belts with pathways for pedestrians, skaters and bicyclists;
8. Pedestrian-friendly design;
9. Bicycle lanes in appropriate locations;
10. Preservation of existing trees;
11. Open space and recreation facilities.

In addition to written descriptions, diagrams and maps, such documentation as elevations, renderings, floor plans and photographs of similar developments may help to illustrate the proposed project.

In the case of walled and gated communities, aesthetics and amenities that are generally viewed by and available to residents and selected guests exclusively will not be considered in scoring in this architectural design and aesthetic considerations category. Only those features that are visible to the general citizenry outside of the walled and gated community will be evaluated.

(Ord. 2006-09 § 1 (part), 2006: Ord. 2005-05 § 2 (part), 2005)

16.09.080 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 shall identify the number of allocations that will be issued by the city and used by the applicant during each phase of the project. A separate final map is not required for each phase of a residential subdivision project. Phasing requirements, including, without limitation, number of allocations available for use in each phase, numbers of units that can be constructed and timing of construction, will be enforced as conditions of approval of the tentative tract map and final tract map and as provisions of the subdivision agreement. If a multiple-family residential project includes phasing, phasing requirements including those identified in this section will be enforced through conditions of approval of the site plan or planned unit development and as provisions of the development agreement if one is required by the city.

(Ord. 2006-09 § 1 (part), 2006: Ord. 2005-05 § 2 (part), 2005)

16.09.090 Exceptions and changes.

- A. The provisions of Chapter 16.40 of this title shall not apply to this chapter.
- B. The city council shall have the power to increase, decrease, change or reallocate allocations by resolution of the city council.

(Ord. 2006-09 § 1 (part), 2006: Ord. 2005-05 § 2 (part), 2005)