



## STAFF REPORT

**MEETING DATE:** June 12, 2024

**PRESENTER:** Jesus R. Orozco, Community Development  
Director

**SUBJECT:** A public hearing for General Plan Amendment 2024-01 regarding the City of Kerman's Sixth Cycle Housing Element (JRO)

**RECOMMENDATION:** City Council conduct a public hearing, deliberate, and by motion;

1. Adopt a finding for a Common Sense Exemption pursuant to section 15061(b)(3) of CEQA Guidelines (ENV 2024-04); and
2. Adopt a resolution approving General Plan Amendment 2024-01 to replace the current Fresno Multi-Jurisdictional 2015-2023 Housing Element with the Fresno Multi-Jurisdictional 2023-2031 Housing Element including Appendix 1G-Kerman *Local Housing Element Section*.

### EXECUTIVE SUMMARY:

The Housing Element is a State-mandated, eight-year planning period policy document that is a component of the City's General Plan. The purpose of the Housing Element is to identify the City's current housing needs; state the region's goals and objectives regarding housing production, rehabilitation, and conservation to meet those needs; and define the policies and programs that the City will implement to achieve the stated goals and objectives. The Fresno Multi-Jurisdictional 2023-2031 Housing Element represents a regional (Countywide) approach to meet regional housing goals, with City-specific programs and objectives. Adoption of the Fresno Multi-Jurisdictional 2023-2031 Housing Element including Appendix 1G-Kerman *Local Housing Element Section*, will ensure consistency with City's 2040 General Plan as mandated by State law.

### APPLICABLE CODES AND PROCEDURES:

KMC 17.10 – Public Hearing  
CA Government Code, Sections 65580 through 65589  
Public Resource Code – CEQA 15061(b)(3) Common Sense Exemption

Prior to adopting this Housing Element, State law requires the State Department of Housing and Community Development (HCD) to administer the law by reviewing housing elements for

compliance with State law and by reporting its written findings to the local jurisdiction. After three formal reviews of the document, HCD sent a letter dated April 19, 2024, stating that the City of Kerman's Housing Element will substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq) when it is adopted, submitted to, and approved by HCD. See Attachment 'B'.

If any changes to the Draft Housing Element are proposed after April 19, 2024, those revisions would have to be resubmitted and reviewed by HCD. The attached exhibits 'A – 1' Fresno County Multi-Jurisdictional 2023-2031 Housing Element and 'A – 2' Appendix 1G: City of Kerman *Local Housing Element Section* are being presented to the Planning Commission for consideration, to receive public comment, and to receive the Planning Commission's recommendation to the City Council of the City of Kerman regarding the General Plan Amendment (GPA) 2024-01 application to include the aforementioned exhibit documents. If no further changes are proposed to the document, following adoption of the Fresno County Multi-Jurisdictional 2023-2031 Housing Element, including Appendix 1G: City of Kerman *Local Housing Element Section*, the City will submit to HCD for formal certification. HCD has 90 days to certify the Housing Element.

At the May 13, 2023 meeting, the Planning Commission adopted Resolution 2024-11 included as Attachment 'D', with a recommendation to City Council to adopt the Draft Housing Element and CEQA findings as presented.

## **ANALYSIS**

### Background Information

California Housing Law requires every jurisdiction to prepare and adopt a housing element as part of its General Plan. State Housing Element requirements are framed in the California Government Code, Sections 65580 through 65589, Chapter 1143, Article 10.6. The law requires the State Department of Housing and Community Development (HCD) to administer the law by reviewing housing elements for compliance with State law and by reporting its written findings to the local jurisdiction. Although State law allows local governments to decide when to update their general plans, State Housing Element law mandates that a housing element be updated every eight years. The Housing Element must include: 1) an identification and analysis of existing and projected local housing needs; 2) an identification of resources and constraints; and 3) goals, policies, and implementation programs for the rehabilitation, maintenance, improvement, and development of housing for all economic segments of the population.

The formation of the Fresno County Multi-Jurisdictional 2023-2031 Housing Element represents a regional effort made up of 15 Fresno County jurisdictions, including unincorporated Fresno County, in collaboration with the Fresno County Council of County Council of Governments (FCOG). The FCOG contracted with PlaceWorks and sub-technical experts Ascent, Provost & Pritchard, and the California Coalition of Rural Housing to assist Fresno County and the cities with the development and adoption of the Multi-Jurisdiction 2023-2031 Housing Element update.

### Regional Housing Needs Allocation (RHNA)

The regional Housing Needs Assessment (RHNA) is determined by the State projecting future housing needs at various income levels and allocates units to Councils of Governments (COGs) Statewide. Each COG develops a methodology approved by HCD to evaluate factors for the distribution of units to each jurisdiction. Cities and counties are allocated these estimated units and need to accommodate enough land at appropriate densities to achieve their RHNA goals.

The Fresno COG (FCOG) was allocated a RHNA number of 58,298 units for the region. The City of Kerman was allocated 1,063 of those units distributed between Very Low Income, Low Income, Moderate Income, and Above Moderate Income units. The table below depicts this distribution of units by income category.

	Very Low Income (<50% of AMI)	Low Income (50% - 80% of AMI)	Moderate Income (80% - 120% of AMI)	Above Moderate Income (>120% of AMI)	Total
<b>No. of Units</b>	285	134	168	476	<b>1,063</b>
<b>Percentage</b>	27%	12%	16%	45%	<b>100%</b>

### Kerman Housing Element Programs

The regional section of the Housing Element includes six (6) goals and thirty-six (36) policies. Meanwhile, Kerman's location section of the Housing Element includes thirty-two (32) implementing programs. The new additions and proposed changes to the 6th Cycle Planning Period programs were made as a result of public comments received, along with changes in State Law, such as SB 166 and AB 686 to promote housing. The programs cover the following areas/activities shown on the far left column of the table below.

Area/Activity	Program	Program Name
Regional Collaboration	Program 1	Regional Collaboration on Housing Opportunities
	Program 2	Review Annexation Standards in MOU
	Program 3	Homeless/Unhoused Needs
Adequate Sites	Program 4	Annexation and Provision of Adequate Sites
	Program 5	Water and Wastewater Service
	Program 6	Use of Sites in Previous Cycles
Affordable Housing Development & Preservation	Program 7	Affordable Housing Incentives
	Program 8	Support Funding for Farmworker Housing
	Program 9	Farmworker Preference in New Affordable Housing
	Program 10	Extremely Low-Income Households
	Program 11	Preservation of At-Risk Housing Units
	Program 12	Promote and Facilitate Accessory Units
	Program 13	Replacement Units
	Program 14	Housing for a Variety of Needs/New Growth Strategy

	Program 15	Local Labor Program
Removal of Governmental Constraints	Program 16	Zoning Code Amendments
	Program 17	CUP Requirement for Multifamily and Mixed-Use Developments
	Program 18	Reasonable Accommodations and Universal Design
	Program 19	Lot Consolidation
	Program 20	Lot Splits
	Program 21	Monitoring of Planning and Development Fees
	Program 22	Preliminary Applications (SB 330) and Streamlined Approval (SB 35)
	Program 23	Objective Design Standards
Housing Quality	Program 24	Fresno County Housing Assistance Rehabilitation Program (HARP)
	Program 25	Fresno County Rental Rehabilitation Program (RRP)
	Program 26	Code Enforcement
Housing Assistance	Program 27	Fresno County Homebuyer Assistance Program
	Program 28	Energy Conservation
	Program 29	Housing Choice Vouchers
	Program 30	Housing Discrimination Monitoring and Referral
	Program 31	Improve Access to Resources
	Program 32	Environmental Hazard Mitigation

### Community Engagement & Outreach

Housing Element outreach meetings were held to allow City of Kerman residents an opportunity to provide their input on their Housing Element and RHNA distribution. Countywide meetings were held in the City of Fresno and virtually on October 25, 2022, November 15, 2022, and April 25, 2023. A local outreach meeting was also held at the Kerman Community Center on October 5, 2022. A joint City Council – Planning Commission workshop was also held on August 24, 2022.

Engagement efforts also included a regional project website and a community survey. The draft Housing Element was made available for public review and comment for 30 days from May 17, 2023, through June 17, 2023. Public comment was received, and an additional 10 business days were allowed to consider and incorporate public comments into the draft revision before submitting to HCD on July 5, 2023. The draft was made available on the City's website and was noticed to residents through the same methods as the Planning Commission and City Council meetings. Additional direct noticing was sent to local housing advocate groups and other stakeholders.

**ENVIRONMENTAL REVIEW:**

An environmental assessment for the project was prepared. Staff determined that the proposed project is exempt as a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3), as further described in ENV 2024-04 included as Attachment ‘C’.

**FISCAL IMPACTS:**

Aside from internal staff time, consultant costs associated with the development of the Housing Element during the FY 23-24 have been funded by Regional Early Action Planning monies. Said program is managed by the Fresno COG.

**ATTACHMENTS:**

- A. Resolution w/ Exhibits
  - A – 1 Fresno County Multi-Jurisdictional 2023-2031 Housing Element (November 2022)
  - A – 2 Appendix 1G: City of Kerman *Local Housing Element Section* (HCD Drafted dated April 19, 2024)
- B. HCD Conditional Compliance Letter (April 19, 2024)
- C. Notice of Exemption ENV 2024-04
- D. Planning Commission Resolution 2024-10