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Call to Order – Chairman, Robert D. Epperson
Roll Call – Secretary, Olivia Pimentel
Pledge of Allegiance
Approval of Agenda
1. Approval of Minutes
   February 23, 2015
Request to Address Commission

This portion of the meeting is reserved for members of the public to address the Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. **Speakers shall be limited to (3) three minutes.** It is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Commission on items on the Agenda should notify the Chairman when that Agenda item is called, and the Chairman will recognize your discussion at that time. It should be noted that the Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Speakers are asked to please use the microphone, and provide their name and address.

2. Presentation(s) None Offered

3. Public Hearing(s) / Meeting(s)
   A. Conditional Use Permit No. 15-02 for Trini’s Second Hand Store at 622 S. Madera Avenue

   Staff received an application for a conditional use permit from Carmen Ceja to operate Trini’s Second Hand Store in an existing vacant building located at 622 S. Madera Avenue. However, after the public hearing notice was published the applicant advised staff that the owner subsequently leased the building to another party. Therefore, the applicant withdrew the conditional use permit application for this site.

   The applicant will occupy another existing vacant building located at 311 S. Madera Avenue, which was previously occupied by Hind’s Hospice Thrift Store under Conditional Use Permit 03-07. Hind’s Hospice operated a Thrift Store and sold used or second hand merchandise at the location for approximately ten years until it closed in July of 2013. The site was subsequently occupied by another
use between May of 2014 and February of 2015. Because the proposed Trini’s Second Hand Store is an identical use, staff has determined that the applicant could operate under the existing CUP No. 03-07. The applicant is aware of and has agreed to comply with the existing conditions of approval for the operation of a second hand store at the site. Staff is recommending that the Commission conduct a public hearing, receive public testimony, close the public hearing and take no action on Conditional Use Permit No. 15-02 because the applicant withdrew the application.

B. Resolution Initiating Zoning Ordinance Amendment No. 15-01 Related to Emergency Shelters, Transitional and Supportive Housing for the Homeless

The City of Kerman is in the process of preparing the 5th Cycle Housing Element Update for submittal to the California Department of Housing and Community Development (HCD) by December 31, 2015. Prior to HCD certifying the Housing Element, the City of Kerman must be in compliance with the provision of Senate Bill 2 (SB2) related to emergency, transitional and supportive housing for the homeless. The proposed zoning ordinance amendment identifies emergency shelters as a permitted use by right in the Service Commercial (C-S) and Light Industrial (M-1) Zone Districts), provided certain standards are met related to maximum occupancy, length of stay, hours of operation, parking and submittal of management and operation plan. Staff is recommending that the Planning Commission adopt resolution initiating zoning ordinance amendment and recommending that the City Council approve Zoning Ordinance Amendment No. 15-01 related to emergency, transitional and supportive housing for the homeless.

4. Petitions, Resolutions None Offered

5. Administrative Reports

A. Multi-Jurisdictional Housing Element Update

The consultant preparing the Multi-Jurisdictional Housing Element Update, Mintier-Harnish, held two separate Stakeholder Workshops on March 4 in Kerman and in Selma. Staff will share the PowerPoint presentation provided at the workshop and seek any input from the Commission regarding the housing element update.

Communications

A. Commissioners Comments

Adjournment

AGENDA POSTING CERTIFICATION

I, OLIVIA G. PIMENTEL, Planning Secretary for the City of Kerman, do hereby declare under penalty of perjury that I caused the above agenda to be posted at City of Kerman Planning & Development office at 850 So. Madera Avenue, and at Kerman Community/Teen Center, 15100 Kearney Plaza, and emailed to interested parties on March 19, 2015.

Olivia G. Pimentel
Secretary to the Planning Commission
Call to Order – Chairman, Robert D. Epperson called meeting to order at 6:35p.m
Roll Call – Secretary, Olivia Pimentel
Commissioners Present: Epperson, Bandy, Nehring, Kehler, Wetlaufer, Nunez, Jones
Commissioners Absent; None
Pledge of Allegiance Performed
Approval of Agenda Unanimously approved as presented
1. Approval of Minutes Commissioner Nehring made a motion to approve Minutes of January 26, 2015 as presented, second Commissioner Kehler, unanimously approved as presented.
Request to Address Commission None offered
2. Presentation(s) None offered
3. Public Hearing(s) / Meeting(s) None offered
4. Petitions, Resolutions None offered
5. Administrative Reports
   A. Initiation of Zoning Ordinance Amendment No. 15-01 Related to Emergency Shelters, Transitional and Supportive Housing for the Homeless

      On January 26, staff presented a PowerPoint presentation regarding a proposed zoning ordinance amendment relating to emergency shelters, transitional and supportive housing for the homeless as required by Senate Bill 2. Staff is requesting that the Planning Commission by motion set a public hearing for March 23, 2015 to consider initiation of Zoning Ordinance Amendment No. 15-01 relating to emergency shelters, transitional and supportive housing for the homeless. Following a recommendation by the Planning Commission action, the City Council will consider adoption of the Zoning Ordinance Amendment at a subsequent public hearing tentatively scheduled for April 15, 2015. Commission set Public Hearing for March 23, 2015.

   B. Update on Multi-Jurisdictional Housing Element (MJHE)

      The City of Kerman is participating with the County of Fresno and the cities of Clovis, Sanger, Fowler, Kingsburg, Parlier, Reedley, Coalinga, Huron, San Joaquin, and Mendota on the preparation of a Multi-Jurisdictional Housing Element (MHJE). Mintier-Harnish is the planning consultant selected to prepare the MJHE. As part of the MJHE update process, cities must solicit community input on housing issues as well as identifying possible solutions to housing challenges facing the Fresno region. Mintier-Harnish has scheduled a stakeholder workshop in the City of
Kerman and in the City of Selma on March 4, 2015. The stakeholder workshop in Selma will be from 10 am to 12 pm at the Selma Council Chambers and the workshop in Kerman will be from 2 pm to 4 pm at the Community Teen Center (flyer attached). Staff encourages members of the Planning Commission to attend the Kerman workshop. The MJHE must be submitted to the state by December 31, 2015.

Communications

A. Commissioners Comments  None offered

Adjournment  Meeting adjourned 7:15pm

Minutes prepared by
Olivia G. Pimentel
Secretary to the Planning Commission
Administrative Staff Report

To: Kerman Planning Commission
From: Luis Patlan, Director of Planning & Development Services
Subject: Resolution Initiating Zoning Ordinance Amendment No. 15-01 Related to Emergency Shelters, Transitional and Supportive Housing for the Homeless

Recommendation:

Planning Commission conduct a public hearing, receive public testimony, close public hearing and move to adopt Resolution recommending that the City Council approve Zoning Ordinance Amendment No. 15-01 relating to emergency shelters, transitional and supportive housing for the homeless.

Executive Summary:

On January 26, 2015, the Director of Planning and Development Services introduced a proposed zoning ordinance amendment related to emergency shelters, transitional and supportive housing for the homeless. The proposed zoning ordinance amendment is based on the provisions of Senate Bill 2 (SB2), which requires local agencies to identify one or more zones where emergency shelters are allowed as a permitted use without a conditional use permit, provided that the zone(s) include sufficient number of sites to accommodate the number of homeless individuals in the community. Compliance with SB2 is required as part of the upcoming 5th Cycle Housing Element update.

On February 23, 2015, the Planning Commission set a public hearing for March 23, 2015 to consider a resolution initiating a zoning ordinance amendment and a recommendation that the City Council approve Zoning Ordinance Amendment No. 15-01, pursuant to Section 17.26.020(C) of the Kerman Municipal Code.

To comply with SB2 and address homeless needs in Kerman, this zoning ordinance amendment proposes to add definitions for emergency shelters, transitional and supportive housing to serve the homeless, and identifies Emergency Shelters as permitted uses in the Service Commercial (C-S) or Light Industrial Zone (M-1) Zone Districts, subject to specific standards. Factors such as estimated homeless, the availability of land and suitable facilities pointed to service commercial and light industrially-zoned properties as the most suitable areas to allow for siting of emergency shelters.

Transitional housing assists persons or families with multiple barriers to housing, such as mental or physical health needs, chronic substance abuse, or difficulty budgeting housing/living costs. As defined by HUD, the primary purpose of ‘temporary housing’ is to facilitate the movement of individuals or families
experiencing homelessness to permanent housing within 24 months. Persons residing in transitional housing programs receive specialized supportive services (i.e. child care, employment assistance, health services, case management etc.) that will help them resolve their housing issues and live more independently.

Permanent supportive housing targets homeless persons with disabling conditions. Permanent supportive housing has no limit on the duration of stay and integrates wrap-around services.

**Background:**

The City of Kerman has joined the County of Fresno and ten other cities for the preparation of a Multi-Jurisdictional Housing Element Update (MJHE). Mintier-Harnish is the planning consultant selected to prepare the update. The fifth cycle Housing Element must be submitted to the State Department of Housing and Community Development (HCD) by December 31, 2015.

As part of the Housing Element update, Mintier-Harnish conducted a review of the City's zoning ordinance and determined that Kerman's ordinance does not include provisions for emergency shelters, transitional and supportive housing for the homeless as required by Senate Bill 2 (SB2). SB2 was adopted by the California State Legislature and became law in 2008. This Bill requires cities and counties to identify one or more zones in the City where emergency shelters would be allowed as a permitted use without a conditional use permit. The zoning that is identified by the City must be of a sufficient amount of acreage and sites to accommodate the unmet needs of local homeless persons. In establishing zones, the statute gave local jurisdictions the ability to establish certain operational and development standards for emergency shelters. In addition, SB2 requires that transitional housing and supportive housing be considered a residential use in the City codes, and subject only to those restrictions that apply to other residential dwellings in the same zone.

The State Department of Housing and Community Development (HCD) will not certify the fifth cycle Housing Element until programs to implement SB2 have been incorporated in the City's zoning ordinance.

**Zoning Ordinance:**

The intent of the zoning ordinance is to preserve and promote the public health, safety and welfare of the city and to facilitate growth and expansion in an orderly manner. The zoning ordinance achieves these goals by setting forth uses permitted and conditionally permitted, establishing densities, setting forth development standards, providing for off-street parking, and prescribing a myriad of other regulatory requirements.

The zoning ordinance is not a static document and, as such, requires periodic updates or amendments in order to clarify intent, add new text, or to comply with state law. Although not every circumstance or situation can be addressed in the zoning ordinance, the goal is to provide reasonable guidance on permitting, land uses and development standards. Thus, amendments or updates to the zoning ordinance are frequently warranted.

**Analysis:**

The City must demonstrate compliance with State housing law as outlined in SB2 before HCD can certify the fifth cycle Housing Element Update. The proposed amendment to the zoning code will bring the City
into compliance with SB2 requirements by identifying one or more zones that allow emergency shelters as a permitted use by right. The zoning that is identified must include a sufficient amount of acreage and sites to accommodate the unmet need for the shelter of homeless people in the City of Kerman.

One key source of information for Fresno County's homeless population is the biennial Fresno-Madera Continuum of Care Point-in-Time Count. Every other January, communities across the United States conduct comprehensive counts of their homeless population. The Counties of Fresno and Madera conducted its most recent homeless census in January 2014. The 2014 Point-in-Time Count estimated that there were 2,597 homeless individuals in Fresno/Madera Counties, with 8 homeless persons estimated to be from the City of Kerman. (As of the writing of this report, the January 2015 Point-in-Time Count Survey was in progress and not yet completed).

Due to the estimated low number of homeless individuals in Kerman, there are currently no emergency shelters, transitional or supportive housing facilities located in the City. Homeless individuals would find temporary refuge (usually overnight) in local churches or would be referred to such housing facilities in the City of Fresno. There are several emergency shelters in Fresno that serve surrounding cities. These include: Poverello House and Fresno Rescue Mission.

Given the low number of homeless individuals in Kerman, the area proposed to allow for emergency shelters is the Service Commercial (C-S) and Light Industrial (M-1) Zone District. With approximately 100 acres of land designated for C-S and M-1, there is more than sufficient land to meet the requirements of SB2 to accommodate the siting of an emergency shelter. Moreover, these sites are within close proximity to major services situated along Whitesbridge Road and Madera Avenue. The zoning map in Attachment ‘A’ identifies those areas zoned Service Commercial and Light Industrial.

The proposed zoning ordinance amendment identifies emergency shelters as a permitted use by right in the Service Commercial (C-S) and Light Industrial Zone District (M-1), provided certain standards are met. These include: maximum occupancy, length of stay, hours of operation, and parking. One key requirement is a Management and Operation Plan. The plan must provide a detailed security plan, operating procedures, staff ratio to clients served, “good neighbor” communication plan, client transportation plan, and a program for ongoing outreach to the Kerman homeless population. The Management and Operation Plan is to be reviewed and approved by the Director of Planning & Development in conjunction with the Police Chief prior to issuance of permit to minimize any impacts on surrounding land uses.

As defined in the ordinance, an Emergency Shelters for homeless in Kerman would allow up to 30 beds or persons per night and would be permitted by right. By definition, an emergency shelter is any facility with dedicated beds/units whose primary intent is to provide overnight sleeping accommodations to those confronted with an immediate loss of housing or those who are already homeless. These shelters serve as the point of entry into the homeless assistance program and provide temporary shelter with a general length of stay ranging from 8 hours (overnight sleeping only) to 180 days, depending on provider.

Attachments:
A. Emergency Shelter Zone Map
B. Resolution w/Exhibit ‘A’ – ZOA No. 15-01
C. SB2 Fact Sheet
Attachment “A”

Emergency Shelter Zone Map
RESOLUTION NO. 15-01

BEFORE THE PLANNING COMMISSION
CITY OF KERMAN, STATE OF CALIFORNIA

A RESOLUTION OF INTENTION TO INIATE ZONING ORDINANCE AMENDMENT NO. 15-01 TO TITLE 17 OF THE KERMAN MUNICIPAL ORDINANCE AMENDING SECTION 17.90.020 AND ADDING SECTION 17.92 RELATING TO DEVELOPMENT STANDARDS FOR EMERGENCY SHELTERS

WHEREAS, at a regular meeting of the Planning Commission of the City of Kerman (the “Planning Commission”) duly called and held on March 23, 2015, at 6:30 p.m., it was moved by Commission member __________________ second by Commission member ____________________ and carried that the following resolution be adopted:

WHEREAS, the Planning Commission has initiated a zoning ordinance amendment to Title 17 of the Kerman Municipal Code amending chapter 17.90.020 relating to definitions for emergency residential shelters, transitional, supportive housing and target populations and adding Section 17.92 to Chapter 17 relating to Emergency Shelters as set forth in Exhibit ‘A’, attached hereto and incorporated by this reference; and

WHEREAS, the Planning Commission pursuant to Chapter 17.26 regarding Zoning Ordinance Amendments and Section 17.26.030 has scheduled a public hearing for March 23, 2015, to consider the zoning ordinance amendments; and

WHEREAS, the Planning Department has determined that the proposed amendments and additions are statutorily exempt from environmental review pursuant to Section 15282(i) of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission recommends that the City Council adopts Zoning Ordinance Amendment No. 15-01 relating to emergency, transitional, and supportive housing for the homeless.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating this project:

1. The proposed zoning ordinance amendments are consistent and compatible with other goals, policies and implementation programs set forth in the General Plan.

2. That the proposed zoning ordinance amendments will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

3. The proposed zoning amendments have been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

4. That the proposed zoning amendments comply with State housing law as outlined in Senate Bill 2.
The foregoing Resolution was adopted at a regular meeting of the Kerman Planning Commission held on this 23rd day of March, 2015, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED BY:

______________________________ _______________
Robert D. Epperson, Chairperson Date

______________________________ _______________
Olivia Pimentel, Secretary Date
Ordinance No. 15-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN AMENDING CHAPTER 17 OF THE KERMAN MUNICIPAL CODE TO ADOPT THE CITY’S REGULATION OF EMERGENCY SHELTER AND TRANSITIONAL AND SUPPORTIVE HOUSING

THE CITY COUNCIL OF THE CITY OF KERMAN DOES ORDIAN AS FOLLOWS:

Section 1. The City Council of the City of Kerman hereby finds, determines and declares as follows:

A. That the City of Kerman seeks to be in compliance with the State of California’s regulations for the allowance of emergency homeless shelters as required by State Senate Bill 2 (SB2).

B. That the State of California Legislature passed SB2 (effective January 1, 2008) modifying State Housing Element law to require local planning and zoning regulations to facilitate homeless shelters. Specifically, SB2 requires all cities and counties to provide at least one zoning category in which emergency shelters can be located without discretionary approval from the local government. The zoning category must be identified in the locality’s housing element, and include sites with sufficient capacity to meet the local need for emergency shelter.

C. That after a thorough review the following standards have been developed in order to allow emergency homeless shelters as required, while maintaining those regulations necessary to provide for public health, safety and welfare.

D. The staff report recommending City Council adoption for this ordinance dated March 23, 2015 shall by this reference be incorporated herein, and together with this ordinance, any amendments or supplements and the oral testimony before the City Council at this meeting, shall additionally constitute the necessary findings for this ordinance.

Section 2. Pursuant to the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, the adoption of this ordinance is exempt from CEQA review pursuant to 14 California Code of Regulations section 15-61(b)(3), and a Notice of Exemption will be filed with the County Recorder upon adoption of this ordinance.

Section 3. Section 17.90.020 Chapter 17 of the Kerman Municipal Code is hereby amended to add or amend the following definitions:

Section 17.90.020 Definitions.

“Emergency residential shelter” shall be amended to read as follows:

“Emergency residential shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person, where no individual or household may be denied emergency shelter because of an inability to pay; as defined and used in Section 508019 of the California Health and Safety Code.
“Transitional housing” shall be added to read as follows:

“Transitional housing” Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional housing units are residential uses allowed in all zones that allow residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

“Supportive housing” shall be added to read as follows:

“Supportive housing” housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing units are residential uses allowed in all zones that allow residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

“Target populations” shall be added to read as follows:

“Target populations” persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

Each of the foregoing definitions or amended definitions shall be inserted within the existing text of Section 17.90.020 according to the alphabetical order currently observed therein.

Section 4. Section 17.92 of Chapter 17 of the Kerman Municipal Code is hereby added to read as follows:

Chapter 17.92. Homeless Shelters

Section 17.92.010. Homeless Shelter – Zones

An emergency shelter for homeless or multiservice center for homeless shall be a permitted use on any parcel within the C-S (Service Commercial) or M-1 (Light Industrial) zones. Each facility shall comply with all of the required development and operational standards of the zone in which it is located.

Section 5. Section 17.92.020 of Chapter 17 of the Kerman Municipal Code is hereby added to read as follows:

Section 17.92.020. Standards
In addition to the development standards in the underlying zoning district, the following standards apply to emergency shelters and each emergency shelter shall comply with the standards set forth in this Section. In the event of conflict between these standards and the underlying zoning district regulations, the provisions of this Section shall apply. Nothing in this Section modifies the requirements for approval of a religious facility as otherwise provided in this Code.

(1) **Facility Compliance.** Federal, State and local licensing as required for any program incidental to the emergency shelter.

(2) **Physical Characteristics.**
   a. Compliance with applicable state and local uniform housing and building code requirements.
   b. The facility shall have on-site security during all hours when the shelter is open.
   c. Facilities shall provide exterior lighting on pedestrian pathways and parking lot areas on the property. Lighting shall reflect away from residential areas and public streets.
   d. Facilities shall provide secure areas for personal property.

(3) **Occupancy.** A maximum of 30 beds or persons may be served nightly, with associated support service not open to the public.

(4) **Length of stay.** The length of stay of an individual client shall not exceed six (6) months within a twelve (12) month period; days of stay need not be consecutive.

(5) **Parking.** On-site vehicle parking spaces shall be provided at a rate of 2 spaces per facility for staff plus 1 space per six (6) occupants or beds allowed at the maximum occupancy. A covered and secured area for bicycle parking shall be provided for use by staff and clients, commensurate with demonstrated need, but no less than a minimum of eight (8) bike parking spaces.

(6) **Waiting and Intake Area.** A client waiting area shall be provided sufficient in size to accommodate all persons waiting to enter the facility, and shall contain a minimum of ten (10) square feet per bed provided at the facility.

(7) **Support Services.** Emergency shelters that provide support services shall allocate sufficient areas on-site, and properly enclosed within the building. Support services include, but are limited to, the following:
   a. Food preparation and dining areas.
   b. Laundry facilities.
   c. Restrooms and showers.
   d. Areas to secure and store client belongings.
(8) **Management and Operating Plan.** The applicant or operator shall submit a Management and Operation Plan for the Emergency Shelter for review and approval by the Planning Director in consultation with the Chief of Police in conjunction with the Site Plan Review application and/or prior to the issuance of permits. The plan shall include a floor plan that demonstrates compliance with the physical standards of this chapter. The plan shall remain active throughout the life of the facility, with any changes subject to review and approval by the Planning Director in consultation with the Chief of Police. The plan shall be based on “best practices” and include, but limited to, a security plan, procedures list, list of services, staff training, “good neighbor” communication plan, client transport and active transportation plan, ration of staff to clients, eligibility and intake and check out process, detailed hours of operation, ongoing outreach plan to Kerman homeless population, and participation in data collection for the Fresno Madera Counties Continuum of Care Point-in-Time Report. The City may inspect the facility at any time for compliance with the facility’s Management and Operation Plan and other applicable laws and standards.

(9) **Permit Fee.** The city council may establish a fee by resolution, to cover the administrative cost of review of the required Management and Operation Plan.

Section 6. Section 17.92.030 of Chapter 17 of the Kerman Municipal Code is hereby added to read as follows:

**Section 17.92.030 Transitional and Supportive Housing – Zones.**

Transitional housing and supportive housing shall be considered a residential use of property in the multi-family zone district, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.
Attachment ‘C’

SB2 Fact Sheet

Summary: SB 2 strengthens state law by ensuring that every jurisdiction identifies potential sites where new emergency shelters can be located without discretionary review by the local government. It also increases protections for providers seeking to open a new emergency shelter, transitional housing or supportive housing development, by limiting the instances in which local governments can deny such developments. Applicable to all cities and counties in California, SB 2 takes effect January 1, 2008, and will impact all housing element updates due after this date, as well as those that were due prior to 2008, but are being submitted for the first time after January 1, 2008. Subject to important limitations described below, SB 2:

- Requires all cities and counties ("localities") to provide at least one zoning category in which emergency shelters can be located without discretionary approval from the local government. The zoning category must be identified in the locality’s housing element, and include sites with sufficient capacity to meet the local need for emergency shelter.
- Requires that all localities provide at least one such site.
- Expands the Housing Accountability Act, to prohibit localities from denying a proposal to build an emergency shelter, transitional housing or supportive housing if it is needed and otherwise consistent with the locality’s zoning and development standards.

Key Elements: The changes created by SB 2 should be thought of in two categories: (1) Planning for emergency shelters; and (2) siting of emergency shelters, transitional housing and supportive housing.

Planning for Emergency Shelters

Each locality must identify in its housing element at least one zoning category in which homeless shelters are allowed, without a conditional use permit or other discretionary review. More particularly, the locality must:

- Identify Need: Under current law, the housing element must include an estimate of the number of persons in need of emergency shelter in the jurisdiction. SB 2 requires the analysis to consider both seasonal and annual need.

- Provide sites for new emergency shelters: SB 2 requires the local government to show in its housing element that it has one or more zoning categories that allow emergency shelters without a conditional use permit or other discretionary review. The local government cannot use discretionary criteria to deny the project; if it meets certain objective criteria, the shelter must be approved.

  The identified zone or zones must have sufficient capacity to meet all of the locality’s identified need for emergency shelter. For example, if a locality determines that it has an unmet need of 100 persons who are homeless, the zone or zones identified must consist of sites that have sufficient capacity to accommodate a shelter or shelters for 100 people. Regardless of the identified need, each jurisdiction must identify at least one such site.

- Rezone If Necessary: If the locality does not currently have such a zone or the zone is not sufficient, it must include a program to amend its zoning ordinance to provide a sufficient zone or zones within one year of the adoption of its housing element.
Attachment ‘C’ – (Continued)

- **Eliminate Onerous Standards:** The local government can establish objective development and management standards for the operation of emergency shelters, such as the size, parking standards, lighting, and others set forth in the law. However, the locality must demonstrate that any management or development standards as well as any permit processing standards that it applies are objective and actually encourage the creation of emergency shelters.

- **Exceptions for Compliant Cities:** If the local government can demonstrate that it has an emergency shelter or shelters that meet all of its existing need, it must still designate a zone or zones where emergency shelters are permitted, but it may require a conditional or discretionary use permit. In addition, any city with an existing by-right process for emergency shelters that is in compliance with the standards set forth in SB 2 need only describe its ordinance and how it meets the requirements of the law.

  Finally, the bill gives credit to jurisdictions that are successfully implementing a supportive housing program model under the jurisdiction’s 10-year plan to End Chronic Homelessness, by allowing a reduction in the need to account for supportive housing units available in the community. To take advantage of this credit, the jurisdiction must show that the units are (1) identified in the plan; and (2) either currently vacant or have all of the necessary funding to allow construction during the planning period.

- **Multi Jurisdictional Agreements:** Localities may meet some of their need by entering into an agreement with up to two other adjacent local governments to provide a joint facility provided the emergency shelter will be developed within two years of the beginning of the planning period. For example, two adjoining cities and a county may agree to jointly fund an emergency shelter, and count that shelter toward their identified need. The participating jurisdictions must adopt an agreement which, among other things, allocates a portion of the new shelter capacity to each jurisdiction.

- **Transitional and Supportive Housing:** The bill clarifies that the local government must analyze any constraints to the development of supportive housing, transitional housing or emergency shelters. It also provides that transitional housing and supportive housing must be treated the same as any other residential use within the same zone. For example, when supportive housing is allowed in a multifamily residential zone, the local government cannot impose any additional restrictions on supportive housing than what are imposed on other multifamily units.

**Siting of Emergency Shelters, Transitional and Supportive Housing**

The bill also ensures that local governments do not unreasonably deny approval for needed emergency shelters, transitional housing or supportive housing. The California Housing Accountability Act (formerly referred to as the Anti-NIMBY statute) prohibits discrimination against certain types of permanent housing for lower-income households. SB 2 expands this law to cover emergency shelters, and clarifies that it protects transitional and supportive housing, as well.

As a result, except under very limited exceptions, if a new emergency shelter is proposed on a site that is zoned to allow that use, and the local government has not met the need for emergency shelter identified in its housing element, the local government must approve the shelter. Similarly, transitional or supportive housing projects that are consistent with the zoning for the proposed site may not be denied if the city has not yet met its need for new housing units affordable to the income levels to be served by the proposed project, except under limited circumstances.
Meeting Agenda

- **Presentation**
  1. Housing Element Overview
  2. Regional Housing Needs Allocation (RHNA)
  3. Key Findings from Background Report

- **Discussion**

- **Housing Element Timeline**
Housing Element Overview

- A plan to meet the existing and projected housing needs of all economic segments of the community
- One of the seven mandated elements of the general plan
- New 8-year timeframe, set by State law (2015-2023)
- Adoption due date is December 31, 2015
- Review by California Department of Housing and Community Development (HCD) for compliance with State law
Multi-Jurisdictional Housing Element

Participating Jurisdictions
- Fresno County
- Clovis
- Coalinga
- Fowler
- Huron
- Kerman
- Kingsburg
- Mendota
- Parlier
- Reedley
- San Joaquin
- Sanger
- Selma

Fresno County Multi-Jurisdictional Housing Element
Stakeholder Workshop | March 4, 2015

Consultant Team
mintierharnish
Planning Tomorrow Today

M I G
One Multi-Jurisdictional Housing Element

- Main body of the Housing Element will describe demographics, housing needs, resources, and constraints at a regional level
- One set of goals and policies for housing
- Appendices will contain details for each jurisdiction:
  - Sites inventory (to meet RHNA units)
  - Governmental constraints (to affordable housing)
  - Evaluation of existing Housing Element (progress)
  - Individual implementation programs
Regional Housing Needs Assessment
## Income Category for Fresno Region

<table>
<thead>
<tr>
<th>Income Category</th>
<th>RHNA total</th>
<th>Income Limit (4-pers. household)</th>
<th>Affordable Monthly Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low Income (&lt;30% of Median Income)</td>
<td>5,267</td>
<td>$17,350</td>
<td>$434</td>
</tr>
<tr>
<td>Very Low Income (&lt;50% of Median Income)</td>
<td>5,268</td>
<td>$28,950</td>
<td>$724</td>
</tr>
<tr>
<td>Low Income (51-80% of Median Income)</td>
<td>6,470</td>
<td>$46,300</td>
<td>$869</td>
</tr>
<tr>
<td>Moderate Income (81-120% of Median Income)</td>
<td>6,635</td>
<td>$69,500</td>
<td>$1,858</td>
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<tr>
<td>Above Moderate Income (&gt;120% of Median Income)</td>
<td>17,830</td>
<td>&gt; $69,500</td>
<td>&gt; $1,858</td>
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<tr>
<td>TOTAL</td>
<td>41,470</td>
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</table>

2014 Area **Median Income** for Fresno County jurisdictions is **$57,900**
Housing Types and Affordability

Above Moderate Income
- Large-lot single family home

Moderate Income
- Townhome
- Accessory dwelling
- Duplex

Lower Income (20 units/acre)
- Mobile home
- Multifamily housing

The jurisdiction must demonstrate that it has enough vacant land zoned at appropriate densities to accommodate the projected new housing units for each income category.
RHNA Challenges

- High RHNA
  - Especially for those with a 4th cycle carryover
- Limited high-density land for development
- Reliance on annexing land in many jurisdictions a challenge due to LAFCo policy
- May require pre-zoning land outside city limits but within sphere of influence
Key Findings

Preliminary results from our research
Key Findings: Population Growth

Population, 2014

Source: DOF
Key Findings: Population Growth

Average Annual Growth, 2000-2014

Source: DOF
Key Findings: Median Income

Median Income, 2013

Fresno County: $45,741

Source: 2008-2012 ACS
Key Findings: Extremely Low Income

Extremely low-income households as a percent of total households, 2011

Fresno County average: 11.9%

Source: CHAS 2007-2011
Key Findings: Affordability Gap

Median Home Sale Price, 2013

- **Median Income** family earning $57,900 can afford $233,873
- **Low Income** family earning $40,500 can afford $163,792
- **Very Low Income** family earning $28,950 can afford $116,936

Source: DQ News, 2014, based on a 4-person household
Key Findings: Tenure

Households by Tenure, 2010

Source: 2010 U.S. Census
Special Needs Populations

- Seniors
- Persons with disabilities
- Large households
- Farmworkers
- Single-parent households
- Homeless
Seniors as a percent of the population, 2013

Unincorp. County, Fresno County, Clovis, Kingsburg, Selma, County average, Reedley, Fowler, Sanger, Kerman, Coalinga, Parlier, Huron, Mendota, San Joaquin

Fresno County: 10.3%

Source: 2009-2013 ACS
Persons with Disabilities

- 12% of the population countywide is living with disabilities (2009-2013 ACS)
- Slightly higher than statewide rate: 10%
- 42% of seniors countywide have disabilities
Large Households

Large households (5 or more) as a percent of the total population, 2011

Source: 2007-2011 ACS
Farmworkers

Percent of employed residents working in agriculture, 2011

Fresno County: 10.4%

Source: 2007-2011 ACS
Single Parent Households

Percent of single female-headed households, 2010

Fresno County: 9.9%

Source: 2010 U.S. Census
January 2014 Homeless Census and Survey estimated Fresno County’s homeless population: 2,597
- Unsheltered: 1,883
- Sheltered: 714

Bed Inventory:
- Emergency Shelter: 271
- Transitional Housing: 505
- Safe Haven: 24
- Supportive Housing: 666
Discussion

☐ Any questions?
☐ What are the major housing issues in Kerman/Fresno County?
☐ What are the barriers to affordable housing in Kerman/Fresno County?
☐ What can be done to address these issues and barriers?
## Process and Schedule

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Tentative Schedule</th>
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<tbody>
<tr>
<td>Stakeholder Meetings (2 meetings)</td>
<td>March 4, 2015</td>
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<tr>
<td>Decision Maker Study Sessions (13 meetings)</td>
<td>June 2015</td>
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<tr>
<td>Submit to HCD</td>
<td>June 2015</td>
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<tr>
<td>Public Hearing Draft Housing Element</td>
<td>August 2015</td>
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<tr>
<td>Environmental Review</td>
<td>August-September 2015</td>
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<tr>
<td>Adoption Hearings</td>
<td>October-November 2015</td>
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