

# **AGENDA**

## **ORANGE COVE PLANNING COMMISSION MEETING**

**TUESDAY, MARCH 17, 2020**

**MEETING AT 6:30 P.M.**

**Orange Cove Council Chambers  
633 6<sup>th</sup> Street,  
Orange Cove, California 93646**

**Coy Weldon, Chairman  
Planning Commissioners  
Rev. Rick Applegarth,  
Vicky Alvarado - Rick E. Alonso - Charles Lopez**

### **A. Call to Order/Welcome**

Planning Commissioner and Staff

Flag Salute by Chairman Weldon

### **B. Confirmation of Agenda**

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6<sup>th</sup> Street, Orange Cove, CA 93646 during normal business hours.)

### **C. Consent Calendar:**

1. Planning Meeting Minutes of February 19, 2019

### **D. Administration**

2. **SUBJECT:** PUBLIC HEARING - Consideration and Discussion regarding the 2019-2023 Orange Cove Housing Element

**Recommendation:** Staff recommends the Planning Commission to conduct a public hearing to receive testimony and provide recommendation to the City Council regarding the 2019-2023 Orange Cove Housing Element and approve Resolution PC No. 2020-01

## **GENERAL RULES OF DECORUM**

While any meeting of the Planning Commission is in session, the following rules of decorum shall be observed:

1. All remarks shall be addressed to the Planning Commission as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning Commission meeting.
3. A person, other than members of the Planning Commission and the person who has the floor, shall not be permitted to enter into the discussion unless requested by the Chairman to speak.
4. Members of the Planning Commission may not interrupt a person who has the floor and is making public comments. Members of the Planning Commission shall wait until a person completes his or her public comments before asking questions or commenting. The Chairman shall then ask the Planning Commissioners if they have comments or questions.
5. No person in the audience at a Planning Commission meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Planning meeting.

## **ENFORCEMENT OF DECORUM RULES**

While the Planning Commission is in session, all persons must preserve order and decorum. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct which is likely to provoke others to violent or riotous behavior, which disturbs the peace of the meeting by loud and unreasonable noise, which is irrelevant or repetitive, or which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning meeting.

# **MINUTES**

## **ORANGE COVE PLANNING COMMISSION MEETING**

**TUESDAY, FEBRUARY 19, 2019**

**MEETING AT 6:30 P.M.**

**Orange Cove Council Chambers  
633 6<sup>th</sup> Street,  
Orange Cove, California 93646**

**Coy Weldon, Chairman  
Planning Commissioners  
Rev. Rick Applegarth,  
Vicky Alvarado - Rick E. Alonso - Charles Lopez**

### **A. Call to Order/Welcome**

Present: Weldon, Applegarth, Alvarado  
Absent: Lopez and Alonso

Staff present: City Clerk June Bracamontes and Interim City Manager Hernandez, City Engineer Alfonso Manrique

### **B. Confirmation of Agenda**

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6<sup>th</sup> Street, Orange Cove, CA 93646 during normal business hours.)

### **C. Consent Calendar:**

1. Planning Meeting Minutes of January 15, 2019

**Upon the motion by Member Applegarth and seconded by Member Alonso,  
The Planning Commission approved the Consent Calendar as presented.**

Yes: Weldon, Applegarth, Alvarado  
No: None  
Abstain: None  
Absent: Alonso and Lopez

TO: ORANGE COVE PLANNING COMMISSION  
FROM: GREG COLLINS, CITY PLANNER

3-17-2020

SUBJECT: APPROVAL OF HOUSING ELEMENT, 2019 to 2023, (Midcycle Update to the 5<sup>th</sup> Cycle of the Orange Cove Housing Element)

### RECOMMENDATION

Pass Resolution PC 2020-01 approving the Orange Cove Housing Element, 2019-2023, Midcycle Update as amended.

### HOUSING ELEMENT LAW

Government Code Section 65580 declares: *"The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farm workers, is a priority of the highest order."*

State law also recognizes the most critical decisions about supply and affordability of housing occurs at the local level. To that end, the housing element update process plays a critical role in identifying and addressing housing needs for all members of the community. In addition, the State has a fundamental interest in housing supply and affordability because of the critical role of housing as an engine for economic stability and growth. In general, a housing element must include the following components:

#### **A Housing Needs Assessment:**

**Existing Needs** - The number of households overpaying for housing, living in overcrowded conditions, or with special housing needs (e.g., the elderly, large families, homeless) the number of housing units that need rehabilitation, and assisted affordable units at-risk of converting to market-rate.

**Projected Needs** - The city or county's share of the regional housing need as established in the Regional Housing Needs Plan (RHNP) prepared by the COG. The allocation establishes the number of new units needed, by income category,

to accommodate expected population growth over the planning period of the housing element. The RHNP provides a benchmark for evaluating the adequacy of local zoning and regulatory actions to ensure each local government is providing sufficient appropriately designated land and opportunities for housing development to address population growth and job generation.

### **A Sites Inventory and Analysis:**

The element must include a detailed land inventory and analysis including a sites specific inventory listing properties, zoning and general plan designation, size and existing uses; a general analysis of environmental constraints and the availability of infrastructure, and evaluation of the suitability, availability and realistic development capacity of sites to accommodate Exeter's share of the regional housing need by income level. If the analysis does not demonstrate adequate sites, appropriately zoned to meet the jurisdiction's share of the regional housing need, by income level, the element must include a program to provide the needed sites including providing zoning that allows owner-occupied and rental multifamily uses "by-right" with minimum densities and development standards that allow at least 16 units per acre.

### **An Analysis of Constraints on Housing:**

**Governmental and Non-Governmental** - Includes land-use controls, fees and exactions, on- and off-site improvement requirements, building codes and their enforcement, permit and processing procedures, and potential constraints on the development or improvement of housing for persons with disabilities.

### **Housing Programs**

Programs are required to identify adequate sites to accommodate Exeter's share of the regional housing need; assist in the development of housing for low- and moderate-income households; remove or mitigate governmental constraints; conserve and improve the existing affordable housing stock; promote equal housing opportunities; and preserve the at-risk units identified.

### **Quantified Objectives**

Estimates the number of units, by income level, to be constructed, rehabilitated, and conserved over the planning period of the element.

## DISCUSSION

The Housing Element is an element of the Orange Cove General Plan. Unlike other elements of the general plan, the housing element must be reviewed and “certified” by the State Department of Housing and Community Development (HCD). Sometimes, failure to receive certification within a certain time period can prevent a city (or county) from receiving certain state grants. In the case of Orange Cove, the City was required to resubmit its Element even after the Commission and City Council approved the document in 2016. This resubmittal is entitled: Orange Cove Housing Element, 2019-2023, Midcycle Update.

Housing Element law, as described above, requires the community to formulate a “blueprint” on how local housing needs will be accomplished. Further, how will Orange Cove facilitate the construction of the housing figures detailed in Fresno County Association Governments (TCAG) Regional Housing Needs Plan? For the planning period of this element, 2019 to 2023, Orange Cove is charged with promoting the construction of the Regional Housing Need Allocation (RHNA) housing numbers explained below.

Staff recently forwarded a copy of the draft Housing Element to be reviewed by State Department of Housing and Community Development. HCD provided Staff with recommended modifications to the Element in order to bring it into compliance with State Housing Element law.

In order to satisfy the State's requirements in regard to the contents of the Housing Element, the following amendments were incorporated into the document and have been approved by the State.

The following programs are in addition to the programs contained in the City's Housing Element submitted in 2019. These additional programs are a result of input from HCD staff. These programs are as follows:

### **C. Assist in the Development**



*Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households (Government Code Section 65583(c)(2)).*

*5. The City of Orange Cove will ensure that proposed infill housing projects comply with the State's SB 35 and its accompanying housing bills.*

*Discussion: Orange Cove has been very successful in providing housing for lower-income households. The tax credit apartment projects that have been constructed in Orange Cove have affordable housing for lower-income households, including extremely low-income households. The State's 15-bill housing package provides additional mandates to ensure that Orange Cove meets its RHNA numbers especially in the lower-income categories.*

*Time Period: ongoing*

*Responsible Agency: Orange Cove City Planning Department*

*Funding: general fund*

*6. The City of Orange Cove will amend its zoning ordinance to permit by right Low Barrier Navigation Centers in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets specified requirements. These types of housing projects would be exempt under CEQA.*

*Discussion: The entire state of California is contending with the homeless problem. Housing and mental health services are two of the more difficult issues to resolve regarding this matter. Low Barrier Navigation Centers, similar to 40 Prado in San Luis Obispo County, are an excellent approach to getting the homeless off the streets and providing them with shelter and mental health services.*

*Time Period: 2020*

*Responsible Agency: Orange Cove City Planning Department*

*Funding: general fund*

## **F. Address and Remove or Mitigate Constraints**

*Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, or provide reasonable accommodations for housing designed for, intended*

*for occupancy by, or with supportive services for, persons with disabilities (Government Code Section 65583(c)(3)).*

*15. The City of Orange Cove over the years has had to rely on domestic water from the Friant-Kern Canal and to a lesser extent ground water. The drought (less water being released down the Friant-Kern Canal during the years 2013 to 2017) and recent repairs to the Canal has placed the city in a tenuous position in terms of domestic water deliveries thereby affecting the ability to provide water to housing developments.*

*The City has spent a considerable amount of money using a state water grant to ensure that during the repair of the Canal water can still be delivered to the City's water treatment plant and eventually its residents.*

*Discussion: Orange Cove's shall seek an alternative source of domestic to offset potential reduced deliveries from the Canal. The ideal source of water would be from a deep well that would access a high-quality source of water that would meet safe drinking water standards. This well would then be connected to the city's water system wherein this water would be blended with treated Canal water and water from existing wells.*

*Time Period: 2021*

*Responsible Agency: City of Orange Cove Planning Department*

*Funding: Water Fund*

## **G. Equal Housing Opportunities**

*Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability (Government Code Section 65583(c)(5)).*

*2. Orange Cove will work with Fresno County Housing Authority to advertise at the library, community center, city hall and the senior center, services that are available to residents pertaining to ensuring housing discrimination does not take place in Orange Cove, and outlines the process by which residents can get relief from such discrimination.*

*Year: 2016 to 2023*

*Responsible Entities: City of Orange Cove and Fresno County Housing Authority*



*Funding: CDBG funds*

Finally, there was interest by HCD on bolstering the language in Program No. 10 which reads as follows:

*10. The City of Orange Cove will initiate both annexation and rezoning of at least 10 acres of land currently inside the city limits for the purpose of reclassification to the R-3 district, which permits by right a density of more than 20 units per acre. As a part of the annexation and reclassification, the city will also seek tax credit housing developers to participate in the reclassification or annexation process. Tax credit projects are very successful in meeting extremely low and very low housing unit demands.*

*Discussion: The City of Orange Cove needs to revisit the 80-acre annexation on the east side of Anchor Avenue that was initiated in 2009. If successful, this property could provide the necessary property for high density residential zoning that would help the city meet its RHNA numbers.*

*Paralleling this proposed future annexation, the city will rezone, at a minimum, 10 acres of land to the R-3 district. The Planning Department recommends that this high-density residential zoning be scattered around the community and not concentrated in any one neighborhood.*

*The rezoned sites will:*

- \* Accommodate 100 percent of the lower income housing need for which site capacity has not been identified.*
- \* Allow and limit by-right approval to only owner-occupied and rental multifamily residential use developments in which at least 20 percent of the units are affordable to lower income households.*
- \* Have site capacity of at least 16 units*
- \* Have a minimum density of at least 20 units per acre. For example, 20 to 25 units per acre. Not, 16 to 24 units per acre.*
- \* Accommodate at least 50 percent of the lower income housing need on sites designated for residential use only or accommodate 100 percent of the lower income housing need on mixed-use sites if those sites allow 100 percent*

*residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project.*

*Time Period: 2018/2019*

*Responsible Agency: City of Orange Cove, Planning Department*

*Funding: General Fund*

**RESOLUTION PC 2020-01**

**BEFORE THE PLANNING COMMISSION  
CITY OF ORANGE COVE, STATE OF CALIFORNIA**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE APPROVING THE ORANGE COVE HOUSING ELEMENT, 2019-2023 (MIDCYCLE UPDATE TO THE 5<sup>th</sup> CYCLE OF THE ORANGE COVE HOUSING ELEMENT)

WHEREAS, the State requires local governments to update their Housing Element every five to seven years, and

WHEREAS, the City of Orange Cove has prepared an update to its Housing Element consistent with Article 10.6 of the State Government Code, and

WHEREAS, a public hearing notice was published ten days prior to the Planning Commission's meeting on this matter, and

WHEREAS, the Planning Department has presented a report and environmental finding for this project, and

WHEREAS, the Planning Commission held a public hearing on this project, accepted testimony and reviewed the staff report, and

WHEREAS, staff had reviewed with the Planning Commission the contents and purpose of the Housing Element prior to the Commission's public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating this general plan element:

1. The project is consistent with the Orange Cove General Plan.
2. The element will not have a significant impact on the environment and a negative declaration has been prepared.
3. The element will not have an adverse impact on the health, safety or welfare of the neighborhood or community.

4. The Housing Element has been received by the State Department of Housing and Community Development for review and comment.

BE IT FURTHER RESOLVED, that the Planning Commission hereby recommends approval the Orange Cove Housing Element, 2019-2023, Midcycle Update, to the Orange Cove City Council. The foregoing resolution was adopted upon a motion of Commission member \_\_\_\_\_, seconded by Commission member \_\_\_\_\_ at a regular meeting of the City of Orange Cove Planning Commission on the 17th of March, 2020, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

## **NOTICE OF PUBLIC HEARING**

### **BEFORE THE ORANGE COVE PLANNING COMMISSION TO CONSIDER APPROVAL OF THE CITY OF ORANGE COVE 2019-2023 HOUSING ELEMENT**

**NOTICE IS HEREBY GIVEN** that a public hearing on the above items will be held before the Orange Cove Planning Commission on the 17th of March, 2020 at the Orange Cove Council Chambers, 633 6<sup>th</sup> Street, Orange Cove, California, at 6:30 p.m., or as soon thereafter as possible. A second public hearing will be held before the Orange Cove City Council on the 25th of March, 2020 at the Orange Cove Council Chambers, 633 6<sup>th</sup> Street, Orange Cove, California, at 6:30 p.m., or as soon thereafter as possible.

The 2019-2023 Orange Cove Housing Element is prepared in accordance with California Government Code Sections 65580 through 65589.8. The Housing Element establishes programs to address such issues as adequate housing sites, affordability, governmental constraints, and fair housing.

All interested persons should present their views before or at the public hearing. If you challenge any action in court, you may be limited to only those issues raised at the public hearing, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. Staff reports will be available at least three days prior to the hearing at Orange Cove City Hall located at 633 Sixth Street, Orange Cove, CA. Questions regarding this notice should be directed to June Bracamontes, City Clerk, at 559-626-4488 Ext. 214.