

**BEFORE THE KINGS COUNTY BOARD OF SUPERVISORS  
COUNTY OF KINGS, STATE OF CALIFORNIA**

**IN THE MATTER OF ADOPTING THE )  
“2009-2014 KINGS COUNTY HOUSING )  
ELEMENT” OF THE 2035 KINGS )  
COUNTY GENERAL PLAN )  
)**

**RESOLUTION NO. 10-027**

**RE: 2035 Kings County General Plan  
Amendment No. 1**

**WHEREAS**, the County of Kings has updated the General Plan Housing Element as necessary in order to conform with Government Code Section 65302(c), which mandates that each city and county shall include a Housing Element in its General Plan, and that the Housing Element be updated periodically to reflect current conditions, legal requirements, and the regional housing needs and allocations as identified by the Department of Housing and Community Development (HCD) and the Kings County Association of Governments (KCAG) for the 2009-2014 planning period; and

**WHEREAS**, KCAG has established a quantifiable future housing allocation for the County of Kings through the Regional Housing Needs Allocation (RHNA) process; and

**WHEREAS**, the *2009-2014 Kings County Housing Element* contains within itself the goals, policies, objectives, and programs to meet the local RHNA allocation of the 2009-2014 planning period; and

**WHEREAS**, the Kings County Community Development Agency has reviewed the draft *2009-2014 Kings County Housing Element* for consistency with current law and internal consistency with other elements of the *2035 Kings County General Plan* including the Land Use Element, Resource Conservation Element, Open Space Element, Circulation Element, Health and Safety Element, and Noise Element; and

**WHEREAS**, extensive public outreach has been conducted; five public study sessions were held throughout the County to provide opportunities for all interested parties to learn about the Housing Element update process; and

**WHEREAS**, six public meetings were held throughout the County during August 2009 to review the Draft Housing Element prior to its submittal to the California Department of Housing and Community Development; and

**WHEREAS**, the draft *2009-2014 Kings County Housing Element* has been prepared as a joint document by all local jurisdictions of Kings County including the Cities of Avenal, Corcoran, Hanford, Lemoore, and the County of Kings in accordance with the provisions of the California Government Code; and

**WHEREAS**, on August 31, 2009 the *2009-2014 Kings County Housing Element* was submitted to HCD for their review and comment; and

**WHEREAS**, after a series of several reviews and revisions the Department of Housing and

Community Development, on March 29, 2010, determined the revised *2009-2014 Kings County Housing Element* to be in substantial compliance with State housing Element Law (Article 10.6 of the Government Code); and

**WHEREAS:** An Initial Study was completed per the requirements of the California Environmental Quality Act (CEQA) and the County's CEQA Guidelines. Based upon the whole record, there is no substantial evidence that the project will have a significant effect on the environment. A negative declaration has been prepared as required by law. The Negative Declaration reflects the County's independent judgment and analysis of the project; and

**WHEREAS,** the Planning Commission of Kings County, after mailed and published notice, held a public hearing on May 3, 2010, at which hearing public comments on the *2009-2014 Kings County Housing Element* were taken; and

**WHEREAS,** the Planning Commission has duly reviewed the contents of the *2009-2014 Kings County Housing Element*, written comments, and oral testimony from the public and interested governmental agencies and adopted Resolution No. 10-04 recommending the elements adoption by the Kings County Board of Supervisors; and

**WHEREAS,** the Kings County Board of Supervisors, after mailed and published notice, held a public hearing on May 18, 2010, at which hearing public comments on the *2009-2014 Kings County Housing Element* were taken; and

**WHEREAS,** the Kings County Board of Supervisors, after considering all public testimony and all information relating to the project submitted to the Board, closed the public hearing;

**NOW, THEREFORE, BE IT RESOLVED,** that this Board finds that:

- a. An Initial Study of the project has been conducted by the Lead Agency to evaluate the potential for any adverse environmental impact.
- b. There is no evidence in the record that indicates that the project has potential for adverse effect on wildlife, resources, or habitat for wildlife.
- c. The presumption that the project will have a potential for adverse effect on fish and wildlife resources or the habitat upon which wildlife depends is rebutted based on evidence in the record that:
  - a. The project does not involve any riparian land, rivers, streams, watercourses, or wetlands under State and Federal jurisdiction.
  - b. The project does not disturb any plant life required to sustain habitat for fish or wildlife.
  - c. The project does not disturb any rare or endangered plant or animals or the habitat in which they are believed to reside.
  - d. The project does not disturb any plants or animals that are subject to special management in the Fish and Game Code, Public Resources Code, the Water Code or any regulations

thereto.

- e. The project does not disturb any marine or terrestrial species which are subject to the jurisdiction of the Department of Fish and Game and ecological communities in which they reside.
  - f. The project will not degrade any air or water resources which will individually or cumulatively result in a loss of biological diversity among plants and animals residing in the air or water.
- d. The use should not be detrimental to public health and safety, nor materially injurious to properties in the vicinity. A Negative Declaration has been recommended for this project.

**BE IT FURTHER RESOLVED, that:**

1. The *2009-2014 Kings County Housing Element* (Exhibit A) constitutes a comprehensive planning document providing the County with the following:
  - Analysis of population, household and employment trends, the characteristics of the housing stock, and a summary of the present and projected housing needs (Chapter 2);
  - Evaluation of resources and opportunities that will further the development and preservation of housing (Chapter 3);
  - Review of potential constraints to meeting identified housing needs (Chapter 4);
  - Housing Plan to address housing needs, including housing goals, policies and programs (Chapter 5);
  - Evaluation of each jurisdiction's housing accomplishments during the previous planning period (Appendix A);
  - Inventory of potential sites for residential development (Appendix B); and
  - Summary of public involvement activities during the Housing Element update process (Appendix C).
2. The County only has jurisdiction over the unincorporated areas which are outside of the incorporated Cities. Therefore, the County's adoption of the *2009-2014 Housing Element* excludes all portions of the Housing Element that pertain to the individual Cities.
3. The *2009-2014 Kings County Housing Element* meets all the requirements for such plans as contained in the Planning and Zoning Law (Article 10.6 of the Government Code) and other laws.
4. As a result of the changes proposed in the *2009-2014 Kings County Housing Element*, the *2035 Kings County General Plan* needs to be amended to reflect the changes proposed. Chapter 6 is proposed to be replaced with the information contained in Exhibit A of this resolution.

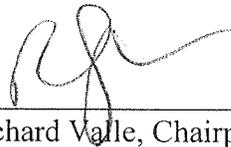
1. Adoption

- a. The Kings County Board of Supervisors adopts all portions of the *2009-2014 Kings County Housing Element* that pertains to Kings County and approves the associated Initial Study/Negative Declaration.
- b. The Kings County Board of Supervisors rescinds the "2003 Housing Element," adopted March 16, 2004, by Kings County Board of Supervisors Resolution No. 04-020.

The foregoing Resolution was adopted on a motion by Supervisor Barba and seconded by Supervisor Fagundes, at a regular meeting held on May 18, 2010, by the following vote:

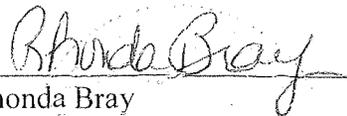
AYES: SUPERVISORS BARBA, FAGUNDES, NEVES, VALLE  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: SUPERVISOR OLIVEIRA

KINGS COUNTY Board of Supervisors



Richard Valle, Chairperson

WITNESS, my hand this 18<sup>th</sup> day of May, 2010.



Rhonda Bray  
Deputy Clerk to the Board

EXHIBITS:  
Exhibit A- 2009-2014 Kings County Housing Element  
Exhibit B- Initial Study/Negative Declaration

STATE OF CALIFORNIA COUNTY OF KINGS	} ss.
I, CATHERINE VENTURELLA, Clerk of the Board of Supervisors of said County and State, do hereby certify the foregoing to be a full, true and correct copy of the original thereof on file in my office.	
Witness my hand and Seal of said Board, this 18 <sup>th</sup> day of May 2010	
CATHERINE VENTURELLA Clerk of the Board of Supervisors	
By	 Deputy Clerk