

# **City of Tulare**

# **Housing Element**

**2015-2023**

**Adopted**  
**April 27, 2016**

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# Chapter 1

## INTRODUCTION

### 1.1 Introduction

The housing goal for the State of California is for every Californian to have access to a decent home and suitable living environment. Recognizing the important role that local governments play in pursuit of this goal, the Legislature has mandated that all cities and counties prepare a Housing Element as part of their comprehensive General Plan (California Government Code Section 65302 (c)).

This Housing Element update covers the planning period from 2015-2023. It addresses housing opportunities for present and future residents over the next eight years, and provides the primary policy guidance for local decision making as it relates to housing. The Housing Element has a shorter (eight-year) planning period than the other General Plan elements and is the only General Plan element that requires review and certification by the State of California.

The Housing Element provides a detailed analysis of the city's demographic, economic, and housing characteristics as required by State Law. The Element also provides a comprehensive evaluation of the City's progress in implementing the past policies and programs related to housing production, preservation, and conservation. Based on the community's housing needs, available resources, constraints, and opportunities for housing production and preservation, the Housing Element identifies goals, policies, and programs that address the housing needs of present and future residents. The goals, policies, and programs are included in the Housing Element Policy Document.

#### Consistency with State Law

This update has been prepared in accordance with the requirements of California Government Code Article 10.6 (commencing with Section 65580) and contains:

- An assessment of housing needs in the city;
- The identification of constraints upon the maintenance, improvement, and development of housing for all income levels;
- An inventory of resources available to the City to meet the housing needs for all income groups;

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- A statement of the community's goals, quantified objectives, and policies related to the maintenance, improvement, and development of housing; and
- An eight-year schedule of actions the City will undertake to implement the policies and achieve the goals and objectives of the Housing Element.

The California Government Code requires internal consistency among the various elements of the General Plan. Section 65300.5 of the Government Code states that the General Plan's various elements shall provide an integrated and internally consistent and compatible statement of policy. The updated Housing Element will be incorporated into the General Plan. The General Plan's Land Use Plan and the policies contained in the Land Use Element were used to determine the location, amount, and type of potential housing. The City will maintain this consistency as future General Plan amendments are processed by evaluating proposed amendments for consistency with all elements of the General Plan.

### **1.2 Data Sources**

Various information sources have been used to prepare the Housing Element, with 2000 and 2010 Census Data representing the primary source. Other sources used to update and supplement the Census data, included:

- Population and demographic data from the State Department of Finance (DOF) and American Community Survey (ACS);
- Employment information from the California Employment Development Department;
- Housing market information, such as home sales, rents, and vacancies from the U.S. Department of Housing and Urban Development (HUD); and
- Public and non-profit agencies were consulted for data on special needs groups, the services available to them, and gaps in the system.

### **1.3 Relationship to the General Plan**

The 2015-2023 Housing Element is one of the elements of the City General Plan. The Housing Element builds upon the other General Plan Elements and is consistent with the policies set forth in those elements.

The City will ensure ongoing consistency between the Housing Element and other General Plan elements so that policies introduced in one element are consistent with other elements. At this time, the Housing Element does not propose significant changes to any other element of the City's General Plan. However, if it becomes apparent that changes to any element are needed, such changes will be proposed for consideration by the Planning Commission and City Council.



## 1.4 Public Participation

State law requires local governments to make a diligent effort to achieve public participation of all socioeconomic segments of the community in the development of the Housing Element. The public participation process for this Housing Element involved four major stages:

1. A stakeholder meeting and community workshop;
2. Publication of the Draft Housing Element on July 13, 2015, and a public study session with the Planning Commission to present the document to the public;
3. Review by the California Department of Housing and Community Development (HCD);
4. Public hearings before the Planning Commission and City Council prior to adoption of the final Housing Element.

The City also received two comment letters from members of the public on the Draft Housing Element (see Appendix C). The City made several revisions to the Draft Housing Element in response to these letters at the same time as the City was revising the Element to respond to HCD.

### **Stakeholder Meeting and Community Workshop, June 2, 2015**

On June 2, 2015, the City held a stakeholder meeting and community workshop to provide an overview of the Housing Element Update process and solicit input from the public on housing issues prior to preparing the Draft Housing Element. The stakeholder meeting was held at 3:30 pm. Following a presentation that described key issues related to Tulare's housing needs, attendees participated in a roundtable discussion about Tulare's major housing issues and possible solutions to the identified issues. At 5:30, the City held a community workshop open to the public. A list of attendees is provided in Appendix C.

### **City Council Commission Study Session, July 21, 2015**

On July 21, 2015, the City held a study session with the City Council to review the Draft Housing Element, solicit feedback from the City Council, and provide the public an opportunity to comment on the Draft Housing Element. The City Council authorized City staff to submit the Draft Housing Element to HCD. There were no public comments.

### **Planning Commission Study Session, July 27, 2015**

On July 27, 2015, the City held a study session with the Planning Commission to review the Draft Housing Element, solicit feedback from the Planning Commission, and provide the public an opportunity to comment on the Draft Housing Element. Comments received are included in Appendix C.

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### **Planning Commission Hearing, April 11, 2016**

On April 11, 2016, the Planning Commission held a public hearing and recommended that the City Council adopt the 2015-2023 Housing Element and Negative Declaration.

### **City Council Hearing, April 27, 2016**

On April 27, 2016, the City held a hearing with the City Council to adopt Resolution 16-15 approving a Negative Declaration for the 2015-2023 City of Tulare Housing Element Update; approval of General Plan Amendment 2016-01 to adopt the Land Use Element and the Final 2015-2023 City of Tulare Housing Element Update. The Council voted 4 to 0.

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# Chapter 2

## EXISTING CONDITIONS

### 2.1 Population, Employment, and Housing Characteristics

#### Community Context

Tulare is a moderately-sized, agriculture-based community located along State Route 99 at the southern end of the San Joaquin Valley in Tulare County, California. Similar size cities located near Tulare include Visalia, Porterville, and Hanford. As of 2014 Tulare had 61,857 citizens.

#### Population Change

The Department of Finance (DOF) provides population estimates for each jurisdiction in California. Analyzing population change can help assess where there may be a need for new housing and services. Table 2.1 shows population growth from 2000-2014 for cities in Tulare and Kings Counties. The city of Tulare grew by over 17,000 from 2000 to 2014, and was the second most populous city in Tulare County. The city of Tulare experienced an average annual growth rate of 2.5 percent from 2000 to 2014, which was at the high end of growth rates for nearby communities, but the same as Dinuba, Porterville, and Visalia.

<b>TABLE 2.1</b> <b>POPULATION GROWTH TRENDS</b> <b>CITIES IN TULARE AND KINGS COUNTIES</b> <b>2000-2014</b>				
City	2000	2010	2014	Average Annual Growth Rate (2000-2014)
Dinuba	16,844	21,453	23,666	2.5%
Exeter	9,168	10,334	10,539	1.0%
Farmersville	8,737	10,588	10,932	1.6%
Hanford	41,686	53,967	55,234	2.0%
Lindsay	10,297	11,768	12,650	1.5%
Porterville	39,615	54,165	55,697	2.5%
Tulare	43,994	59,278	61,857	2.5%
Visalia	91,891	124,442	129,582	2.5%
Woodlake	6,653	7,279	7,711	1.1%

*Source: Tulare Pre-Approved Data Package, State of California, Department of Finance, E-4 Population Estimates for Cities, Counties, and the State, 2011-2014, with 2010 Census Benchmark.*

### Population Projections

Table 2.2 shows DOF population projections countywide from 2010 through 2060. The total population countywide is expected to increase to 779,772 by 2060, an increase of 336,285 over 50 years. The Tulare County Association of Governments (TCAG) also projects population, households, housing units, and jobs in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The plan projects that the city of Tulare’s population will grow from 59,278 in 2010 to 97,097 in 2040. This represents an average annual growth rate of 1.7 percent.

<b>TABLE 2.2 POPULATION PROJECTIONS TULARE COUNTY 2010-2060</b>			
<b>Year</b>	<b>Number</b>	<b>Percent Change</b>	<b>Average Annual Growth Rate</b>
2010	443,487	--	--
2015	467,170	5.3%	1.0%
2020	498,559	6.7%	1.3%
2025	537,015	7.7%	1.5%
2030	578,858	7.8%	1.5%
2035	616,547	6.5%	1.3%
2040	650,819	5.6%	1.1%
2045	683,533	5.0%	1.0%
2050	715,722	4.7%	0.9%
2055	747,912	4.5%	0.9%
2060	779,772	4.3%	0.8%
Change/Average	336,285	5.8%	1.1%

*Source: Department of Finance State and County Projections, 2010-2060.*

## Household Growth Trends

The U.S. Census defines a household as persons occupying a housing unit for their residence. Similar to population, there has been steady growth in the number of households citywide. The number of households in Tulare grew, on average, by 2.2 percent per year from 1990 to 2000 and 2.7 percent per year from 2000 to 2010. As of 2014, the city of Tulare had 19,380 households, a net increase of 8,521 during this 24 year period.

<b>TABLE 2.3 HOUSEHOLD GROWTH TRENDS CITY OF TULARE 1990-2014</b>			
<b>Year</b>	<b>Households</b>	<b>Numerical Change</b>	<b>Average Annual Growth Rate</b>
1990	10,859	n/a	n/a
2000	13,543	2,684	2.2%
2010	17,720	4,177	2.7%
2014	19,380	1,660	2.3%

*Source: Tulare Pre-Approved Data Package, U.S. Census Bureau, Dept. of Finance E-8 Report, 2000-2014.*

**Households by Tenure**

Tenure, or the ratio between homeowner and renter households, is affected by many factors, such as housing cost (interest rates, economics, land supply, and development constraints), housing type, housing availability, job availability, public agency objectives, and consumer preference. As shown in Table 2.4, 60.3 percent of occupied housing units were owner occupied and 39.7 percent of units were renter occupied in the city of Tulare in 2013. By comparison, 56.3 percent of housing units were owned and 43.7 percent were rented countywide.

<b>TABLE 2.4 HOUSING BY TENURE CITY OF TULARE AND TULARE COUNTY 2013</b>					
	<b>Occupied Housing Units</b>	<b>Owner-Occupied</b>		<b>Renter-Occupied</b>	
		<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
City of Tulare	18,139	10,951	60.3%	7,188	39.7%
Tulare County	132,911	74,892	56.3%	58,019	43.7%

*Source: American Community Survey; 3-Year Estimates, 2011-2013.*

## Age

Table 2.5 shows age characteristics in 2013 in the city of Tulare. Approximately 34 percent of Tulare’s population is less than 20 years old, compared to 27 percent statewide. Tulare’s senior population (65 years and older) comprises 15 percent of the population, compared to about 12 percent statewide. Tulare’s median age is 30.1, which is over five years less than the statewide median age of 35.6, but similar to the countywide median age of 30.

TABLE 2.5 POPULATION BY AGE CITY OF TULARE, TULARE COUNTY, AND STATE OF CALIFORNIA 2013						
Age Cohorts	City of Tulare		Tulare County <sup>1</sup>		California	
	Number	Percent	Number	Percent	Number	Percent
<b>Children and Youth</b>						
Under 5 years	5,639	9.30%	41,038	9.1%	2,520,023	6.60%
5 to 9 years	5,942	9.80%	41,489	9.2%	2,534,193	6.70%
10 to 14 years	5,093	8.40%	38,783	8.6%	2,549,767	6.70%
15 to 19 years	4,244	7.00%	37,880	8.4%	2,703,216	7.10%
<i>Subtotal</i>	20,918	34.70%	159,190	35.3%	10,307,199	27.10%
<b>Working Age Adults</b>						
20 to 24 years	5,275	8.70%	34,724	7.7%	2,900,139	7.60%
25 to 34 years	8,730	14.40%	63,135	14%	5,495,369	14.50%
35 to 44 years	7,518	12.40%	55,018	12.2%	5,157,977	13.60%
45 to 54 years	6,851	11.30%	52,312	11.6%	5,231,172	13.80%
55 to 59 years	3,274	5.40%	22,097	4.9%	2,336,105	6.10%
60 to 64 years	2,546	4.20%	19,842	4.4%	1,973,455	5.20%
<i>Subtotal</i>	34,194	56.60%	247,128	55%	23,094,217	60.80%
<b>Seniors and the Elderly</b>						
65 to 74 years	3,031	5.00%	25,254	5.6%	2,540,190	6.70%
75 to 84 years	1,455	2.40%	13,980	3.1%	1,408,266	3.70%
85 +	788	1.30%	5,863	1.3%	650,488	1.70%
<i>Subtotal</i>	5,274	8.70%	45,097	10%	4,598,944	12.10%
<b>Total</b>	<b>60,631</b>	<b>100.00%</b>	<b>450,964</b>	<b>100%</b>	<b>38,000,360</b>	<b>100.0%</b>
<b>Median Age</b>	<b>30.1</b>		<b>30.0</b>		<b>35.6</b>	

Note:

<sup>1</sup> Numbers may not add up to 100 percent because of rounding.

Source: U.S. Census, 1990, 2000, and 2010; American Community Survey 2011-2013.

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### Population by Race/Ethnicity

Table 2.6 shows the population of Tulare by race and ethnicity. Between 2000 and 2013, Tulare's Hispanic population increased from 46 percent to 60 percent of the total population. The proportion of White-Non Hispanic persons decreased from 44 percent to 32 percent, while other races generally remained the same.

TABLE 2.6 RACE/ETHNICITY CITY OF TULARE 2000 AND 2013				
Race and Ethnicity	2000		2013	
Hispanic	20,058	46%	36,328	60%
<b>Non-Hispanic</b>				
White-Non Hispanic	19,276	44%	19,110	32%
Black or African American	2,051	5%	1,898	3%
Multi-Racial	1,359	3%	1,226	2%
Asian and Pacific Islander	872	2%	1,466	2%
American Indian and Alaskan Native	290	<1%	571	1%
Other	88	<1%	32	0%
<b>Total Population</b>	<b>43,994</b>	<b>100%</b>	<b>60,631</b>	<b>100%</b>

Source: U.S. Census Bureau, 3-Year ACS, 2011-2013.



## Employment

Table 2.7 identifies the number of residents in the civilian labor force. Of the 26,822 residents in the city of Tulare who fall within this category 23,411 (87 percent) are employed, which is generally consistent with employment rates in the nearby cities of Hanford (83 percent), Visalia (88 percent), Porterville (86 percent), and countywide (87 percent).

<b>TABLE 2.7</b> <b>EMPLOYMENT<sup>1</sup></b> <b>CITIES OF TULARE, PORTERVILLE, HANFORD, VISALIA, AND TULARE COUNTY</b> <b>2013</b>			
	<b>Civilian Labor Force</b>	<b>Employed</b>	<b>Percent Employed</b>
City of Tulare	26,822	23,411	87%
Hanford	25,408	21,127	83%
Visalia	60,861	53,441	88%
Porterville	22,536	19,387	86%
Tulare County	190,836	165,958	87%

Note:

<sup>1</sup> Population 16 years of age and over.

Source: American Community Survey 3-Year Estimates, 2011-2013.

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### Employment by Industry

As seen in Table 2.8 the city of Tulare had over 22,821 persons employed in 2011, with the largest industries being educational services and health care and social services; retail trade; agriculture, and manufacturing.

<b>TABLE 2.8 EMPLOYMENT BY INDUSTRY CITY OF TULARE 2011</b>		
<b>Industry</b>	<b>Number</b>	<b>Percent</b>
Educational services, and health care and social assistance	4,955	22%
Retail trade	2,887	13%
Agriculture, forestry, fishing and hunting, and mining	2,439	11%
Manufacturing	2,393	10%
Public administration	1,816	8%
Arts, entertainment, and recreation, and accommodation and food services	1,699	7%
Professional, scientific, and management/administrative and waste management services	1,173	5%
Construction	1,167	5%
Other services, except public administration	1,158	5%
Transportation and warehousing, and utilities	1,116	5%
Wholesale trade	932	4%
Finance and insurance, and real estate and rental and leasing	919	4%
Information	167	1%
<b>Total</b>	<b>22,821</b>	<b>100%</b>

Source: HCD Pre-Approved Data Package, ACS DP-09, 2007-2011.

Table 2.9 identifies major employers in the city of Tulare, including the Land O’ Lakes, Saputo Cheese USA, Inc, and Haagen Dazs, which represent 2.46 percent, 3.92 percent, and 1.62 percent of total employment, respectively

<b>TABLE 2.9</b> <b>MAJOR EMPLOYERS</b> <b>CITY OF TULARE</b> <b>2014</b>		
	<b>Number of Employees</b>	<b>Percent of Total Employment<sup>1</sup></b>
Land O’ Lakes	537	2.46%
Haagen Dazs	354	1.62%
Wal-Mart	250	1.15%
Southern Ca Edison Company	125	0.57%
Saputo Cheese USA, Inc.	854	3.92%
J.D. Heiskell Company	360	1.46%
Kraft USA Tulare	250	1.15%
Morris Levin & Sons Hardware	170	0.78%

Note:

<sup>1</sup> Total Employment as used above represents the total employment of all employers located within City limits.

Source: *City of Tulare Comprehensive Annual Financial Report, 2014.*

## Employment Projections

The Tulare County Association of Governments (TCAG) projects population, households, housing units, and jobs in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The plan projects that the city of Tulare’s employment will grow from 19,103 in 2010 to 28,133 in 2040, an average annual increase of 1.3 percent.

**Unemployment**

In 2014 the unemployment rate in the city of Tulare was 11.2 percent, compared to 13.2 percent countywide. According to the U.S. Bureau of Labor Statistics, in March 2015, Tulare’s unemployment rate was still 11.2 percent, while the statewide average unemployment rate was only 6.5 percent.

<b>TABLE 2.10</b> <b>UNEMPLOYMENT RATE</b> <b>CITY OF TULARE AND TULARE COUNTY</b> <b>2014</b>				
	Labor Employment		Unemployment	
	Labor Force	Employment	Number	Rate
City of Tulare	26,800	23,800	3,000	11.2%
County of Tulare	198,400	172,100	26,300	13.2%

*Source: California Employment Development Department, 2014.*

**2.2 Overpayment & Overcrowding**

**Overcrowding**

Generally overcrowding is a measure of the ability of existing housing to adequately accommodate residents and can result in deterioration of the quality of life within a community. The U.S. Census defines an “overcrowded” household as 1.01 or more persons per room, excluding bathrooms, porches, balconies, foyers, halls, and half-rooms. “Severe overcrowding” occurs in households with more than 1.5 persons per room. Overcrowding typically results when either: the costs of available housing with a sufficient number of bedrooms for larger families exceeds the family’s ability to afford such housing, or unrelated individuals (such as students or low-wage single adult workers) share dwelling units due to high housing costs. This can lead to overcrowded situations if the housing unit is not large enough to accommodate all of the people effectively.

Table 2.11 summarizes the overcrowding status in the city of Tulare and countywide. In 2011, 7.7 percent of owner-occupied households and 12.7 percent of renter-occupied households were overcrowded. By comparison, 7.5 percent of the owners and 17.5 percent of renters were overcrowded countywide. Severely overcrowded households comprised a small percentage of owner (1.2 percent) and renter (4.6 percent) households citywide.

**TABLE 2.11**  
**PERSONS PER ROOM IN ALL OCCUPIED HOUSING UNITS**  
 CITY OF TULARE AND TULARE COUNTY  
 2011

Occupants Per Room	City of Tulare				Tulare County			
	Owners		Renters		Owners		Renters	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
.50 or less	6,199	58.9%	2,999	41.5%	44,969	59.1%	20,218	37.5%
.51 to 1.00	3,514	33.4%	3,311	45.8%	25,411	33.4%	24,215	45.0%
1.01 to 1.50	689	6.5%	588	8.1%	4,674	6.1%	6,909	12.8%
1.51 to 2.00	53	0.5%	225	3.1%	735	1.0%	1,768	3.3%
2.01 or more	69	0.7%	112	1.5%	340	0.4%	757	1.4%
<b>Total Households</b>	<b>10,524</b>		<b>7,235</b>		<b>76,129</b>		<b>53,867</b>	
Total Overcrowded (1.01 or more)	811	7.7%	925	12.7%	5,749	7.5%	9,434	17.5%

Source: HCD Pre-Approved Data Package, American Community Survey 2007-2011.

### Overpayment

The Department of Housing and Urban Development (HUD) establishes that a household is “cost-burdened” (i.e., overpaying for housing) if it spends more than 30 percent of gross income on housing-related costs. The prevalence of overpayment varies significantly by income, tenure, household type, and household size. For example, households generally impacted by cost burdens include single mothers, large families, and seniors. Affordable housing options are generally limited for these residents and there are few programs to assist with providing financial assistance.

As shown in Table 2.12, the prevalence of overpayment decreases as income increases. For example, 63 percent of all lower-income owners were overpaying in 2011, compared to 26 percent of higher-income owners. Renters generally overpaid for housing more than owners, with the exception of higher-income households. Overall, 36 percent of all owners in Tulare overpaid, while 52 percent of renters overpaid.

<b>TABLE 2.12</b> <b>OVERPAYMENT: ALL HOUSING UNITS<sup>1</sup></b> CITY OF TULARE 2011				
	Owner-Occupied		Renter-Occupied	
	Number	Percent	Number	Percent
<b>Extremely Low Income (&lt;30% AMI)</b>				
<b>Total</b>	<b>440</b>	<b>100%</b>	<b>1,255</b>	<b>100%</b>
With cost burden >30%	420	95%	1,175	94%
With cost burden >50%	295	67%	995	79%
<b>Very Low Income (30%-50% AMI)</b>				
<b>Total</b>	<b>805</b>	<b>100%</b>	<b>1,510</b>	<b>100%</b>
With cost burden >30%	500	62%	1,110	74%
With cost burden >50%	270	34%	670	44%
<b>Low Income (50%-80% AMI)</b>				
<b>Total</b>	<b>1,465</b>	<b>100%</b>	<b>1,690</b>	<b>100%</b>
With cost burden >30%	790	54%	1,035	61%
With cost burden >50%	275	19%	210	12%
<b>All Lower Incomes (&lt;80% AMI)</b>				
<b>Total</b>	<b>2,710</b>	<b>100%</b>	<b>4,455</b>	<b>100%</b>
With cost burden >30%	1,710	63%	3,320	75%
With cost burden >50%	840	31%	1,875	42%
<b>Higher Incomes (&gt;80% AMI)</b>				
<b>Total</b>	<b>7,450</b>	<b>100%</b>	<b>2,735</b>	<b>100%</b>
With cost burden >30%	1,910	26%	410	15%
With cost burden >50%	255	3%	0	0%
<b>Total (All Households)</b>				
<b>Total</b>	<b>10,160</b>	<b>100%</b>	<b>7,190</b>	<b>100%</b>
With cost burden >30%	3,620	36%	3,730	52%
With cost burden >50%	1,095	11%	1,875	26%

Note:

<sup>1</sup> Calculations based on HUD Area Median Income of \$48,800 in 2011.

Source: CHAS Data Query Tool, ACS, 2007-2011.

### Cost of Housing

As shown in Table 2.13, in 2013, the median home value for owners in the city of Tulare was \$147,800, compared to \$155,400 countywide. Tulare’s gross median rent of \$883 was slightly above the countywide median rent of \$807. Porterville’s rents and median home values were lower at \$773 per month and \$135,900, respectively. However Visalia’s rents and median home value were higher compared to Tulare at \$941 and \$170,700, respectively.

<b>County/City</b>	<b>Median Gross Rent (2000)</b>	<b>Median Gross Rent (2013)</b>	<b>Median Owner-Value (2000)</b>	<b>Median Owner Value (2013)</b>
Tulare	\$541	\$883	\$94,700	\$147,800
Porterville	\$504	\$773	\$93,500	\$135,900
Visalia	\$578	\$941	\$115,300	\$170,700
Tulare County	\$516	\$807	\$97,800	\$155,400

Source: American Community Survey; 3-Year Estimates, 2011-2013.

According to CoreLogic, the median home sale value in the city of Tulare increased by 10.7 percent between April 2014 and April 2015. In April 2015 the median sale value for the city of Tulare (\$165,000) was above Porterville's (\$152,500), but below the countywide value (\$185,000) and the city of Visalia (\$220,000).

<b>County/City</b>	<b>Median Dollars (April 2014)</b>	<b>Median Dollars (April 2015)</b>	<b>Number Sold (2015)</b>	<b>Percent Change</b>
Tulare	\$149,000	\$165,000	78	10.7%
Porterville	\$151,500	\$152,500	56	0.7%
Visalia	\$185,000	\$220,000	212	18.9
Tulare County	\$163,000	\$185,000	465	13.5%

Note:

<sup>1</sup> As of April 2015

Source: CoreLogic, Home Sales Records Report, April 2015.

## 2.3 Housing Stock Characteristics

A household refers to the people occupying a home, such as a family, a single person, or unrelated persons living together. Families often prefer single family homes or condominiums to accommodate children, while single persons generally occupy smaller apartments or condominiums. Single-person households may include seniors living alone or young adults.

**Housing Inventory by Unit Type**

Table 2.15 shows housing in 2014 in Tulare and countywide by unit type. The number of housing units in the city of Tulare increased from 18,219 units in 2008 to 19,380 units in 2014, an average annual growth rate of approximately 1.0 percent. In the city of Tulare, a majority of housing units are single, detached (78.2 percent), followed by duplexes, triplexes, and fourplexes (9.5 percent). Mobile homes make up a slightly lower percentage of the city’s total housing units (3.2 percent) compared to countywide (7.3 percent).

<b>TABLE 2.15 HOUSING BY UNIT TYPE CITY OF TULARE AND TULARE COUNTY 2014</b>				
	<b>City of Tulare</b>		<b>County of Tulare</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Single Detached	15,148	78.2%	109,319	75.5%
Single Attached	424	2.2%	3,893	2.7%
Two to Four	1,844	9.5%	12,046	8.3%
Five Plus	1,352	7.0%	9,088	6.3%
Mobile Homes	612	3.2%	10,524	7.3%
<b>Total Housing Units</b>	<b>19,380</b>	<b>100.0%</b>	<b>144,870</b>	<b>100.0%</b>

*Source: Department of Finance, Table E-5 Estimates, 2014.*

**Age of Housing Stock**

Housing conditions are an important indicator of quality of life in the city of Tulare. Housing ages and deteriorates over time. If not regularly maintained, structures can deteriorate and discourage reinvestment, depress neighborhood property values, and even become health hazards. Maintaining and improving housing quality is an important goal for communities.

Housing age can be an indicator of the need for housing rehabilitation. Generally, housing older than 30 years (i.e., built before 1980) will require minimal repairs and improvements. Housing units over 50 years old (i.e., built before 1960) are more likely to require major rehabilitation such as roofing, plumbing, and electrical system repairs.

Table 2.16 shows the age of the housing stock in the city of Tulare. The majority of Tulare residential structures, nearly 44 percent, were built between 1970 and 2000. Approximately 45 percent of the housing stock is over 30 years old. Almost one quarter of the housing stock in Tulare has been built since 2000 (24.2 percent).



<b>TABLE 2.16</b> <b>AGE OF HOUSING STOCK</b> <b>CITY OF TULARE</b> <b>2013</b>		
<b>Age</b>	<b>Units</b>	<b>Percent</b>
1939 or Earlier	973	5.1%
1940 to 1949	1,093	5.8%
1950 to 1959	2,238	11.8%
1960 to 1969	1,745	9.2%
1970 to 1979	2,614	13.8%
1980 to 1989	2,863	15.1%
1990 to 2000	2,872	15.1%
2000 to 2010	4,331	22.8%
2010 to 2013	257	1.4%
<b>Total</b>	<b>18,986</b>	<b>100.0%</b>

Source: U.S. Census Bureau, 3-Year ACS, 2011-2013.

## Housing Conditions

The most recent housing conditions survey to determine the number of units considered substandard in quality or in need of repair or replacement was conducted in 2003. The survey was conducted within the City limits by members of the Redevelopment, Building and Planning Departments. There were 509 homes surveyed in throughout the City.

Structural integrity of area housing stock was surveyed according to State Department of Housing and Community Development protocol. A point rating system was assigned to various levels of structural integrity pertaining to such items as the foundation, roofing, siding, windows, and electrical that can be viewed from the street. Points increased with the degree of deficit relating to maintenance and upkeep. One of five rating categories is assigned by the points achieved:

<b>TABLE 2.17</b> <b>POINT RATING SYSTEM</b> <b>CITY OF TULARE</b> <b>2003</b>	
<b>Score</b>	<b>Rate Category</b>
9 or less	Sound
10-15	Minor repair needed
16-39	Moderate repair required
40-55	Substantial rehabilitation required
56 and over	Dilapidated and needs replacement

Source: City of Tulare, 2003.

## Tulare Housing Element

The total number of housing units was assessed in each Census Tract and a percentage of that total was derived and surveyed. The sample size exceeded the minimum number of surveys required by HCD. Housing conditions in the City generally rated sound (9 points or less), with a few minor exceptions. Table 2.18 shows that approximately 80 percent of the housing units surveyed were rated sound; 12 percent needed minor repair; 6 percent needed moderate repair; 2 percent needed substantial rehabilitation; and 1 percent were rated as dilapidated and in need of replacement.

Housing conditions have not changed substantially since the survey was completed. In addition, the City has several ongoing programs to help address the need for rehabilitation and repair of lower income units.

TABLE 2.18 HOUSING CONDITIONS SURVEY CITY OF TULARE 2003											
Housing Type	Sound		Minor		Moderate		Substantial		Dilapidated		Sound
	#	%	#	%	#	%	#	%	#	%	
Single	405	79.6%	60	11.8%	28	5.5%	11	1.5%	5	0.5%	509
Projected Units in Need of Rehabilitation	-	-	1,681	57.6%	783	26.8%	313	10.7%	142	4.9%	2,919

Source: California Employment Development Department, 2014.

Prior to the dissolution of Tulare's Redevelopment Agency (RDA), the City, through its RDA, offered the Rehabilitation Assistance Program (RAP). RAP provided funds to assist low-income homeowners with repairs in order to comply with code requirements and improve the overall safety of the home. Currently (2015) home rehabilitation programs are offered through Self-Help Enterprises, located in Visalia.

### Occupancy Status

Table 2.19 depicts the number of units identified as occupied and vacant. As of 2010, about 94 percent (17,720 units) of the total 18,863 units in the city were identified as occupied. The percentage is similar in both the city of Porterville and Tulare County, with 93 percent of units and 92 percent of units identified as occupied, respectively.

**TABLE 2.19**  
**OCCUPANCY STATUS**  
CITY OF TULARE  
2010

Status	City of Tulare		Porterville		Tulare County	
	Number	Percent	Number	Percent	Number	Percent
Total Units	18,863	100%	16,734	100%	141,696	100%
Total Occupied	17,720	94%	15,644	93%	130,352	92%

Source: HCD Pre-Approved Data Package, DOF Census 2010 Demographic Summary Profile, Table 5a - Housing Occupancy (occupied units and vacant unit by type of vacancy), 2010.

### Vacancy Status

Of the 18,863 total units in the city of Tulare, 1,143 were vacant in 2010 (6 percent). Within the vacant units the largest categories are units “For rent” and “For sale only,” with 429 units and 305 units, respectively. Countywide vacancies tended to be units “For Rent” (3,302), “For seasonal, recreational, or occasional use” (2,949), or “Other vacant” (2,666). According to the California Department of Finance 2015 Housing Estimates, Tulare’s January 1, 2015, vacancy rate was 5.9 percent.

**TABLE 2.20**  
**VACANCY STATUS**  
CITY OF TULARE  
2010

Status	City of Tulare	Porterville	Tulare County
For rent	429	447	3,302
For sale only	305	271	1,873
Rented or sold, not occupied	59	54	554
For seasonal, recreational, or occasional use	64	54	2,949
For migrant workers	n/a	n/a	n/a
Other vacant	286	264	2,666
<b>Total Vacant</b>	<b>1,143</b>	<b>1,090</b>	<b>11,344</b>
<b>Percent of Total Units Vacant</b>	<b>6%</b>	<b>7%</b>	<b>8%</b>

Source: HCD Pre-Approved Data Package, DOF Census 2010 Demographic Summary Profile, Table 5a - Housing occupancy (occupied units and vacant units by type of vacancy), 2010.

## Tulare Housing Element

### Households by Income

Table 2.21 depicts the distribution of income for the city of Tulare, Porterville, and Tulare County. As of 2013, 33.2 percent of households citywide had an income of between \$35,000 and \$74,999. Households earning between \$75,000 and \$99,999 made up a slightly larger percentage of total households (12.4 percent) compared to Porterville (8.1 percent) and countywide (8.7 percent). In 2013, the median household income in the city of Tulare was \$43,644, compared to \$39,666 in Porterville and \$39,422 countywide.

TABLE 2.21 HOUSEHOLD INCOME CITY OF TULARE, PORTERVILLE AND TULARE COUNTY 2013						
Income Categories	City of Tulare		Porterville		Tulare County	
	Number	Percent	Number	Percent	Number	Percent
Less than \$10,000	1,305	7.3%	1,683	10.2%	13,937	10.4%
\$10,000 - \$14,999	1,401	7.7%	1,170	7.1%	8,466	6.3%
\$15,000 - \$24,999	2,778	15.3%	2,188	13.3%	21,103	15.8%
\$25,000 - \$34,999	1,930	10.6%	2,216	13.5%	16,018	12.0%
\$35,000 - \$49,999	2,734	15.1%	2,942	17.9%	20,769	15.6%
\$50,000 - \$74,999	3,284	18.1%	2,606	15.9%	22,911	17.2%
\$75,000 - \$99,999	2,258	12.4%	1,325	8.1%	11,583	8.7%
\$100,000 or more	2,449	13.5%	2,301	14.0%	18,622	14.0%
<b>Median Household Income</b>	<b>\$43,644</b>		<b>\$39,666</b>		<b>\$39,422</b>	

Source: American Community Survey; 3-Year Estimates, 2011-2013.

### Rental Trends

An online survey of rentals in the city of Tulare on March 19, 2015, indicated there is a lack of multifamily units available for rent. Several 2-bedroom apartments were for rent, ranging from \$595 - \$975. In addition, there were many 3-bedroom single family homes available for rent with rental prices ranged from \$1,000 - \$1,300. It is unlikely that an extremely low-income family of four would be able to afford rent at the low end of this single family housing range, but rents would be affordable for a median-income household.

## *Ability to Pay*

To meet the housing needs of various income groups, housing in the community must be available at a range of prices. Housing affordability can be inferred by comparing the cost of renting or owning a home to the average income levels of households. Table 2.22 summarizes 2014 HCD-defined household income limits for very low-, low-, and moderate-income households in Tulare County by the number of persons in the household. Households earning the 2014 area median income for a family of four in Tulare County (\$57,900) could afford to spend up to \$1,448 per month on rent without overpaying. A three-person household would be classified as low-income if its annual income was less than \$31,250. This household could afford a \$781 maximum monthly rent.

For renters this is a straightforward calculation, but home ownership costs are less transparent. An affordable price depends on several factors, including the down payment, the level of other long-term obligations (such as a car loan), and interest rates. In practice the interaction of these factors as well as insurance, and taxes allows some households to qualify for homes priced at more than three times their annual income, while other households may be limited to purchasing homes no more than two times their annual incomes. Interest rates, insurance, and taxes are held constant in the table below in order to determine maximum affordable rent and purchase price for households in each income category. It is important to note that this table is used for illustrative purposes only.

As shown in Table 2.22, for a very low-income four-person household making \$28,950 per year, an estimated maximum purchase price would be about \$116,936.

## Tulare Housing Element

**TABLE 2.22  
ABILITY TO PAY  
TULARE COUNTY  
2013**

<b>Extremely Low-Income Households at 30% of 2014 Area Median Income (AMI)</b>						
Number of Persons	1	2	3	4	5	6
Income Level	\$12,150	\$13,900	\$15,650	\$17,350	\$18,750	\$20,150
Max. Monthly Gross Rent <sup>1</sup>	\$304	\$348	\$391	\$434	\$469	\$504
Max. Purchase Price <sup>2</sup>	\$49,077	\$56,146	\$63,214	\$70,081	\$75,736	\$81,391
<b>Very Low-Income Households at 50% of 2014 (AMI)</b>						
Number of Persons	1	2	3	4	5	6
Income Level	\$20,250	\$23,150	\$26,050	\$28,950	\$31,250	\$33,600
Max. Monthly Gross Rent <sup>1</sup>	\$506	\$579	\$651	\$724	\$781	\$840
Max. Purchase Price <sup>2</sup>	\$81,795	\$93,509	\$105,223	\$116,936	\$126,227	\$135,719
<b>Low-Income Households at 70% of AMI For Sale and 60% of AMI for Rental</b>						
Number of Persons	1	2	3	4	5	6
Income Level for Sale (70% AMI)	\$28,350	\$32,400	\$36,500	\$40,550	\$43,750	\$47,000
Income Level for Rental (60% AMI)	\$24,300	\$27,800	\$31,250	\$34,750	\$37,500	\$40,300
Max. Monthly Gross Rent <sup>1</sup>	\$608	\$695	\$781	\$869	\$938	\$1,008
Max. Purchase Price <sup>2</sup>	\$114,513	\$130,872	\$147,433	\$163,792	\$176,717	\$189,845
<b>Median-Income Households at 100% of 2014 AMI</b>						
Number of Persons	1	2	3	4	5	6
Income Level	\$40,550	\$46,300	\$52,100	\$57,900	\$62,550	\$67,150
Max. Monthly Gross Rent <sup>1</sup>	\$1,014	\$1,158	\$1,303	\$1,448	\$1,564	\$1,679
Max. Purchase Price <sup>2</sup>	\$163,792	\$187,018	\$210,445	\$233,873	\$252,656	\$271,236
<b>Moderate-Income Households at 120% of 2014 AMI</b>						
Number of Persons	1	2	3	4	5	6
Income Level	\$48,650	\$55,600	\$62,550	\$69,500	\$75,050	\$80,600
Max. Monthly Gross Rent/Payments <sup>1</sup>	\$1,419	\$1,622	\$1,824	\$2,027	\$2,189	\$2,351
Max. Purchase Price <sup>2</sup>	\$229,261	\$262,013	\$294,765	\$327,516	\$353,671	\$379,825

**Notes:**

<sup>1</sup> Assumes that 30 percent (35 percent for moderate) of income is available for either: monthly rent, including utilities; or mortgage payment, taxes, mortgage insurance, and homeowners insurance.

<sup>2</sup> Assumes 96.5 percent loan at 4.5 percent annual interest rate and 30-year term; assumes taxes, mortgage insurance, and homeowners' insurance account for 21 percent of total monthly payments.

<sup>3</sup> 2014 State Area Median Income for Tulare County is \$57,900.

Source: California Department of Housing and Community Development, 2014, Mintier Harnish, 2014.

## Fair Market Rents

Table 2.23 shows HUD-defined fair market rent levels (FMR) for Tulare County for 2015. In general the FMR for an area is the amount needed to pay the gross rent (shelter rent plus utilities) of privately-owned, decent, safe, and sanitary rental housing of a modest (non-luxury) nature with suitable amenities. The rents are drawn from the distribution of rents of all units that are occupied by recent movers. Adjustments are made to exclude public housing units, newly built units, and substandard units.

As shown in 2.19 (Ability to Pay) a three-person household classified as low-income with an annual income of \$31,250 (60 percent of AMI) could afford to pay \$781 monthly gross rent (including utilities). The 2014 FMR for a two-bedroom unit in Tulare County is \$771. A low-income three-person household at the middle of the income range could just afford to rent a two-bedroom unit at the FMR level, assuming such a unit at that price is available.

TABLE 2.23 HUD FAIR MARKET RENT BY BEDROOM <sup>1</sup> TULARE COUNTY 2015	
Bedrooms in Unit	2015 FMR
Studio	\$577
1 Bedroom	\$592
2 Bedrooms	\$771
3 Bedrooms	\$1,136
4 Bedrooms	\$1,321

Note:

<sup>1</sup> 50<sup>th</sup> percentile of market rents for Fiscal Year 2015 for Porterville-Visalia MSA and "Exception Rents.

Source: U.S. Department of Housing and Urban Development (HUD), 2015.

## 2.4 Assisted Housing Developments “At Risk” of Conversion

Per State law, the City must identify affordable housing that is at-risk of converting to higher market rates. Many of the affordable housing projects in Tulare were developed with Federal and State subsidies. In exchange for the subsidies, the project developers agreed to retain rental rates that were deemed affordable to lower income households for a specified number of years.

The potential loss of existing affordable housing units is an important issue to the City due to displacement of lower-income tenants and the limited alternative housing for such persons. It is typically less expensive to preserve the affordability of existing units than to subsidize construction of new affordable units due to the rising cost of land and construction.

## Tulare Housing Element

Table 2.24 inventories government-assisted rental properties in the city of Tulare that may be at risk of opting out of programs that keep them affordable to lower-income households within 10 years from the Housing Element adoption deadline (i.e., 2016 through 2025).

In total, there are an estimated 737 assisted housing units in Tulare, none of which are at-risk of converting to market rate within the next 10 years.

<b>TABLE 2.24</b> <b>AT RISK HOUSING UNITS</b> <b>CITY OF TULARE</b> <b>2015</b>						
Project Name	Project Address	Type of Units	Total Number of Units	Low-Income Units	Earliest Date of Expiration	At-Risk
Tulare Gardens	498 S. Blackstone St. Tulare, CA 92374	Large Family	64	60	2040	No
Westside Palm Village Apartments	900 W. Pleasant Ave., Tulare, CA 93274	Large Family	40	38	2045	No
Parkwood Meadows No. 2	1184 Vetter Dr., Tulare, CA 93274	Large Family	2	2	2030	No
Cypress Cove	1501 E. Cypress Ave., Tulare, CA 93274	Senior	52	52	2033	No
Country Manor	955 N. A St., Tulare, CA 93274	Large Family	40	39	2053	No
Cambridge Court Apartments	400 S. Blackstone St., Tulare, CA 93274	Large Family	61	60	2055	No
Salvation Army Tulare Silvercrest	350 N. L St., Tulare, CA , 93274	Elderly	60	59	2046	No
Sonora Apartments	1518 W. O St., Tulare, CA, 93274	Large Family	52	51	2066	No
Tulare Apartments	1101 S. Irwin St., Tulare CA, 93274	Family	97	76	2027	No



**TABLE 2.24  
AT RISK HOUSING UNITS  
CITY OF TULARE  
2015**

Project Name	Project Address	Type of Units	Total Number of Units	Low-Income Units	Earliest Date of Expiration	At-Risk
Valley Oaks Apartment Homes	351 N. West St., Tulare, CA 93274	Large Family	81	80	2062	No
Valley Oaks Apartments Phase II	351 N. West St., Tulare, CA 92374	Large Family	72	70	2066	No
West Trail Apartments	1350 W. San Joaquin Ave., Tulare, CA 93274	Large Family	49	48	2066	No
Tule Vista	510 W. Elm Ave., Tulare, CA 93274	Large Family	57	56	2041	No
The Aspens	1500 Aspen Ave., Tulare, CA 93274	Large Family	47	46	2068	No

Source: City of Tulare, 2015.

## Acquisition and Rehabilitation

One method of ensuring long-term affordability of low-income units is to transfer ownership to a qualified nonprofit or for-profit affordable housing organization. This transfer would make the project eligible for re-financing using affordable housing financing programs, such as low-income housing tax credits and tax-exempt mortgage revenue bonds. These financing programs would ensure affordability for at least 55 years. Generally, rehabilitation accompanies a transfer of ownership.

Actual acquisition costs depend on several variables such as condition, size, location, existing financing, and availability of financing (government and market). For example, According to the former director of Tulare’s Housing Authority it is difficult to do an acquisition/rehab project with tax credits in the city of Tulare. The Housing Authority did do an acquisition/rehab of Oakwood Apartments, located in southwest Tulare. Oakwood apartments, however, did not use tax credits, and it had some support from the city’s Redevelopment Agency, which no longer exists. This acquisition/rehab was a 20 unit project and the rehabilitation portion was \$14,500 per unit.

### Replacement (New Construction)

Another strategy is to replace the units by constructing new affordable units. This includes purchasing land and then constructing affordable units. This is generally the most expensive option. A recently built 48-unit multifamily development in Tulare (The Aspens) cost about \$10.91 million, or \$232,086 per unit.

### Rent Subsidy

Rent subsidies can also be used to preserve affordability of housing, although there are limited funding sources to subsidize rents. The amount of a rent subsidy would be equal to the difference between the HUD defined fair market rent (FMR) for a unit and the cost that would be affordable to a lower-income household based on HUD income limits. The exact amount is difficult to estimate because the rents are based on a tenant's income and, therefore, would depend on the size and income level of the household. The following analysis presents some general examples of expected subsidies:

## SPECIAL HOUSING NEEDS

Within the general population, there are several groups of people who have special housing needs. These needs can make it difficult for members of these groups to locate suitable housing. The following subsections discuss these special housing needs of six groups identified in State Housing Element Law (Government Code, Section 65583(a)(7), including: the elderly, persons with disabilities (including developmental disabilities), large households, farmworkers, families with single-headed households, and families and persons in need of emergency shelter. This section also describes the needs of extremely low-income households. This section presents estimates of the population or number of households in Tulare County belonging to each group.

### 2.5 Persons with Disabilities

Persons with disabilities typically have special housing needs because of their physical and/or developmental capabilities, fixed or limited incomes, and higher health costs associated with their disabilities. A disability is defined broadly by the Census Bureau as a physical, mental, or emotional condition that lasts over a long period of time and makes it difficult to live independently. The Census Bureau defines five disabilities: hearing, vision, cognitive, ambulatory, self-care, or independent living disabilities.

Persons with disabilities have different housing needs depending on the nature and severity of the disability. Physically disabled persons generally require modifications to their housing units, such as wheelchair ramps, elevators or lifts, wide doorways, accessible cabinetry, and modified fixtures and appliances. Special design and other considerations for persons with disabilities include single-level units, availability of services, group living opportunities, and proximity to

transit. While regulations adopted by the State require all ground floor units of new apartment complexes with five or more units to be accessible to persons with disabilities, single family units have no accessibility requirements. If a disability prevents a person from operating a vehicle, then proximity to services and access to public transportation are particularly important. Those with severe physical or mental disabilities may also require supportive housing, nursing facilities, or care facilities. In addition, many disabled people rely solely on Supplemental Security Income (SSI), which is insufficient for market rate housing.

Table 2.25 shows disability by age in the city of Tulare. As shown in the table, 12.3 percent of Tulare’s population is living with one or more disability. The population 65 years and over has the highest rate of disabilities (45.6 percent).

<b>TABLE 2.25</b> <b>DISABILITY BY AGE</b> <b>CITY OF TULARE</b> <b>2013</b>			
	<b>Total</b>	<b>With a Disability</b>	<b>Percent With Disability</b>
Population Under 5 Years	5,657	57	1.0%
Population 5 to 17 Year s	13,458	626	4.7%
Population 18 to 64 Years	35,962	4,308	12.0%
Population 65 Years and Over	5,292	2,415	45.6%
<b>Total</b>	<b>60,369</b>	<b>7,406</b>	<b>12.3%</b>

*Source: American Communities Survey, 2011-2013.*

## Tulare Housing Element

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Table 2.26 shows persons with disabilities by employment status. Of the 16,042 individuals who were employed in a full-time capacity, 4.5 percent had one or more disability. A slightly higher percentage of persons employed part-time had a disability (9.9 percent). Employment status for disabled persons is significant because if a disability prevents an individual from working or limits income, then the cost of housing and the costs of modifications are likely to be even more challenging.

<b>TABLE 2.26</b>			
<b>PERSONS WITH DISABILITIES BY EMPLOYMENT</b>			
<b>CITY OF TULARE</b>			
<b>2010</b>			
	<b>Disabled Persons</b>		
	<b>Total</b>	<b>Number</b>	<b>Percent</b>
Employed Full-Time	16,042	734	4.5%
Employed Part-Time	7,909	783	9.9%
Did Not Work	9,639	2,201	22.8%
<b>Total</b>	<b>33,590</b>	<b>3,718</b>	<b>11.1%</b>

*Source: American Communities Survey, 2008-2010.*

### Developmental Disabilities

SB 812, which took effect January 2011, amended State housing element law to require an evaluation of the special housing needs of persons with developmental disabilities. A "developmental disability" is defined as a disability that originates before an individual becomes 18 years old, continues or can be expected to continue indefinitely, and constitutes a substantial disability for that individual. This includes mental retardation, cerebral palsy, epilepsy, and autism. Many developmentally disabled persons are able to live and work rather normally. However, more severely disabled individuals require a group living environment with supervision, or an institutional environment with medical attention and physical therapy. Because developmental disabilities exist before adulthood, the first housing issue for the developmentally disabled is the transition from living with a parent/guardian as a child to an appropriate level of independence as an adult.

Table 2.27 shows the number of people in the city of Tulare who were receiving disability assistance in December 2014. Approximately 48 percent of individuals receiving assistance are under 18 years old, and 52 percent are 18 years or older. Over three-quarters (76.2 percent) of the total number of individuals receiving assistance in December 2014 reside at home with a family member or guardian.

**TABLE 2.27**  
**CLIENTS WITH DEVELOPMENTAL DISABILITIES BY AGE**  
**CITY OF TULARE**  
**2014**

	<b>0-17 Years</b>	<b>18+ Years</b>	<b>Total</b>
Tulare	325	354	679

*Source: Department of Developmental Services, 2014.*

It is important to note that this is only a count of those developmentally disabled people receiving services from the Department of Developmental Services as of December 2014. It is likely that the actual count is higher.

Housing needs for those with disabilities vary depending on the severity of the disability. Many disabled persons live in their own home, in an independent situation, or with other family members. While figures provided by the Census provide useful information regarding the disabled population, not all disabilities identify the need for accessible (based on Americans with Disabilities Act (ADA) standards) or low-income housing. The U.S. Census collects data for several categories of disability. These categories are defined below:

Long lasting disabilities:

- Sensory disability: Blindness, deafness, or a severe vision or hearing impairment.
- Physical disability: A condition that substantially limits one or more basic physical activities such as walking, climbing stairs, reaching, lifting, or carrying.

Disabilities lasting six months or more:

- Mental disability: Difficulty learning, remembering, or concentrating.
- Self-care disability: Difficulty dressing, bathing, or getting around inside the home.
- Going outside of home disability: Difficulty going outside the home alone to shop or visit a doctor’s office.
- Employment disability: Difficulty working at a job or business.

Physically disabled persons generally require modifications to housing such as: wheelchair ramps, elevators or lifts, wide doorways, accessible cabinetry, modified fixtures and appliances, etc. If the disability prevents the person from operating a vehicle, then proximity to services and access to public transportation are also important. People with severe physical or mental disabilities may also require supportive housing, nursing facilities, or care facilities. If the physical disability prevents individuals from working or limits their income, then the ability to meet the cost of housing and the costs of modifications becomes more difficult. Many disabled people rely solely on Social Security Income, which does not cover the costs of market-rate housing.

## Tulare Housing Element

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The State requires that those with disabilities receive opportunities for reasonable accommodation in housing opportunities. An analysis of housing constraints for residents with disabilities is included under the constraints discussion.

A growing number of architects and developers are integrating Universal Design principles into their projects to increase the accessibility of the built environment. The intent of Universal Design is to simplify design and construction by making products, the ability to communicate, and the built environment more usable by as many people as possible without the need for adaptation or specialized design. By applying these principles, in addition to the regulations specified in the Americans with Disabilities Act (ADA), new construction could increase the opportunities in housing and employment for everyone. The following are the seven principles of universal design as outlined by the Center for Universal Design:

- **Equitable Use:** The design is useful and marketable to people with diverse abilities.
- **Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities.
- **Simple and Intuitive:** Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.
- **Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.
- **Tolerance for Error:** The design minimizes hazards and the adverse consequences of accidental or unintended action.
- **Low Physical Effort:** The design can be used efficiently and comfortably with minimum fatigue.
- **Size and Space for Approach and Use:** Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture, or mobility.

## 2.6 Elderly Persons

Seniors or the elderly are defined as persons 65 years and older and senior and elderly households are those households headed by a person 65 years and older. The elderly have special housing needs based on factors such as age, health, self-care capacity, economic status, family arrangement, and homeownership. Particular needs for the elderly include smaller and more efficient housing, barrier-free and accessible housing, and a wide variety of housing with health care and/or personal services. Various programs can help meet the needs of seniors and the elderly, including, but not limited to, congregate care, supportive services, rental subsidies, shared housing, and housing rehabilitation assistance. For elderly with disabilities, housing with features that accommodate disabilities can help ensure continued independent living.

Elderly with mobility/self-care limitation also benefit from transportation alternatives. Senior and elderly housing with these accommodations can allow living that is more independent.

Table 2.28 shows elderly households by tenure in the city of Tulare and countywide. Senior households generally have a high homeownership rate. Citywide, 20.8 percent of owner-occupied households were senior householders compared to 24.7 percent countywide. A slightly lower percentage of seniors comprised renter occupied units citywide (13.3 percent).

<b>TABLE 2.28</b> <b>ELDERLY HOUSEHOLDS BY TENURE</b> <b>CITY OF TULARE AND TULARE COUNTY</b> <b>2013</b>								
	Owner Occupied				Renter Occupied			
	Total	Householder 65 to 74 years	Householder 75 years and over	Percent of Households Over 65	Total	Householder 65 to 74 years	Householder 75 years and over	Percent of Households Over 65
City of Tulare	10,951	1,132	1,155	20.8%	7,188	556	401	13.3%
Tulare County	74,892	10,343	8,225	24.7%	58,019	3,766	2,687	11.1%

Source: American Communities Survey, 3-Year Estimates, 2011-2013.

The special needs of seniors can be met by integrating congregate care, rent subsidies, shared housing, and housing rehabilitation assistance. For the frail or disabled elderly, housing with architectural design features that accommodate disabilities can help extend the ability to live independently. In addition, seniors with mobility or self care limitations benefit from transportation options. Senior housing with supportive services should be provided to facilitate independent living.

As shown in Table 2.29, 45.6 percent of seniors citywide have a disability, which is slightly higher than the countywide rate of 42.6 percent. Physical limitations (e.g., hearing, vision, ambulatory) were the most common amongst this age group.

<b>TABLE 2.29</b> <b>SENIORS WITH DISABILITIES</b> <b>CITY OF TULARE AND TULARE COUNTY</b> <b>2013</b>			
	Population 65 Years and Over	With a Disability	Percent with a Disability
City of Tulare	5,292	2,415	45.6%
Tulare County	43,156	18,418	42.6%

Source: American Communities Survey, 3-Year Estimates, 2011-2013.

## 2.7 Large Households

HUD defines a large household as one with five or more members. Large households may have specific needs that differ from other households due to income and housing stock constraints. The most critical housing need of a large household is access to larger housing units with more bedrooms than a standard three-bedroom dwelling. As a result, large households may be overcrowded in smaller units. In general, housing for large households should provide safe outdoor or play areas for children and should be located to provide convenient access to schools and childcare facilities.

Table 2.30 shows households by size and tenure. Large households made up 21.9 percent of the 17,759 housing units in the city of Tulare in 2011, compared to 25.2 percent countywide. Owners comprised 54.3 percent of large households citywide (2,113).

<b>TABLE 2.30</b> <b>HOUSEHOLD SIZE BY TENURE</b> <b>CITY OF TULARE AND TULARE COUNTY</b> <b>2011</b>						
	<b>1-4 Persons</b>	<b>Percent</b>	<b>5+ Persons</b>	<b>Percent</b>	<b>Total Households</b>	<b>Percent</b>
<b>City of Tulare</b>						
Owner Occupied	8,411	61%	2,113	54%	10,524	59%
Renter Occupied	5,452	39%	1,783	46%	7,235	41%
<b>Total</b>	<b>13,863</b>	<b>100%</b>	<b>3,896</b>	<b>100%</b>	<b>17,759</b>	<b>100%</b>
<b>Tulare County</b>						
Owner Occupied	59,836	67%	16,293	54%	76,129	63%
Renter Occupied	29,968	33%	14,052	46%	44,020	37%
<b>Total</b>	<b>89,804</b>	<b>100%</b>	<b>30,345</b>	<b>100%</b>	<b>120,149</b>	<b>100%</b>

Source: HCD Pre-Approved Data Package, DOF Census Demographical Summary Profile, Table 5b - Housing Tenure (owner/renter), ACS 5 Year B25007, ACS B25009, 2011.



Table 2.31 describes Tulare’s housing stock by number of bedrooms by tenure. A majority of owner households and renter households contain three bedrooms: 62.7 percent and 36.0 percent, respectively. Of the total households in Tulare, 21.1 percent contain four or more bedrooms.

<b>TABLE 2.31</b> <b>EXISTING HOUSING STOCK NUMBER OF BEDROOMS BY TENURE</b> <b>CITY OF TULARE</b> <b>2013</b>						
<b>Bedroom</b> <b>Type</b>	<b>Owner Households</b>		<b>Renter Households</b>		<b>All Households</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
0 BR	65	0.6%	143	2.0%	208	1.1%
1 BR	149	1.4%	772	10.7%	921	5.1%
2 BR	940	8.6%	2,780	38.7%	3,720	20.5%
3 BR	6,863	62.7%	2,590	36.0%	9,453	52.1%
4 BR	2,421	22.1%	845	11.8%	3,266	18.0%
5 + BR	513	4.7%	58	0.8%	571	3.1%
<b>Total</b>	<b>10,951</b>	<b>100.0%</b>	<b>7,188</b>	<b>100.0%</b>	<b>18,139</b>	<b>100.0%</b>

Source: American Communities Survey, 2011-2013.

## 2.8 Female-Headed Households

Table 2.32 compares the number of female-headed households and poverty rates in the city of Tulare in 2011. A majority of single female householders had children (70.7 percent) and of the 2,380 households below the poverty level, 48.5 percent (1,156) were female headed households. Single-parent households with children often require special consideration and assistance because of their greater need for affordable housing, accessible day care, health care, and a variety of other supportive services. Moreover, because of their relatively lower household incomes, single-parent households are more likely to experience difficulties in finding affordable, decent, and safe housing.

<b>TABLE 2.32</b> <b>FEMALE-HEADED HOUSEHOLDS</b> CITY OF TULARE 2011		
Householder Type	Number	Percent
Female-Headed Householders	2,971	100.0%
<i>Female Householders with own children</i>	2,103	70.7%
<i>Female Householders without children</i>	868	29.3%
Poverty Status	Number	Percent
Total Families Under Poverty Level	2,380	100.0%
<i>Female-Headed Householders under poverty level</i>	1,156	48.5%

Source: HCD Pre-Approved Data Package, ACS B17012, 2007-2011.

## 2.9 Extremely Low Income Housing Needs

Extremely low-income households are defined as those households with incomes under 30 percent of the county’s median income. Extremely low-income households typically consist of minimum wage workers, seniors on fixed incomes, the disabled, and farmworkers. This group of households has specific housing needs that require greater government subsidies and assistance, housing with supportive services, single room occupancy (SRO) and/or shared housing, and/or rental subsidies or vouchers. This income group is likely to live in overcrowded and substandard housing conditions. High rents, higher income and credit standards imposed by landlords, and insufficient government assistance can exacerbate the problem. Without adequate assistance, extremely low income individuals and families have a higher risk for becoming homeless.

For a family of four in Tulare, a household making under \$17,350 in 2014 would be considered an extremely low-income household. It is important to note that this is based off of HCD’s area median income estimate of \$57,900.

Table 2.33 shows the number of extremely low-income households by tenure in the city of Tulare in 2011. Of the 10,160 owner households, 4.3 percent were extremely low-income. A higher percentage of renter households are extremely low-income (17.4 percent).

TABLE 2.33 <sup>1</sup>						
EXTREMELY LOW-INCOME HOUSEHOLDS BY TENURE						
CITY OF TULARE						
2011						
	Total Owner	Extremely Low-Income Owner Occupied		Total Renter	Extremely Low-Income Renter Occupied	
		Number	Percentage		Number	Percentage
Tulare	10,160	440	4.3%	7,195	1,255	17.4%

Note:

<sup>1</sup> CHAS AML data is based on the United States Department of Housing and Urban Development.

Source: *Comprehensive Housing Affordability Strategy (CHAS), 2007-2011.*

## 2.10 Farmworkers

Estimating farmworkers and those households associated with farm work within the state is extremely difficult. Generally known as the ‘invisible’ population, the farmworker population contains two segments: permanent and migratory (seasonal) farmworkers. The permanent population consists of farmworkers who have settled in the region and maintain local residence and who are employed most of the year. The migratory farmworker population consists of those farmworkers who typically migrate to the region during seasonal periods in search of farm labor employment. Because farm workers are of very low income and their employment status is tenuous, they are often unable to compete for housing on the open market.

Housing affordability has historically been an issue for farmworkers and continues to be so today. Some issues contributing to this challenge include low incomes, large family sizes, and language barriers. Table 2.34 shows that of the 25,247 total farmworkers in Tulare County in 2012, 11,745 (46.5 percent) were permanent workers. According to the 2012 ACS, 10 percent of the city of Tulare’s employed population 16 years and over worked in the agriculture, forestry, fishing and hunting or mining industry. It is difficult to know how accurate these numbers are as under-reporting is common especially for those in the U.S. without documentation. The Tulare County Office of Education Migrant Education Program, which provides services to children of migrant parents, serves 320 children in the city. They indicated that the number of children in migrant families has dropped significantly from past years.

There is one existing farmworker housing project in Tulare, the Sonora Apartments, which provides 52 units of affordable housing for farmworkers. It was built in 1985 and is managed by the Tulare County Housing Authority. According to the Housing Authority, in September 2015 there are currently no vacancies and there are eight families on the waitlist; however, the Housing Authority does not usually put families on the waitlist unless they anticipate an opening.

<b>TABLE 2.34 FARMWORKERS TULARE COUNTY 2012</b>	
<b>Type of Worker</b>	<b>Number</b>
Permanent	11,745
Seasonal (e.g. Less than 150 days)	13,502
<b>Total</b>	<b>25,247</b>

*Source: HCD Pre-Approved Data Package, AG Census, 2012.*

## **2.11 People in Need of Emergency Shelter**

Due to their transient nature, it is difficult to count the homeless in any one area. It should also be noted that there are generally two types of homeless—the “permanent homeless” who are the transient and most visible homeless population and the “temporary homeless” who are homeless usually due to eviction and may stay with friends, family, or in a shelter or motel until they can be assisted with finding a more permanent residence. Individuals in need of emergency shelters are classified as homeless.

According to the 2015 Point-in-time (PIT) Count Report released by the Kings/Tulare Homeless Alliance (formerly the Continuum of Care on Homelessness), there were 83 homeless adult individuals counted in 2014 and 135 counted in 2015, an increase of about 63 percent. This 63 percent increase is the largest increase of homelessness in all PIT count participating cities. In 2014 the Alliance estimated there were 590 homeless people living in Tulare County. This figure grew to 636 in 2015. Also according to the 2015 PIT Count Report, the city of Tulare’s homeless population (135) makes up about 16 percent of the region’s homeless, while the county’s homeless population (636) makes up about 74 percent of the region’s homeless.

Emergency housing offers short-term shelter and a safe, decent alternative to the streets or a car. Other provisions of emergency shelters may include showers, meals, and telephone privileges for local calls or limited calls to out-of-area family. Stays in emergency housing are usually subject to limits.

In the city of Tulare, the Lighthouse Rescue Mission offers 30 – 60 days of emergency housing for women and children with 16 beds. The City also refers homeless men in need of shelter to the Visalia Rescue Mission. Additionally the Tulare Rescue Mission/Homeland Mission operates a 7-bed shelter for men and women.

Table 2.35 identifies various types of housing for the homeless in Tulare County. As of 2014, there were a total of 781 beds available year round.

<b>TABLE 2.35 HOMELESS FACILITIES TULARE COUNTY 2014</b>			
<b>Facility Type</b>	<b>Family Beds</b>	<b>Adults Only Beds</b>	<b>Total Year Round Beds</b>
Emergency Shelter	119	116	235
Transitional Housing	100	222	322
Permanent Supportive Housing	124	100	224
<b>Total</b>	<b>343</b>	<b>438</b>	<b>781</b>

*Source: HUD Continuum of Care Homeless Assistance Programs, Housing Inventory Count Report; Visalia, Kings, Tulare Counties CoC, 2014.*

## Tulare Housing Element

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## Chapter 3

### PROJECTED HOUSING NEEDS

#### 3.1 Income Limits and Regional Housing Needs

State Housing Element law (Government Code § 65580 et. Seq.) requires regional councils of government (COG) to identify for each city and county its “fair share allocation” of the Regional Housing Needs Assessment (RHNA) provided by the California Department of Housing and Community Development (HCD). The Tulare County Association of Governments, the COG for the city area, adopted the final Regional Housing Needs Plan (RHNP) in May 2014. TCAG took into account several factors in preparing the RHNP, including projected household formation, job growth, and regional income distribution. In turn, each city and county must address their local share of regional housing needs in their housing elements.

For the January 1, 2014, to the September 30, 2023, planning period, the City has a total allocation of 3,594 units. See Table 3.1 for the 2014-2023 Regional Housing Needs Allocation for the city of Tulare.

The projected housing needs in the RHNA are broken down by income category based on the limits for very-low, low, moderate, and above moderate income households established by the U.S. Department of Housing and Urban Development (HUD) (California Health and Safety Code Section 50079.5).

#### ***Definitions of household income:***

- Extremely Low Income: Incomes less than or equal to 30 percent of the area median household income (AMI).
- Very Low-Income: Incomes between 31 percent and 50 percent of the area median household income (AMI).
- Low-Income: Incomes between 51 percent and 80 percent of the area median household income (AMI).
- Moderate-Income: Incomes between 81 percent and 119 percent of the area median household income (AMI).
- Above Moderate-Income: Incomes over 120 percent of the area median household income (AMI).

Adjusting the allocation by income category allows for a balanced distribution of lower-income households between jurisdictions. Based on the requirements of AB 2634 (Statutes of 2006), each jurisdiction must also address the projected needs of extremely low-income households, defined as households earning less than 30 percent of the median income. The projected extremely low-income need can be assumed as 50 percent of total need for the very low-income households.

<b>TABLE 3.1 CITY OF TULARE REGIONAL HOUSING NEEDS ASSESSMENT CITY OF TULARE 2014-2023</b>		
<b>Income Category</b>	<b>Units</b>	<b>Percent of Total</b>
Extremely Low Income	460	12.8%
Low Income	460	12.8%
Very Low Income	609	16.9%
Moderate Income	613	17.0%
Above Moderate Income	1,452	40.4%
<b>Total</b>	<b>3,594</b>	<b>100.0%</b>

*Source: TCAG Regional Housing Needs Plan, 2014.*

State law requires the city of Tulare to demonstrate that it has or will make available adequate sites with appropriate zoning and development standards to accommodate the RHNA. The following section discusses the assumptions for this analysis how Tulare will meet this requirement through units built or under construction, planned or approved projects, and vacant and underutilized sites.



## 3.2 Affordability and Density

To identify sites that can accommodate a local government's share of the RHNA for lower-income households, housing elements must include an analysis that demonstrates the appropriate density to encourage and facilitate the development of housing for lower-income households. The statute (Government Code Section 65583.2(c)(3)) provides two options for demonstrating appropriate densities:

- Provide a detailed market-based analysis demonstrating how the adopted densities accommodate this need. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower-income households.
- Use the "default density standards" that are "deemed appropriate" in State law to accommodate housing for lower-income households given the type of the jurisdiction. Tulare is considered a "suburban jurisdiction" with a default density standard of 20 units per acre. HCD is required to accept sites that allow for zoning at this density as appropriate for accommodating a jurisdiction's share of the regional housing need for lower-income households.

Tulare has opted to rely on the default density standard of 20 units per acre to demonstrate it has adequate sites to accommodate the lower-income share of the RHNA. All sites were inventoried based on allowed densities. For these sites/projects, if the maximum allowed density was equal to or exceeded the default density standard of 20 units per acre, the site was inventoried as feasible for lower-income. This includes sites zoned R-M-3 and R-M-4.

While the maximum allowed residential density was used to determine the inventoried income categories, realistic unit densities were used as the inventoried density. The inventoried density, which is used to calculate how many units each site can count towards the RHNA, reflects the typically built densities in each land use designation. Assumptions for inventoried densities are described under vacant and underutilized sites below.

Each of the parcels included in the inventory was reviewed for potential environmental constraints (e.g., flooding, wetlands, steep slopes). As shown in Table 3.7, all of these sites are outside of FEMA 100-year flood zones and do not have other environmental constraints that could hinder future development.

## 3.3 AB 1233 RHNA "Carry Over" Analysis

Assembly Bill (AB) 1233, passed in 2005, amended State Housing Element law (Government Code Section 65584.09) to promote the effective and timely implementation of local housing elements. This bill applies to jurisdictions that included programs in their previous housing elements to rezone sites as a means of meeting their previous RHNA, as well as jurisdictions

## **Tulare Housing Element**

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who failed to adopt a State-certified housing element in the previous housing element cycle. Key provisions of Government Code Section 65584.09 state that where a local government failed to identify or make adequate sites available in the prior planning period, the jurisdiction must zone or rezone adequate sites to address the unaccommodated housing need within the first year of the new planning period. In addition to demonstrating adequate sites for the new planning period, the updated housing element must identify the unaccommodated housing need from the previous planning period.

The City of Tulare's Fourth Cycle (2006-2013) Housing Element contained a rezone program to meet its RHNA. As such, the potential AB 1233 penalty equals the portion of the RHNA not accommodated either through actual housing production or land made available for residential development. To determine any possible penalties, this analysis follows the following approach outlined by the State Department of Housing and Community Development (HCD):

- Step 1: Subtracting the number of housing units constructed, under construction, permitted, or approved since 2006 to date by income/affordability level;
- Step 2: Subtracting the number of units that could be accommodated on any appropriately zoned sites (not requiring rezoning) identified in the Housing Element; and
- Step 3: Subtracting the number of units that could be accommodated by rezonings that did occur; including:
  - Rezoning identified in the Housing Element; and
  - Rezoning that occurred independent of the Housing Element.

### **Progress Toward the RHNA**

The City's unaccommodated need can be reduced by the number of building permits issued since January 1, 2006, the start of the Fourth Cycle RHNA projection period. As shown in Table 3.2, Tulare has issued permits for 1,433 units since 2006. Deed-restricted units were inventoried as lower-income, multifamily units were inventoried as moderate-income based on expected units sizes and rents, and all other units were inventoried as above moderate-income.

TABLE 3.2 PERMITS ISSUED TULARE JANUARY 1, 2006 – DECEMBER 31, 2013				
Year	Units by Income Level			Total Units
	LI	MI	AMI	
2007	-	35	424	459
2008	56	150	230	436
2009	-	-	155	155
2010	-	22	71	93
2011	-	7	79	86
2012	-	-	53	53
2013	-	-	151	151
<b>Total</b>	<b>56</b>	<b>214</b>	<b>1,163</b>	<b>1,433</b>

Source: City of Tulare, 2014.

## Fourth Cycle Housing Element Vacant and Underutilized Land

Tulare’s Fourth Cycle Housing Element identified vacant sites that could accommodate a total of 12,642 units, including 249 lower-income units, 4,346 moderate-income units, and 8,047 above-moderate-income units.

## Fourth Cycle Housing Element Built and Approved Projects

Tulare’s Fourth Cycle Housing Element inventoried units built or approved between the beginning of the fourth cycle RHNA period and the time that the fourth cycle Housing Element was prepared. The Housing Element identified that these projects could accommodate a total of 1,305 units, including 374 lower-income units, 238 moderate-income units, and 695 above-moderate-income units.

## Rezoned Sites

To accommodate the remaining need from the Fourth Cycle RHNA, the City’s Fourth Cycle Housing Element contained a rezone program. Action Plan 1-A-3 of the Fourth Cycle Housing Element provided sites that the City could rezone to meet its unaccommodated need of 1,214 units in the lower-income RHNA categories. In total, the City rezoned or annexed and rezoned six parcels and created residential capacity for 500 total units.

Table 3.3 shows all sites that were rezoned or annexed in the Fourth Cycle RHNA period. The table employs the same assumptions as it does for vacant and underutilized land (Table 3.7). These sites have a capacity for 500 units, including 409 lower-income units, and 114 moderate-income units.

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**TABLE 3.3  
REZONED SITES  
TULARE  
2006-2013**

APN	Size (acres)	GP Land Use	Zoning	Existing Use	Maximum Density (per acre)	Units by Income Level			Total Realistic Development Potential	Notes
						LI	MI	AMI		
166-230-002	5.50	E-HDR	RM4	Vacant	29.04	127	-	-	127	Included as opportunity site in Fourth Cycle Housing Element. Rezoned in 2010.
166-230-001	2.48	E-HDR	RM4	Vacant	29.04	57	-	-	57	Included as opportunity site in Fourth Cycle Housing Element. Rezoned in 2010.
166-220-004	2.18	E-HDR	RM4:	Vacant	29.04	50	-	-	50	Included as opportunity site in Fourth Cycle Housing Element. Rezoned in 2010.
166-230-006	10.08	HDR	RM3	Vacant	21.78	175	-	-	175	May 2007
181-010-005	6.24	D-MDR	RM2	Vacant	14.52	-	90	-	72	June 2009
181-010-007	1.70	D-MDR	RM2	Vacant	14.52	-	24	-	19	June 2009
<b>Total</b>						<b>409</b>	<b>114</b>	<b>0</b>	<b>500</b>	

Source: City of Tulare, 2015.

## AB 1233 Carry-Over Analysis Summary

Table 3.4 summarizes the AB 1233 carry-over analysis for the City of Tulare. Based on units constructed, capacity from units built or approved as identified in the Fourth Cycle Housing Element, capacity on vacant land identified in the Fourth Cycle Housing Element, and sites that the City rezoned, Tulare exceeds its Fourth Cycle RHNA in the moderate- and above moderate-income categories. However, the City has an unaccommodated need of 969 lower-income units. This unaccommodated need will be added to Tulare’s Fifth Cycle RHNA.

TABLE 3.4 AB 1233 CARRY-OVER ANALYSIS SUMMARY TULARE 2006-2013						
Project	Units by Income Level					Total Units
	ELI	VLI	LI	MI	AMI	
<b>2006-2013 RHNA</b>	<b>560</b>	<b>560</b>	<b>937</b>	<b>1,103</b>	<b>2,483</b>	<b>5,643</b>
Units Constructed 2006-2013 not already counted in Fourth Cycle Housing Element (Table 3.2)			56	214	1,163	1,433
Units Built or Approved, as Identified in Fourth Cycle Housing Element			374	238	695	1,305
Vacant Sites Identified in Fourth Cycle Housing Element			249	4,346	8,047	12,642
Rezone Sites (Table 3.3)			409	114	0	500
<b>Unaccommodated Need from 4<sup>th</sup> Cycle</b>			<b>969</b>	<b>0</b>	<b>0</b>	<b>969</b>

Source: City of Tulare, 2014.

## 3.4 Fifth Cycle Housing Element RHNA Analysis

For the Fifth Cycle Housing Element update, Tulare has been assigned a RHNA of 3,594 units, including 920 very low income units, 609 low income units, 613 moderate income units, and 1,452 above moderate income units. In addition, the City has a carryover of 969 lower-income units from the Fourth Cycle RHNA. After adding together the City’s fifth cycle lower-income RHNA and its fourth cycle carry-over, Tulare has a total lower-income RHNA of 2,498 units.

### Units Built or Under Construction

Since the RHNA projection period for the Fifth Cycle Housing Element runs from January 1, 2013, to December 31, 2023, the City of Tulare’s RHNA can be reduced by the number of units built or under construction since January 1, 2014. Table 3.5 shows units built or under

## Tulare Housing Element

construction since January 1, 2014 in Tulare. The Valley Oak Apartments project has 36 units remaining, all of which were inventoried as moderate-income based on expected rents.

TABLE 3.5 UNITS BUILT OR UNDER CONSTRUCTION TULARE JANUARY 1, 2013 – DECEMBER 31, 2023							
Project/APN	Units by Income Level					Total Units	Description of Units
	ELI	VLI	LI	MI	AMI		
Valley Oak Apartments	-	-	-	36	-	36	The first two phases of this project have already been built, resulting in 173 units, 56 of which are deed-restricted. The 36 units shown to the left indicate the final phase on vacant parcel 168-470-014.
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>36</b>	<b>0</b>	<b>36</b>	

Source: City of Tulare, 2014.

### Planned or Approved Projects

Tulare's Regional Housing Needs Allocation (RHNA) can also be reduced by the number of new units in projects that are planned or approved, but not yet built. Table 3.6 and Figure 3-1 show an inventory of all residential projects that are (as of June 2015) approved or in the planning process and scheduled to be built by the end of the current Housing Element planning period (December 31, 2023). For each project the table shows the name of the development, number of units by income category, a description of the units, and the current status of the project. Planned or approved projects total 2,985 units including 274 moderate-income units and 2,711 above moderate-income units.

# Projected Housing Needs

# 3

**TABLE 3.6**  
**PLANNED OR APPROVED PROJECTS**  
**TULARE**  
**JANUARY 1, 2013 – DECEMBER 31, 2023**

Project	Units by Income Level					Total Units	Description of Units	Status
	ELI	VLI	LI	MI	AMI			
W. Prosperity Ave. & North E St. APNs 169-080-001, 002, 004	-	-	-	40	-	40	Apartment Complex. Moderate-income based on expected rents.	Planned
Bethel Senior Living Center	-	-	-	154	-	154	82 senior apartments, 72 independent living units. Moderate-income based on expected rents	Approved in November 2010
Vista Terraza	-	-	-	-	114	114		Approved 9/19/2009
KCOK Ranch	-	-	-	-	490	490		Approved 8/15/2005
Cottonwood Estates	-	-	-	-	315	315		Approved 10/20/2003
Sunrise Estates (Multifamily Portion)	-	-	-	80	-	80	63 single family units constructed and 80 multifamily units that are yet to be constructed. Moderate-income based on expected rents	Approved 1/0/05
Rancho Ventura	-	-	-	-	165	165		Approved 7/11/2005
Shenandoa Park	-	-	-	-	206	206		Approved 5/7/2007
Palm Ranch 2,3,4	-	-	-	-	550	550		Approved 2/28/2005
Palm Ranch 1	-	-	-	-	114	114		Approved 2/7/05
Vista Del Loma	-	-	-	-	52	52		Approved 11/17/03
Kaweah Estates	-	-	-	-	146	146		Approved 8/27/02
Valley Estates	-	-	-	-	222	222		Approved 12/6/04
Quail Creek	-	-	-	-	89	89		Approved 10/27/14
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>274</b>	<b>2,711</b>	<b>2,985</b>		

Source: City of Tulare, 2014.

### Vacant Sites

The final source for future housing is on vacant sites. The Tulare Housing Element sites inventory uses the following assumptions to inventory residential development potential on vacant land or underutilized sites:

- **Relation of density to income categories.** The following assumptions were used to determine the income categories according to the allowed densities for each site:
  - **Lower-income (LI) Sites.** Sites at least 0.5 acres in size that allow at least 20 units per acre were inventoried as feasible for lower-income (low- and very low-income) residential development. This includes sites zoned RM-4 and RM-3, which allow for up to 29 and 21.78 units per acre, respectively.
  - **Moderate-Income (MI) Sites.** Sites that are zoned RM-1 and RM-2 allow for up to 11.62 and 14.52 units per acre, respectively. These areas were inventoried as feasible for moderate-income residential development. Typical dwelling units include small and medium-sized apartments and other attached units. Sites that are less than 0.5 acres in size and zoned for R-4 or RM-3 were deemed too small to be inventoried as lower-income and were instead inventoried as moderate-income.
  - **Above Moderate-Income (AMI) Sites.** Sites within zones that allow only single family homes at lower densities were inventoried as above moderate-income units.
- **Development Potential.** The inventory assumes build out of 80 percent of the maximum permitted density for all residentially zoned sites.
- **Assumptions for Agricultural Sites.** The inventory includes seven sites that are currently (2015) being used for agriculture, but are zoned and designated for residential uses. These sites have been identified because the existing uses (agriculture) are not maximizing development potential that was identified in the Tulare General Plan. These sites exhibit development potential. For each site, the City has evaluated overall site potential, potential for lot consolidation, and the status of existing uses. None of these sites have any constraints (e.g., Williamson Act contracts, easements) that would limit residential development on the sites.

Table 3.7 identifies vacant sites. Figure 3.1 identifies the location of these sites. Based on permitted densities and the assumptions described above, the sites identified in Table 3.7 can accommodate an estimated 3,130 units, including 519 lower-income units, 701 moderate-income units, and 1,910 above moderate-income units. All of these sites are outside of FEMA 100-year flood zones and do not have other environmental constraints that could hinder future development.



<b>TABLE 3.7</b> <b>VACANT SITES</b> <b>TULARE</b> <b>JANUARY 1, 2013 – DECEMBER 31, 2023</b>										
APN	Size (acres)	GP Land Use	Zoning	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Potential	Environmental Constrains
						LI	MI	AMI		
166-230-006	10.08	HDR	RM3	Vacant	21.78	175	-	-	175	None
184-190-017	4.99	D-MDR	RM3	Vacant	21.78	87	-	-	87	None
169-370-001	4.83	D-MDR	RM3	Vacant	21.78	84	-	-	84	None
184-190-016	2.94	D-MDR	RM3	Vacant	21.78	51	-	-	51	None
177-080-035	0.36	D-MDR	RM3	Vacant	21.78	-	6	-	6	None
176-142-004	0.34	D-MDR	RM3	Vacant	21.78	-	5	-	5	None
177-080-036	0.25	D-MDR	RM3	Vacant	21.78	-	4	-	4	None
176-142-003	0.23	D-MDR	RM3	Vacant	21.78	-	4	-	4	None
191-070-015	7.04	G-CC	RM3	Vacant	21.78	122	-	-	122	None
170-253-017	0.39	J-CBD	RM3	Vacant	21.78	-	6	-	6	None
172-070-002	8.17	D-MDR	RM2	Vacant	14.52	-	94	-	94	None
149-420-040	7.92	D-MDR	RM2	Vacant	14.52	-	91	-	91	None
181-010-005	6.24	D-MDR	RM2	Vacant	14.52	-	72	-	72	None
149-060-022 (portion)	5.96	D-MDR	RM2	Vacant	14.52	-	69	-	69	None
172-070-003	4.56	D-MDR	RM2	Vacant	14.52	-	53	-	53	None
172-100-001	3.86	D-MDR	RM2	Vacant	14.52	-	44	-	44	None
177-200-009	2.37	D-MDR	RM2	Vacant	14.52	-	27	-	27	None
168-180-012	1.73	D-MDR	RM2	Vacant	14.52	-	20	-	20	None
181-010-007	1.70	D-MDR	RM2	Vacant	14.52	-	19	-	19	None
177-080-024	0.29	D-MDR	RM2	Vacant	14.52	-	3	-	3	None
177-080-009	0.21	D-MDR	RM2	Vacant	14.52	-	2	-	2	None
166-220-007	7.45	E-HDR	RM2	Vacant	14.52	-	86	-	86	None
166-220-005	2.94	E-HDR	RM2	Vacant	14.52	-	34	-	34	None
175-051-001	3.74		RM2	Vacant	14.52	-	43	-	43	None

**Tulare Housing Element**

**TABLE 3.7  
VACANT SITES  
TULARE**

**JANUARY 1, 2013 – DECEMBER 31, 2023**

APN	Size (acres)	GP Land Use	Zoning	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Potential	Environmental Constrains
						LI	MI	AMI		
169-080-020	1.11	D-MDR	RM1	Vacant	11.26	-	10	-	10	None
169-080-014	0.47	D-MDR	RM1	Vacant	11.26	-	4	-	4	None
169-080-015	0.37	D-MDR	RM1	Vacant	11.26	-	3	-	3	None
169-080-013	0.31	D-MDR	RM1	Agriculture	11.26	-	2	-	2	None
164-130-008	4.08	B-RE	R-1-8	Vacant	5.45	-	-	17	17	None
164-130-007	4.06	B-RE	R-1-8	Vacant	5.45	-	-	17	17	None
164-130-009	4.04	B-RE	R-1-8	Vacant	5.45	-	-	17	17	None
164-130-006	3.99	B-RE	R-1-8	Vacant	5.45	-	-	17	17	None
164-150-014	3.83	B-RE	R-1-8	Vacant	5.45	-	-	16	16	None
164-150-024	1.08	B-RE	R-1-8	Vacant	5.45	-	-	4	4	None
164-150-025	1.05	B-RE	R-1-8	Vacant	5.45	-	-	4	4	None
164-200-002	2.29	C-LDR	R-1-8	Vacant	5.45	-	-	9	9	None
164-100-009	0.66	C-LDR	R-1-8	Vacant	5.45	-	-	2	2	None
168-131-007	0.24	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-017	0.24	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-014	0.24	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-008	0.24	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-011	0.24	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-013	0.24	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-009	0.23	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-016	0.23	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-010	0.23	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-015	0.23	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None
168-131-012	0.23	E-HDR	R-1-8	Vacant	5.45	-	-	1	1	None

<b>TABLE 3.7</b> <b>VACANT SITES</b> <b>TULARE</b> <b>JANUARY 1, 2013 – DECEMBER 31, 2023</b>										
APN	Size (acres)	GP Land Use	Zoning	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Potential	Environmental Constrains
						LI	MI	AMI		
191-070-020	38.46	I-SC	R-1-8	Agriculture	5.45	-	-	167	167	None
191-080-013	9.05	I-SC	R-1-8	Agriculture	5.45	-	-	39	39	None
191-070-017	6.61	I-SC	R-1-8	Agriculture	5.45	-	-	28	28	None
149-060-022 (portion)	41.63	C-LDR	R-1-7	Vacant	6.22	-	-	207	207	None
184-230-003	11.85	C-LDR	R-1-7	Vacant	6.22	-	-	58	58	None
184-220-002	4.37	C-LDR	R-1-7	Vacant	6.22	-	-	21	21	None
168-200-011	18.71	C-LDR	R-1-6	Vacant	7.26	-	-	108	108	None
168-010-010	12.92	C-LDR	R-1-6	Vacant	7.26	-	-	75	75	None
168-010-035	9.41	C-LDR	R-1-6	Vacant	7.26	-	-	54	54	None
168-020-003	9.32	C-LDR	R-1-6	Vacant	7.26	-	-	54	54	None
168-010-009	7.52	C-LDR	R-1-6	Vacant	7.26	-	-	43	43	None
172-040-029	5.64	C-LDR	R-1-6	Vacant	7.26	-	-	32	32	None
182-060-044	3.16	C-LDR	R-1-6	Vacant	7.26	-	-	18	18	None
172-040-033	2.87	C-LDR	R-1-6	Vacant	7.26	-	-	16	16	None
168-080-049	2.03	C-LDR	R-1-6	Vacant	7.26	-	-	11	11	None
171-090-001	1.01	C-LDR	R-1-6	Vacant	7.26	-	-	5	5	None
172-040-051	0.96	C-LDR	R-1-6	Vacant	7.26	-	-	5	5	None
171-090-002	0.87	C-LDR	R-1-6	Vacant	7.26	-	-	5	5	None
177-080-038	0.21	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-089	0.18	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-090	0.17	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-091	0.17	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-092	0.17	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-088	0.16	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None

**Tulare Housing Element**

<b>TABLE 3.7                      VACANT SITES                      TULARE                      JANUARY 1, 2013 – DECEMBER 31, 2023</b>										
APN	Size (acres)	GP Land Use	Zoning	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Potential	Environmental Constrains
						LI	MI	AMI		
168-190-093	0.16	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-080	0.16	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-087	0.16	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-094	0.16	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-095	0.16	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-096	0.15	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-097	0.15	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-098	0.15	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-099	0.15	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-100	0.15	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-082	0.15	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-081	0.15	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-084	0.14	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-085	0.14	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
168-190-086	0.14	C-LDR	R-1-6	Vacant	7.26	-	-	1	1	None
177-080-011	0.30	D-MDR	R-1-6	Vacant	7.26	-	-	1	1	None
177-080-007	0.16	D-MDR	R-1-6	Vacant	7.26	-	-	1	1	None
182-010-025	0.76	E-HDR	R-1-6	Vacant	7.26	-	-	4	4	None
182-010-024	0.51	E-HDR	R-1-6	Vacant	7.26	-	-	2	2	None
171-260-039	0.54	G-CC	R-1-6	Vacant	7.26	-	-	3	3	None
174-030-007	29.76	C-LDR	R-1-5	Vacant	8.71	-	-	207	207	None
174-030-009	19.46	C-LDR	R-1-5	Vacant	8.71	-	-	135	135	None
174-030-008	19.45	C-LDR	R-1-5	Vacant	8.71	-	-	135	135	None
184-200-047	5.40	C-LDR	R-1-5	Vacant	8.71	-	-	37	37	None

<b>TABLE 3.7</b> <b>VACANT SITES</b> <b>TULARE</b> <b>JANUARY 1, 2013 – DECEMBER 31, 2023</b>										
APN	Size (acres)	GP Land Use	Zoning	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Potential	Environmental Constrains
						LI	MI	AMI		
184-190-013	5.32	C-LDR	R-1-5	Vacant	8.71	-	-	37	37	None
184-200-046	2.82	C-LDR	R-1-5	Vacant	8.71	-	-	19	19	None
168-210-064	0.26	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-190-070	0.18	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-190-064	0.17	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-190-079	0.15	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-014	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-063	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-013	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-031	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-022	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-068	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-044	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-032	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-043	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-190-077	0.14	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-001	0.13	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-190-078	0.13	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-023	0.13	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-065	0.13	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-190-073	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-190-074	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-190-071	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-190-075	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None

**Tulare Housing Element**

**TABLE 3.7  
VACANT SITES  
TULARE**

**JANUARY 1, 2013 – DECEMBER 31, 2023**

APN	Size (acres)	GP Land Use	Zoning	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Potential	Environmental Constrains
						LI	MI	AMI		
168-190-076	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-048	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-066	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-039	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-067	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-018	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-049	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-020	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-017	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-045	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-052	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-051	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-015	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-025	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-038	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-016	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-053	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-034	0.12	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-046	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-035	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-004	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-002	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-050	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-027	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None

<b>TABLE 3.7</b> <b>VACANT SITES</b> <b>TULARE</b> <b>JANUARY 1, 2013 – DECEMBER 31, 2023</b>										
APN	Size (acres)	GP Land Use	Zoning	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Potential	Environmental Constrains
						LI	MI	AMI		
168-210-042	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-028	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-047	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-036	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-019	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-041	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-003	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-037	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-029	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-030	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-006	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-021	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-040	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-054	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-058	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-008	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-012	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-009	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-007	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-057	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-011	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-026	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-010	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-061	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None

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<b>TABLE 3.7 VACANT SITES TULARE JANUARY 1, 2013 – DECEMBER 31, 2023</b>										
APN	Size (acres)	GP Land Use	Zoning	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Potential	Environmental Constrains
						LI	MI	AMI		
168-210-005	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-024	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-060	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-055	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-059	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-056	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
168-210-062	0.11	C-LDR	R-1-5	Vacant	8.71	-	-	1	1	None
181-150-001	3.71	N-HI	R-1-5	Vacant	8.71	-	-	25	25	None
172-110-001	10.65	B-RE	R-1-12.5	Agriculture	3.48	-	-	29	29	None
168-020-018	9.79	B-RE	R-1-12.5	Vacant	3.48	-	-	27	27	None
164-100-008	8.59	B-RE	R-1-12.5	Vacant	3.48	-	-	23	23	None
172-130-020	4.98	B-RE	R-1-12.5	Agriculture	3.48	-	-	13	13	None
172-040-069	11.66	C-LDR	R-1-12.5	Vacant	3.48	-	-	32	32	None
169-040-020	4.77	C-LDR	R-1-12.5	Vacant	3.48	-	-	13	13	None
169-110-003	1.24	C-LDR	R-1-12.5	Vacant	3.48	-	-	3	3	None
169-110-011	0.54	C-LDR	R-1-12.5	Vacant	3.48	-	-	1	1	None
172-070-005	6.01	A-RR	RA	Agriculture	1 per site	-	-	1	1	None
172-090-029	4.78	A-RR	RA	Agriculture	1 per site	-	-	1	1	None
182-100-022	0.98	C-LDR	RA	Vacant	1 per site	-	-	1	1	None
182-090-021	0.48	C-LDR	RA	Vacant	1 per site	-	-	1	1	None
182-090-015	0.39	C-LDR	RA	Vacant	1 per site	-	-	1	1	None
<b>Total</b>						<b>519</b>	<b>701</b>	<b>1,910</b>	<b>3,130</b>	

Source: City of Tulare, 2014.



## RHNA Summary

Table 3.8 provides a summary of Tulare’s ability to meet the 2006-2013 Unaccommodated Need and the 2013-2023 RHNA. After accounting for units built or under construction, planned and approved projects, and capacity on vacant sites, Tulare has a remaining need to accommodate 1,979 lower-income units.

TABLE 3.8 RHNA SUMMARY TULARE JANUARY 1, 2013 – DECEMBER 31, 2023						
Project	Units by Income Level					Total Units
	ELI	VLI	LI	MI	AMI	
2006-2013 RHNA Unaccommodated Need	969			0	0	969
2013-2023 RHNA	460	460	609	613	1,452	3,594
<b>Total RHNA</b>	<b>2,498</b>			<b>613</b>	<b>1,452</b>	<b>4,563</b>
Units Built or Under Construction (Table 3.5)	0	0	0	36	0	36
Planned or Approved Projects (Table 3.6)	0	0	0	274	2,711	2,985
Capacity on Vacant Sites (Table 3.7 and Table 3.3)	519			701	1,910	3,130
Remaining Surplus/Need(-) Before Rezone Program	<b>(1,979)</b>			<b>398</b>	<b>3,169</b>	<b>(1,954)</b>

Source: City of Tulare, 2014.

## Rezone Program

While the sites identified in Table 3.8 provide enough capacity in the moderate- and above moderate-income categories, the City has a remaining need of 1,979 lower-income units. In order to meet this need, Tulare has identified 25 potential rezone sites, summarized in Table 3.9 and shown in Figure 3.1. These sites, if rezoned to R-4, have a capacity for 4,213 units. Given the City’s remaining need, the City will only need to rezone some of the candidate sites in order to meet its RHNA.

When the new zoning is adopted, the final rezone sites will allow the City to meet its RHNA in all categories. The rezone program is supported through Program A-4. Per State law, the City must rezone to accommodate the unaccommodated need from the Fourth Cycle RHNA within one year of the Housing Element adoption due date, and must accommodate the Fifth Cycle RHNA within three years of the actual Housing Element adoption date. In accordance with State law, the City will rezone enough land to cover the unaccommodated need from the Fourth Cycle of 969 lower-income units within one year of adoption of the Housing Element. The City will rezone enough land to cover the remaining Fifth Cycle unaccommodated need of 1,010 lower-income units within three years of the Housing Element adoption due date (i.e., December 31,

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2018). The City will monitor the availability of vacant land and ensure that the rezoned sites require a minimum of 20 units per acre for the lower-income need.

<b>TABLE 3.9 POTENTIAL REZONE SITES TULARE 2015</b>							
APN	Acres	Existing Zoning	Potential Zoning	Existing General Plan Designation	Potential General Plan Designation	Potential Maximum Density	Realistic Number of Units (80 percent of max.)
149-060-018	19.60	C-3	R-M-4	C-LDR; G-CC	HDR	29	454
149-060-022 (portion)	36.00	R-1-7	R-M-4	C-LDR	HDR	29	835
149-060-022 (portion)	9.20	RM2	R-M-4	O-PUB	HDR	29	213
149-060-022 (portion)	10.90	C-3	R-M-4	D-MDR	HDR	29	252
166-230-005	17.70	C-3	R-M-4	G-CC	HDR	29	410
168-330-018	6.48	RM2	R-M-4	D-MDR; E-HDR	HDR	29	150
171-250-017	9.70	C-3	R-M-4	G-CC	HDR	29	225
171-280-038	2.00	C-3	R-M-4	G-CC	HDR	29	46
171-280-039	2.79	C-3	R-M-4	G-CC	HDR	29	64
172-040-073	4.11	R-1-6	R-M-4	C-LDR	HDR	29	95
172-070-002 (portion)		C-3		G-CC			
172-070-002 (portion)	17.61	RM2	R-M-4	D-MDR	HDR	29	408
172-070-003 (portion)		C-3		G-CC			
172-070-003 (portion)	10.48	RM2	R-M-4	D-MDR	HDR	29	243
172-100-001 (portion)		C-3		G-CC			
172-100-001 (portion)	8.82	RM2	R-M-4	D-MDR	HDR	29	204
177-060-002	0.61	RM2	R-M-4	D-MDR			
177-060-009	0.48	R-1-8	R-M-4	D-MDR			
177-060-010	0.47	RM2	R-M-4	D-MDR			
177-060-011	0.47	RM2	R-M-4	D-MDR			
177-060-012	0.47	R-1-8	R-M-4	D-MDR			
177-060-013	0.47	R-1-8	R-M-4	D-MDR			
<i>Subtotal</i>	2.97	-	-	-	HDR	29	69
177-070-021	2.56	C-5	R-M-4	E-HDR			
177-070-023	0.74	C-5	R-M-4	E-HDR			
177-070-025	0.20	R-1-6	R-M-4	D-MDR			
177-070-027	1.82	R-1-6	R-M-4	D-MDR			
<i>Subtotal</i>	5.32	-	-	-	HDR	29	123

<b>TABLE 3.9                      POTENTIAL REZONE SITES                      TULARE                      2015</b>							
APN	Acres	Existing Zoning	Potential Zoning	Existing General Plan Designation	Potential General Plan Designation	Potential Maximum Density	Realistic Number of Units (80 percent of max.)
182-340-001	3.44	C-5	R-M-4	G-CC; D-MDR; C-LDR	HDR	29	79
182-34-0002	4.22	C-5	R-M-4	D-MDR; G-CC; C-LDR	HDR	29	97
182-340-003	0.96	C-5	R-M-4	D-MDR	HDR	29	22
184-100-010	9.69	A	R-M-4	E-HDR; F-NC	HDR	29	224
<b>Total</b>	<b>181.99</b>						<b>4,213</b>

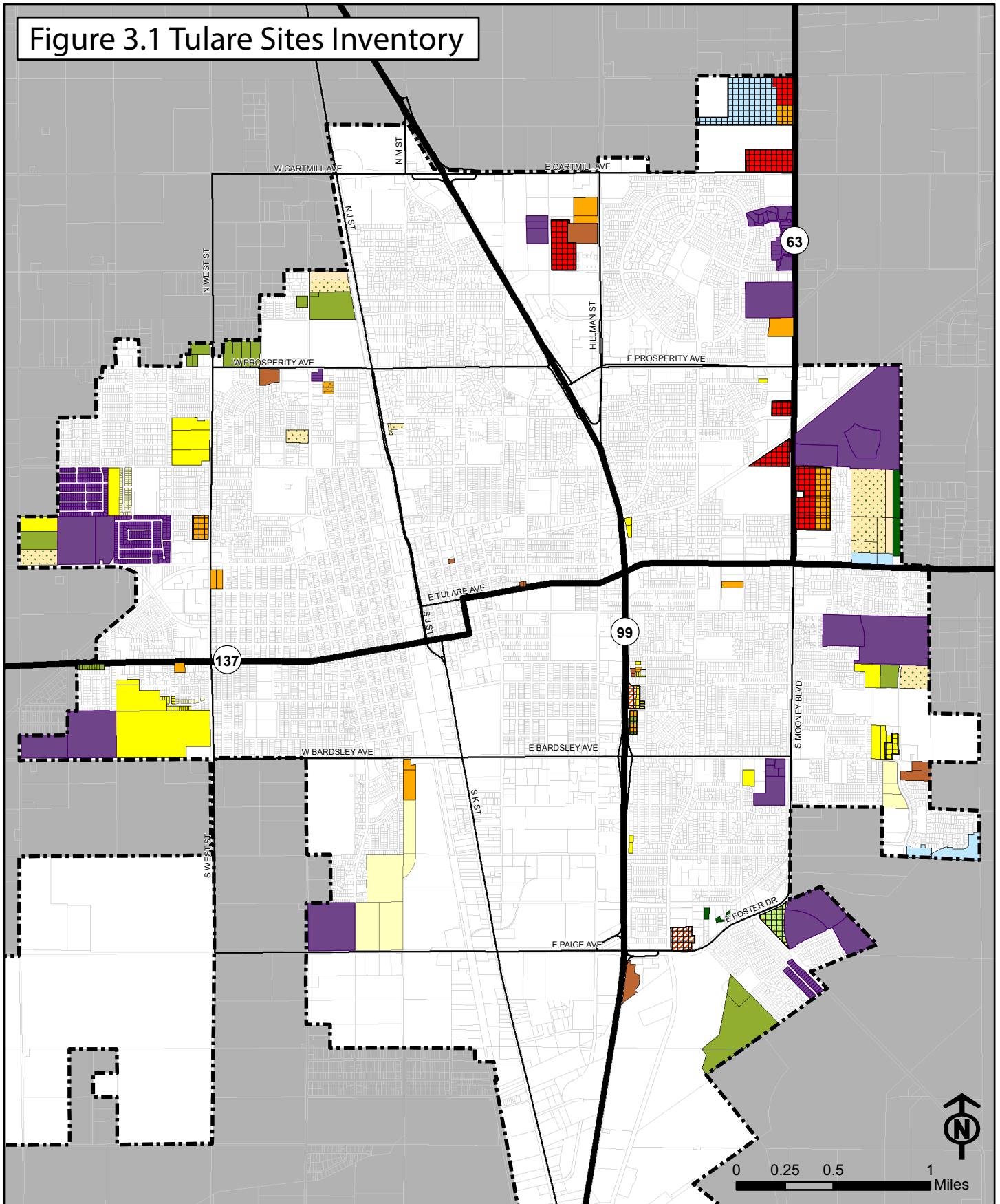
Source: City of Tulare, 2015.

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# Figure 3.1 Tulare Sites Inventory



City Limits	Vacant Zoning C-2	C-5	PL	R-1-4	R-1-6	RA	RM3
Planned and Approved Projects	C-3	M-1	R-1-20	R-1-5	R-1-7	RM1	RM4
Potential Rezone Sites	C-1	C-4	M-2	R-1-12.5	R-1-5 (H)	R-1-8	UR

Source: City of Tulare (2015)

## Tulare Housing Element

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## 3.5 Infrastructure Capacity

The proximity, availability, and capacity of infrastructure help to determine the suitability of residential land. Below is an evaluation of water and sewer capacity available to accommodate the housing needs during the planning period.

### Wastewater Treatment

The City's domestic wastewater treatment plant, located in the southwest part of the City, has a design capacity of 6.09 million gallons per day (mgd). In 1998, the plant was operating close to its hydraulic capacity. In response to this condition, the City constructed a new anaerobic treatment plant to treat milk waste discharges and a portion of the City's domestic waste. By constructing the new facility, the City reduced flows to the older treatment plant by 1.0 to 1.25 mgd. Design is underway to increase the domestic wastewater treatment capacity to 8.0 mgd. The City also operates an industrial wastewater treatment plant with a design capacity of 12.0 mgd.

### Water System

The City provides careful oversight to the system as new development occurs and the City recognizes deficiencies exist in the water supply and infrastructure. Over the course of this Housing Element, the City will be working on identifying and correcting those deficiencies. The current (2015) capacity of all operational wells connected to the existing water infrastructure is 30.4 mgd. The 2014 peak single day demand was 22.7 mgd. The daily average for the year was 16.4 mgd.

### Summary of Capacity

At the present time, the City does not have the capacity to accommodate the water and sewer service needs associated with the total housing units assigned by the RHNA. The City's water delivery infrastructure is suffering due to ongoing drought conditions and the demand placed on the system. City staff, working with engineering consultants, have identified short-term improvements to the water delivery infrastructure to ensure continued delivery to existing customers. As part of a long-term program to address deferred maintenance and new infrastructure improvements, the City is working with engineering consultants to identify new well locations and/or above ground storage tanks. The improvements identified would best enhance existing system capacity, and would improve the City's overall ability to provide water service and meet fire flow requirements for future customers. Funding limitations have previously constrained the City's ability to undertake improvement projects and have forced the City to prioritize capital projects by immediate need. The City is in the process of modifying its five-year CIP program to include some of the long-term improvement projects being identified.

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The proposed five-year CIP will also identify the funding necessary to support these projects. The City of Tulare has embarked on a water rate increase study, which if successfully adopted, will generate additional revenues to assist in funding CIP projects. The City will also continue to seek grant opportunities for infrastructure upgrades.

The City's Domestic Sewer Wastewater Treatment plant is currently operating at approximately 80 percent of its permitted capacity. The City will be conducting a capacity study and analyzing operational changes to yield additional permitted capacity from the plant.

The Housing Element includes a program to monitor water and sewer capacity and continue to make improvements to the system to better serve existing development and strive to accommodate the RHNA.

### **3.6 Redevelopment Agency Resources**

The city of Tulare's Redevelopment Agency provided staff support for administering rehabilitation and first-time homebuyer funds for low-income homeowners and housing programs. However, Tulare's Redevelopment Agency was dissolved on February 1, 2012. State law required that Redevelopment Agency deposit 20 percent of the gross tax incremental revenues from redevelopment project areas into the Low and Moderate Income Housing Fund (LMIHF) to be used exclusively for housing for persons with low and moderate income. With the elimination of the Redevelopment Agency, there will be no future funding for the LMIHF from property tax increment. The city of Tulare acts as the Housing Successor Agency of the former Redevelopment Agency.



# Chapter 4

## CONSTRAINTS

### 4.1 Local Governmental Constraints

Local policies and regulations can affect the quantity, type, and affordability of residential development. Since governmental actions can constrain the development and the affordability of housing, State law requires the housing element to “address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing” (Government Code § 65583(c)(3)).

The City’s primary policies and regulations that affect residential development and housing affordability include: the Zoning Ordinance, the Land Use Element of the General Plan, development processing procedures and fees, on and off-site improvement requirements, and the California Building and Housing Codes. In addition to a review of these policies and regulations, this Chapter analyses governmental constraints on housing production for persons with disabilities.

The City’s land use controls generally do not constrain the development of multifamily rental housing, manufactured housing or mobile homes, housing for agricultural employees, transitional and supportive housing, single-family occupancy units, and emergency shelters.

As defined by the City, multifamily dwellings are structures containing more than one dwelling unit, designed for occupancy or occupied by more than one family. Multifamily housing can provide a suitable environment for family life and provides housing opportunities for a diverse demographic, including older adults.

Existing resource protection policies, including the City’s Street Tree Ordinance (Chapter 8.32) and Preservation of Heritage Trees Ordinance (Chapter 8.52), are designed to encourage resource sensitive mitigation and facilitate the preservation and maintenance of protected trees (heritage and oak), without limiting development potential. Mitigation requirements may become cumbersome for high-density projects, as tree replacement may be required on site that is at the sole expense of the applicant. The tree replacement ratio is two replacement, from 15-gallon containers or larger for each tree removed. The following sections provide information on local land use regulations.

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### Zoning Ordinance

This section addresses the zoning districts, which allow residential development, and the development standards for each district, followed by specific development regulations for multi-family housing, mixed-use development, secondary dwelling units, and transitional housing/emergency shelters.

### Zoning Districts

Based on the City's Zoning Ordinance, residential development is allowed in four residential zoning districts, one agriculture district, four commercial districts, and the urban reserve district. The maximum residential density allowed is 29 units per acre.

The Zoning Ordinance includes three overlay districts that can be combined with other districts to allow for greater flexibility in land use and density. The overlay districts include the Planned Residential Combining (PR) district; Downtown Combining (D) district; and Mixed Use Combining (MU) district. Residential uses may be accommodated in each of these districts as well.

Tulare's zoning districts that allow residential development include:

- **Agricultural (A) District:** The A district is applied to areas to preserve lands for agricultural uses and to protect undeveloped lands around the City for future urban development. The A district allows for such uses as the raising of crops and livestock, agricultural processing, very low-density residential uses, and home occupations. This district also allows housing for up to 36 beds in group quarters or 12 single-family units for employees that live on the property. The A zoning district is consistent with and implements the Agricultural land use designation of the General Plan.
- **Rural Residential (R-A) District:** The R-A district is applied to areas appropriate for very low density concentrations of single-family dwellings, together with limited agricultural uses such as the raising of fruit and nut trees, horticultural specialties, and livestock, where proposed development and agricultural uses maintain a suitable environment for family life on large parcels of land. Second residential units are permitted by right in this district. Residential density is limited to one primary dwelling unit on each site. The R-A district is consistent with and implements the Rural Residential land use designation of the General Plan.
- **Single-Family Residential (R-1) District:** The R-1 district is applied to areas appropriate for neighborhoods of low-density concentrations of single-family dwellings, and related community facilities. Condominiums and guest houses are allowed in this district upon approval of a Conditional Use Permit. Second residential units are permitted by right in this district. For greater density variety, the R-1 district is further

subdivided into sub-districts: R-1-5; R-1-6; R-1-7; R-1-8; R-1-12.5; and R-1-20. The maximum allowable density ranges from one dwelling per half-acre to eight dwellings per acre, with the specific allowable density for each parcel shown on the zoning map by a numerical suffix to the R-1 map symbol (see Section 10.32.060). The R-1 district is consistent with and implements the Suburban Residential land use designations of the General Plan.

- **Small Lot Residential (R-1-4) District:** The R-1-4 district is applied to areas appropriate for compact residential development on lot sizes ranging from 3,200 square feet to 4,000 square feet. One of the objectives of the R-1-4 district is to provide for an additional housing type and address issues of affordability. The maximum allowable density is limited to one dwelling on each parcel, density ranges from 10 to 13 dwellings per acre. The R-1-4 district helps to implement the Suburban Residential land use designation of the General Plan.
- **Multiple-Family Residential (R-M) District:** The R-M district is applied to areas appropriate for multi-family housing and related uses, including home-based occupations. Single-family dwellings, townhouses (R-M-3 and R-M-4), and condominiums (R-M-2, R-M-3 and R-M-4) are allowed with a Conditional Use Permit. For greater density variety, the R-M district is further subdivided into sub-districts: R-M-1; R-M-2; R-M-3; and R-M-4. The maximum allowable density ranges from 11 to 29 dwellings per acre, with the specific allowable density for each parcel shown on the zoning map by a numerical suffix to the R-M map symbol (see Section 10.36.060). The R-M district is consistent with and implements the Urban Residential land use designations of the General Plan. Emergency shelters and transitional housing for fewer than 13 residents are permitted.
- **Neighborhood Commercial (C-1) District:** The C-1 district is applied to areas appropriate for commercial uses that cater to the daily needs of residents. Residential uses may also be accommodated by Conditional Use Permits in this district. The C-1 district is consistent with and implements the Neighborhood Commercial land use designation of the General Plan.
- **Office Commercial (C-2) District:** The C-2 district is applied to areas appropriate for small to large-scale office facilities and related support services. Residential uses may also be accommodated by Conditional Use Permit in this district. The C-2 district is consistent with the Office/Business Park land use designation of the General Plan.
- **Retail Commercial (C-3) District:** The C-3 district is applied to a wide variety of commercial and office uses that serve the general commercial needs of the community. Residential uses may also be accommodated by Conditional Use Permit in this district. The C-3 district is consistent with and implements the Community Commercial land use designation of the General Plan.

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- **Service Commercial (C-4) District:** The C-4 district is applied to areas appropriate for wholesale and heavy commercial uses and service establishments. Residential uses, including multi-family housing, may also be accommodated by Conditional Use Permit in this district. The C-4 district is consistent with the General Commercial land use designation of the General Plan.
- **Urban Reserve (UR) District:** The UR district is applied to undeveloped lands on the City's edge, including agricultural land and open space land. Single-family dwellings are permitted by right in this district. The UR district is consistent with and implements the Residential Reserve land use designation of the General Plan.

The overlay zoning districts are:

- **Planned Residential Combining (PD) district:** The PD district may be applied to areas appropriate for residential development that are designed differently than traditional residential development. Permitted uses in the PD district include all uses that are permitted in the base single-family residential zone district. The PD district allows for greater flexibility in lot width, lot depth, street width, housing type, and density within the same zoning district. Multi-family residential development may also be accommodated by Conditional Use Permit with this overlay.
- **Downtown Combining (D) district:** The D district provides a comprehensive set of development standards to be applied within the City's downtown area. Residential uses are also allowed in this district consistent with those allowed in the C-3 district and subject to a Conditional Use Permit.
- **Mixed Use Combining (MU) district:** The MU district may be applied to areas appropriate for the development of a variety of compatible commercial and residential uses within the same building or site. The MU district encourages medium to high-density residential development on sites close to the downtown area. Single-family attached housing, townhouses, apartments, and condominiums are permitted by right in this overlay district. Densities vary based on how the residential component is sited (see also discussion below on Mixed Use).

Table 4.1 displays the types of permits required for residential uses in the City. The table does not include supportive housing, but the City will adopt an ordinance that states that transitional and supportive housing must be permitted in all zones allowing residential uses and are not subject to any restrictions not imposed on similar dwellings in the same zone in which the transitional housing and supportive housing is located. The City will adopt the ordinance before the adoption of this Housing Element.

<b>TABLE 4.1</b> <b>ZONING DISTRICTS PERMITTING RESIDENTIAL USES</b> CITY OF TULARE 2015													
Residential Uses	Zoning District												
	A	R-A	R-1	R-1-4	R-M	C-1	C-2	C-3	C-4	UR	PD <sup>1</sup>	D	MU
Single-Family	P	P	P	P	UP	UP	UP	UP	UP	P	P	UP	P
Multifamily	-	-	-	-	P	UP	UP	UP	UP	-	UP	UP	P
Multifamily in mixed-use	-	-	-	-	-	UP	UP	UP	UP	-	-	UP	P
Second Residential Unit	-	P	P	P	-	-	-	-	-	-	P	-	-
Condominium	-	-	UP <sup>2</sup>	-	UP	-	-	-	-	-	UP	-	P
Townhouses	-	-	UP <sup>2</sup>	-	UP	-	-	-	-	-	UP	-	P
Duplexes, corner lot	-	-	-	-	-	-	-	-	-	-	UP	-	-
Mobile Home Parks	-	UP	UP <sup>3</sup>	-	UP	UP	UP	UP	UP	-	UP	UP	-
Mobile Homes	-	P	P <sup>3</sup>	-	-	UP	UP	UP	UP	-	P <sup>3</sup>	UP	-
Licensed Group Care Home < 6 Persons	-	P	P	P	P	UP	UP	UP	UP	-	P	UP	-
Licensed Group Care Home > 6 Persons	-	UP	UP	UP	UP	UP	UP	UP	UP	-	UP	UP	-
Community Care Facility < 6 Persons	-	P	P	P	P	-	-	-	-	-	P	-	-

## Tulare Housing Element

**TABLE 4.1  
ZONING DISTRICTS PERMITTING RESIDENTIAL USES  
CITY OF TULARE  
2015**

Residential Uses	Zoning District												
	A	R-A	R-1	R-1-4	R-M	C-1	C-2	C-3	C-4	UR	PD <sup>1</sup>	D	MU
Community Care Facility > 6 Persons	-	UP	UP	UP	UP	-	-	-	-	-	UP	-	-
Residential Care Facility for Seniors	-	-	-	-	-	UP	UP	UP	UP	-	-	UP	UP
Caretaker's Residence	UP	-	-	-	-	-	-	-	-	-	-	-	-
-Labor Camp	UP	-	-	-	-	-	-	-	-	-	-	-	-
Emergency Shelters < 13 persons	-	-	-	-	P	-	-	-	UP	-	-	-	-
Emergency Shelters > 13 persons	-	-	-	-	UP	-	-	-	UP	-	-	-	-
Single Room Occupancy (SRO)	-	-	-	-	-	-	-	UP	UP	-	-	UP	UP

Notes: Permitted, UP: Conditional Use Permit Required—: Use not allowed<sup>1</sup>. Permitted uses in PD district shall include all uses that are permitted in the base single-family residential district<sup>2</sup>. Condominiums and Townhouses are permitted through a Conditional Use Permit and PD Overlay in the R-1-4, R-1-5, and R-1-6 subzones only.<sup>3</sup>. Mobile homes and mobile home parks are not permitted in the R-1-4 zone.

Source: *City of Tulare Zoning Ordinance, 2015.*

### **Development Standards**

Tables 4.2, 4.3, and 4.4 provide development standards for the residential zoning districts. The development standards generally do not impede the City's ability to achieve maximum allowable densities.

## ***Multi-Family Housing***

Standards for multi-family projects are specified within the multiple-family residential district, Section 10.36.060 of the Zoning Ordinance, which includes:

- **Building facades:** In multi-family projects building facades shall be designed utilizing varying setbacks, projections, balconies, and by varying the pattern and location of windows and doors on the building face.
- **Multiple-family infill:** Multiple-family infill in existing neighborhoods is required to be compatible in appearance with existing residences, especially single-family dwellings.
- **Landscaping:** All outdoor areas not used for parking, walkways or other features shall be landscaped, but not less than 10 percent of the total site area of each parcel shall be landscaped.
- **Parking facilities:** Parking lots, driveways and entries should be designed to blend in with the overall project.
  - Long, unbroken rows of parking spaces are discouraged. Where possible, individual attached garages (with garage doors) for each unit are preferred. Otherwise, dispersed parking lots and heavy landscaping can serve to break up large parking areas.
  - Parking rows shall be broken up with a landscape island every eight spaces.
  - Special treatment should be given to project entryways, including the use of landscaping, walls, fountains, signs and other architectural features. Entryway paving should be given special treatment, such as stamped paving, colored paving, or cobblestones.
  - Parking areas shall be screened from view from adjoining properties and street right-of-ways by a solid fence, wall, landscaping, or architectural feature.

For the multi-family housing types in mixed-use projects, such as apartments and duplexes, which are conditionally permitted in the overlay zones, separate standards exist. The following section addresses these unique architectural and design standards.

## ***Mixed-Use Development***

Multi-family housing in a mixed-use development is permitted by right in the MU district. The standards within the MU district encourage urban development with pedestrian character. The following standards apply to mixed-use projects (Chapter 10.109 of the Zoning Ordinance).

## Tulare Housing Element

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These standards are designed to address compatibility issues between residential and commercial uses and are not intended to discourage the construction of affordable housing.

- **Residential Density:**
  - When housing is part of a mixed-use development, dwellings are permitted on and above the second floor of commercial uses with no minimum density.
  - Freestanding residential building densities range from 12 to 90 units per residential acre.
  - Maximum residential density is ninety dwelling units per net residential acre, either in freestanding residential buildings or in mixed-use buildings on and above the second floor.
- **Architectural Design Requirements:** Good design results in buildings visually compatible with one another and adjacent neighborhoods contributing to mixed use areas, which are attractive, stimulating, active and safe. The following design requirements shall apply:
  - Mixed use and residential buildings constructed within a Mixed Use District shall demonstrate that they promote and enhance a pedestrian scale and orientation on any facade facing a public or private street and they incorporate discernible and architecturally appropriate features; such as, cornices, bays, arcades, unique entry areas or other treatments for visual interest, to create community character and to promote a sense of pedestrian scale; and
  - All residential dwellings, of any type, constructed within any MU district shall be constructed with exterior building materials and finishes of high quality to convey an impression of durability.
- **Parking:** Mixed Use buildings or sites are required to provide on-site parking equal to 75 percent of the aggregate total of all required commercial, office and residential parking. This 25 percent credit acknowledges sharing parking concepts between commercial, office and residential uses.
- **Residential Parking Requirement:** One space per residential unit.
- **Maintenance:** A property owner association, a landscape and lighting district or other similar mechanism for the maintenance of common open space, private streets or other improvements shall be set up as a condition of approval.
- **Commercial Operations and Noise:** Commercial buildings shall be organized to group the utilitarian functions away from the public view.



- Delivery and loading operations and other utility and service functions shall be incorporated into the overall design of the building(s) and landscaping.
- Visual and acoustic impacts of operations, along with all wall-or ground-mounted mechanical, electrical and communications equipment, shall be out of view from adjacent properties and public streets
- Screening materials and landscape screens shall be within the architectural character of the principal materials of the buildings and primary landscaping.

<b>TABLE 4.2</b> <b>R-A AND R-1-4 DISTRICT DEVELOPMENT STANDARDS</b> CITY OF TULARE 2015										
Zone District	Min. Lot Area Per DU (sq.ft.)	Lot Width	Minimum Yard Setback				Minimum Lot Area (sq.ft.)	Bldg Height	Parking Spaces Per DU	Lot Coverage
			Front	Side	Rear	Between Structures				
R-A	40,000	120 ft.	35 ft.	15 ft.	15 ft.	10 ft.	15,000	35 ft. <sup>1</sup>	2 covered	30%
R-1-4	3,200	30 ft. – Alley 40 ft. - No Alley	Consistent with any adopted small lot residential guidelines.				1,950 – Alley 2,600 - No Alley	30 ft. <sup>2</sup>	2 covered	60%

Notes:

<sup>1</sup> A maximum height of 50 ft. may be approved through a Conditional Use Permit.

<sup>2</sup> A maximum height of 40 ft. may be approved through a Conditional Use Permit.

Source: *City of Tulare Zoning Ordinance, 2015.*

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<b>TABLE 4.3</b> <b>R-M SUB-DISTRICT DEVELOPMENT STANDARDS</b> CITY OF TULARE 2015											
Zone District	Min. Lot Area Per DU (sq.ft.)	Lot Width		Minimum Yard Setback				Minimum Lot Area (sq.ft.)	Bldg Height	Parking Spaces Per DU	Lot Coverage
				Front	Side	Rear	Between Structures				
R-M-1	3,750	50 ft.	60 ft.	20 ft.	5-10 ft. per story	5 ft. per story	10 ft.	6,000	30 ft.	Based on use (See Table 6-12)	50%
R-M-2	3,000			20 ft.					30 ft.		
R-M-3	2,000			17.5 ft.					40 ft.		
R-M-4	1,500			15 ft.					50 ft.		

Source: City of Tulare Zoning Ordinance, 2015.

**TABLE 4.4**  
**R-1 SUB-DISTRICT DEVELOPMENT STANDARDS**  
 CITY OF TULARE  
 2015

Zone District	Min. Lot Area Per DU (sq.ft.)	Lot Width		Minimum Yard Setback				Minimum Lot Area (sq.ft.) <sup>2</sup>	Bldg Height	Parking Spaces Per DU	Lot Coverage
		Interior lot	Corner lot	Front	Side <sup>1</sup>	Rear	Between Structures				
R-1-5	5,000	50 ft.	60 ft.	20 ft.		5 ft.	10 ft.	5,000-6,000	30 ft. <sup>3</sup>	2 covered	50%
R-1-6	6,000	60 ft.	70 ft.	20 ft.		5 ft.		6,000-7,000			
R-1-7	7,000	65 ft.	75 ft.	20 ft.		5 ft.		6,500-7,500			
R-1-8	8,000	70 ft.	80 ft.	25 ft.		5 ft.		7,000-8,000			
R-1-12.5	12,500	90 ft.	100 ft.	30 ft.		7.5 ft.		9,000-10,000			
R-1-20	20,000	100 ft.	110 ft.	30 ft.		7.5 ft.		10,000-11,000			

**Notes:**

<sup>1</sup> Side yard on streetside of corner lot must be a minimum of 10 ft.

<sup>2</sup> Parcels backing into a railroad right-of-way, freeway or arterial street must have a depth of less than 120 ft.

<sup>3</sup> A maximum height of 50 ft. may be approved through a Conditional Use Permit.

Source: *City of Tulare Zoning Ordinance, 2015.*

## **Secondary Dwelling Units**

To encourage establishment of secondary dwelling units on existing developed lots, State law requires cities and counties to either adopt an ordinance based on standards set out in the law authorizing creation of second units in residentially-zoned areas, or where no ordinance has been adopted, to allow second units if they meet standards set out in the State law. State law requires ministerial consideration of second-unit applications in zones where single-family dwellings are permitted. Local governments are precluded from totally prohibiting second units in residentially zoned areas unless they make specific findings (Government Code § 65852.2). Second units can be an important source of affordable housing since they are smaller than

## Tulare Housing Element

primary units and they do not have direct land costs. Second units can also provide supplemental income to the homeowner, thus allowing the elderly to remain in their homes or moderate-income families to afford houses.

In the City’s Zoning Ordinance secondary dwelling units are referred to as “second residential unit” or “granny flats.” A second residential unit is either detached or attached dwelling unit that provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary residence.

Table 4.5 sets out the primary standards for second residential units in the city. Second units are permitted by right in all single family residential zones.

<b>TABLE 4.5</b> <b>SECOND RESIDENTIAL UNIT STANDARDS</b> CITY OF TULARE 2015	
<b>Standard</b>	<b>Second Residential</b>
Permit	n/a
Minimum lot size	6,000 sq. ft.
Maximum lot coverage for all structures	50%
Rental of unit	May be rented, although not required
Floor area	If attached, shall not exceed 30% of floor area of primary residence. Shall not exceed a max. of 1,200 sq. ft.
Min. space between building	10 ft
Parking	1 additional paved, off-street parking space

Source: City of Tulare Zoning Ordinance, 2015.

### **Manufactured Housing and Mobile Homes**

State law requires that mobile and manufactured homes be allowed on parcels zoned for conventional single-family units. These units cannot be regulated by any planning fees or review processes not applicable to conventional single-family dwellings. However, the architectural design of manufactured or mobile homes can be regulated by the City.

Under the current City zoning regulations manufactured homes are not permitted in all residential zones. Mobile Homes are not allowed within the city limits unless they are in a mobile home park, and mobile home parks require a Conditional Use Permit. The City is not

consistent with state law requirements for mobile and manufactured homes. The City is currently (2015) revising its zoning code to be in compliance with State law. These amendments will occur prior to the adoption of this Housing Element.

## ***Emergency Shelters and Transitional and Supportive Housing***

State legislation SB 2 requires jurisdictions to permit emergency shelters without a Conditional Use Permit (CUP) or other discretionary permits in at least one zone. It also requires transitional housing and supportive housing to be considered residential uses and only be subject to the same restrictions that apply to the same housing types in the same zone.

In the City Zoning Ordinance, transitional housing and emergency shelters serving up to 13 people are currently (September 2015) permitted by right in the R-M zone and as a conditional use in the C-4 zone. Transitional housing and emergency shelters serving more than 13 people are conditionally permitted in both the R-M and C-4 zones. The City's Zoning Ordinance does not comply with State law for transitional and supportive housing. State law (Government Code Section 65583) requires cities and counties to consider transitional and supportive housing as residential uses and only subject to those restrictions that apply to other residential uses of the same type in the same zone. The Zoning Ordinance does not contain any provisions for supportive housing, and limits the zones in which transitional housing is allowed. It also contains occupancy restrictions for transitional housing that are beyond what is required for other housing types in these zones. The City is in the process of revising the Zoning Ordinance to bring it into compliance before the adoption of this Housing Element.

While the Zoning Ordinance allows emergency shelters in the R-M zone by right (without any discretionary review), the occupancy restriction of 13 persons or fewer may be a constraint. The Housing Element contains a program to work with local providers of emergency shelter to identify whether or not the occupancy restriction is a constraint and to amend the Zoning Ordinance as necessary.

## ***Housing for Agricultural Employees***

The farmworker population is becoming less migrant. More farmworkers are residing in the community permanently, and therefore many of the housing needs of this group are addressed through general affordable housing strategies that expand the supply of lower-income housing.

The City provides a number of opportunities for the provision of housing for agricultural employees, however, the City's Zoning Ordinance is not fully consistent with State law. State law requires jurisdictions to permit employee housing of up to 36 beds in group quarters or 12 units in all zones that allow agriculture. The City permits employee housing for employees that live on the property for up to 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household in the Agricultural Zoning District. However, there are other zones

## **Tulare Housing Element**

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that allow agriculture in the city (i.e., R-A, UR, M-1, M-2) where employee housing must also be permitted.

State law also requires jurisdictions to permit employee housing for six or fewer employees in zones that permit single family units. The City permits employee housing for six or fewer persons in the R-A and R-1 zones, but not in the A and R-1-4 zones where single family uses are also permitted. The Housing Element includes an implementation program to amend the Zoning Ordinance to fully comply with state law.

## General Plan

By definition local land use controls constrain housing development by restricting housing to certain sections of the city and by restricting the number of housing units that can be built on a given parcel of land. The 2013 General Plan sets forth the City’s policies regarding local land development. These policies, together with the zoning regulations above, establish the amount and distribution of land allocated for different uses. The General Plan has seven land use designations that allow for residential use. They are shown in Table 4.6.

<b>TABLE 4.6</b> <b>1993 GENERAL PLAN LAND USE DESIGNATIONS</b> CITY OF TULARE 2015		
Land Use Designation	Corresponding Zoning District	Density Ranges (DU per Gross Acre)
Rural Residential	RA, R1-20	0.0-2.0
Residential Estate	R1-12.5, R1-20	2.1-3.0
Low Density Residential	R1-4, R1-5, R1-6, R1-7, R1-8	3.1-7.0
Medium Density Residential	R1-4, RM-1, RM-2, RM-3, RM-4	7.1-14.0
High Density Residential	RM-1, RM-2, RM-3, RM-4	14.1-29.0
Central Business District	RM-1, RM-2, RM-3, RM-4	0.0-29.0
Mixed Use	A, PUD	0.0-29.0
Open Space/Agriculture	RA	1 unit/lot

Source: City of Tulare General Plan 2013.

## 4.2 Development Processing Procedures and Fees

Government policies and ordinances regulating development affect the availability and cost of new housing. Although land use controls have the greatest direct impact, development approval procedures and fees affect housing costs as well.

Although the permit approval process must conform to the Permit Streamlining Act (Government Code § 65920 et. seq.), housing proposed in the city is subject to one or more of the following review processes: environmental review, zoning, subdivision review, Conditional Use Permit control, design review, and building permit approval.

## **Tulare Housing Element**

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As required by the California Environmental Quality Act (CEQA), the City's permit processing procedures include an assessment of the potential environmental impacts of proposed projects. If a project requires an environmental impact report, additional processing and time is required. Many of the environmental regulations have protected the public from the effects of significant environmental degradation and the location of certain developments on inappropriate sites and have given the public an opportunity to comment on project impacts. This process does, however, increase the time and cost of project approval.

### ***Permit and Development Fees***

The City collects fees to help cover the costs of permit processing, inspections, and environmental review. The City also collects development fees in accordance with California Government Code § 66000-66025 to help offset the cost to the City to provide infrastructure and services to new development. These fees are generally assessed on the number of units in a residential development, and collected at the beginning of the approval process. The exact fee varies depending on the area of the city, and some areas, designated as "Developed," are exempt from these fees. The fees are adjusted regularly to account for increases in construction costs and the needs of the community. Fees collected by the City do not exceed the City's costs for providing these services (See Table 4.7).



<b>TABLE 4.7</b> <b>PLANNING AND DEVELOPMENT FEES</b> CITY OF TULARE 2015		
Fee Category	Fee Amount	
	Single-Family <sup>1</sup>	Multifamily
<b>Planning Fees<sup>2</sup></b>		
Administrative Approval	\$123 (Minor Deviations) \$761 (Minor Additions)	\$123 (Minor Deviations) \$761 (Minor Additions)
Conditional Use Permit	\$1,016 (MUP) \$2,517 (UP)	\$1,016 (MUP) \$2,517 (UP)
Design Review	\$2,525	\$2,525
Zone Amendment	\$2,996	\$2,996
Zone Variance	\$1,880	\$1,880
<b>Subdivision</b>		
Certificate of Compliance	\$963	\$963
Lot Line Adjustment/Lot Merger	\$1,141	\$1,141
Tentative Parcel Map	\$1,504	\$1,504
Tentative Subdivision Map		
Up to & including 49 lots	\$3,477	\$3,477
50 to 99 lots	\$3,615	\$3,615
100 to 199 lots	\$4,186	\$4,186
200 to 299 lots	\$5,188	\$5,188
Over 300 lots	\$6,150	\$6,150
<b>Environmental</b>		
EIR Staff Report	\$10,731	\$10,731
Environmental Assessment (Both Negative Declaration and Mitigated Negative Declaration)	\$2,247	\$2,247
<b>Development Impact Fees<sup>2</sup></b>		
Law Enforcement	\$38	\$229
Fire	\$246	\$259
General Facilities	\$345	\$603
Library	\$0	\$396
Local Streets	\$632	\$1,119

**TABLE 4.7  
PLANNING AND DEVELOPMENT FEES  
CITY OF TULARE  
2015**

Fee Category	Fee Amount	
	Single-Family <sup>1</sup>	Multifamily
General Plan Maintenance	\$27	\$0
Water Facilities	\$3,030	\$2,180
Sewer Collection	\$2,860	\$2,060
Storm Drainage*	\$1,438	\$3,644
Ground Water Recharge*	\$517	\$1,687
Railroad Grade Separation	\$316	\$837
Parks & Recreation	\$3,129	\$1,559
State Highway Projects	\$629	\$1,214

Notes:

<sup>1</sup> Based on a 2,000 square foot home on a .36 acre lot

\* Based on lot acreage for multifamily. Fee for storm drainage is \$10,123 per acre; fee for Ground Water Recharge is \$4,685 per acre.

Source: City of Tulare, 2015.

Table 4.8 shows the estimated proportion of total fees to the development cost per unit. In addition to the City’s development impact fees, the school district charges a fee of \$3.36 per square foot on all new residential development. This would add an estimated \$6,720 per single family unit and \$3,360 per multifamily unit, for a total of \$19,951 per single family unit and \$19,147 per multifamily unit.

<b>TABLE 4.8</b> <b>DEVELOPMENT COST FOR ATYPICAL RESIDENTIAL DEVELOPMENT</b> CITY OF TULARE 2015		
Development Cost for a Typical Unit	Single Family <sup>1</sup>	Multiple Family <sup>2</sup>
Total estimated development impact fees per unit	\$13,231	\$15,787

Notes:

<sup>1</sup> SF is per lot; assumed in this model - one SFD per lot on a 36 acre lot; estimate is for a 2,000 square foot home.

<sup>2</sup> MF is per unit; estimate is for a 1,000 square foot MF unit.

Source: *City of Tulare, Single and Multifamily Development Impact Fees Comparison, 2015.*

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Table 4.9 displays the typical timelines for types of approvals and permits. Table 4.10 lists the review authority for various applications in the City. Conditional Use Permits are reviewed by the Planning Commission, which holds a public hearing to decide on approval. Appeals on the Planning Commission's action can be made to the City Council. The decision and findings are recorded for the Conditional Use Permit and conditions of approval may be imposed for the permit. (See Table 4.1 for the types of permits required for residential construction.)

<b>TABLE 4.9</b> <b>TIMELINES FOR PERMIT PROCEDURES</b> <b>CITY OF TULARE</b> <b>2015</b>	
<b>Type of Approval or Permit</b>	<b>Typical Processing Time</b>
Ministerial Site Plan Approval	1-2 weeks
Discretionary Site Plan Reviews, Planning Commission	45-60 days
Conditional Use Permit, Planning Commission	45-60 days
Variance	30-60 days
Subdivision Parcel Map (Tentative), Parcel Map Committee	45-60 days
Subdivision Parcel Map (Final), City Council	30 days
Subdivision Tract Map (Tentative), Planning Commission and City Council	45-60 days
Subdivision Tract Map (Final), City Council	30 days
Negative Declaration	45-60 days
Environmental Impact Report	6+ months

Source: *City of Tulare, 2015.*

**TABLE 4.10  
REVIEW AUTHORITY  
CITY OF TULARE  
2015**

Type of Decision	Role of Review Authority <sup>1</sup>		
	Director	Planning Commission	City Council
Administrative Agreement	Decision	Appeal	Appeal
Minor Deviation	Decision	Appeal	Appeal
Development Agreement	Recommend	Decision	Appeal
Conditional Use Permit	Recommend	Decision	Appeal
Variance	Recommend	Decision	Appeal
Design Review - Administrative <sup>2</sup>	Decision	Appeal	Appeal
Design Review	Recommend	Decision	Appeal

Notes:

<sup>1</sup> “Recommend” means that the review authority makes a recommendation to a higher decision-making body; “Decision” means that the review authority makes the final decision on the matter; “Appeal” means that the review body may consider and decide upon appeals to the decision of an earlier decision-making body, in compliance with Chapter 10.20 (Appeals).

<sup>2</sup> Projects where the area of an existing building or lot is being expanded by less than 25% maybe processed administratively by the Planning and Building Director.

Source: *City of Tulare, 2015.*

## ***Planning Permit Procedures***

Procedures for processing permits vary. Generally, the following procedures are common to the permitting process:

1. Pre-application meeting with the Planning Director or Staff (optional)
2. Filing of application and fees
3. Initial application review – completeness check
4. Site Plan Review Committee
5. Environmental Review
6. Staff Report and recommendation
7. Permit approval or disapproval

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### ***Density Bonus***

The purpose of density bonus regulations is to encourage the private sector to construct affordable housing for very low income, low income, or senior citizen households (target households).

Under the current density bonus program (Zoning Ordinance Chapter 10.148), a residential project may qualify for a minimum increase of 25 percent over the maximum allowable base density. The zoning district determines base density. For a residential project to qualify for a density bonus and a developer incentive, a developer of a residential project in the city must agree to construct at least:

- Twenty percent of the units for lower income households;
- Ten percent of the units for very low income households; or
- Fifty percent of the units for senior citizens.

Developer incentives are granted to developer of density bonus projects to provide an instrument that will insure that the target households will remain affordable for 30 years or longer. Incentives granted by the City include:

- Reduce or eliminate standards contained in the Subdivision title or the City Standards and Specifications Manual;
- Reduce or eliminate ordinance requirements, including open space, lot size, setback or parking standards; and
- Reduce or eliminate any design requirements exceeding Uniform Building Code specifications.

Senate Bill 1818 (SB1818) amended the State density bonus program (Government Code 65915) and became effective on January 1, 2005. Applicants are now eligible for a range of requirements exceeding Uniform Building Code specifications.

Senate Bill 1818 (SB1818) amended the State density bonus program (Government Code 65915) and became effective on January 1, 2005. Applicants are now eligible for a range of density bonuses up to 35 percent, based on the percentage of affordable units in a development.

Applicants are also eligible for an innovative new land donation density bonus. Jurisdictions are required to offer at least 1-3 incentives (reductions in parking, for example), based on the percentage of affordable units in a development. SB 1818 also limits parking requirements that may be imposed by the Zoning Ordinance's parking standards. The City's Zoning Ordinance has not been updated to be consistent with SB1818. The Housing Element includes a program to amend the Density Bonus Ordinance to be consistent with State law.

## *Design Review*

Design review is required for all multifamily projects and mobile home or trailer parks proposed in the city. In addition, the conversion of a single-family dwelling to non-residential uses or the conversion of apartments into condominiums requires individual design review.

Design Review is intended to ensure that the proposed project is consistent with the General Plan, in conformance with the zone district, and is visually appealing. Design Review prevents adverse impacts on adjacent properties and encourages the protection of natural and man-made resources in the city.

Projects undergoing design review are evaluated for architectural design, surface and drainage improvements, lighting, and appearance of buildings. The project should include a desirable site layout and design, including but not limited to, building arrangement, exterior surfacing materials, fences and walls, grading, landscaping, lighting, and signs. The project must provide efficient circulation, appropriate landscaping, and be consistent with the General Plan.

Projects where the area of an existing building or lot is being expanded by less than 25 percent may be processed administratively by the Planning and Building Director through the design review process. An Administrative Agreement is prepared for administrative site plan approval, which records the decision of the Director and any conditions of approval.

For projects that require discretionary review, the Site Plan Review Committee is responsible for initial review and makes recommendations to the Planning Commission. The Planning and Building Department, on behalf of the Site Plan Review Committee, prepares a report for the Planning Commission on the proposed project. The Department provides a recommendation based on the following findings:

- (A) That the proposed project is consistent with the purpose and objectives of this chapter and the zone district in which the project is located;
- (B) That the proposed project will not be detrimental to the public interest, health, safety, convenience or welfare, or materially injurious to properties or improvements in the vicinity; and
- (C) That the proposed project is consistent with the Tulare General Plan.

The Planning Commission then has final decision-making authority, unless appealed to the City Council.

The City's design review process does not act as a constraint to the development of affordable housing. The ministerial and the discretionary design review processes are done within acceptable timeframes. Design review is limited to the physical aspects of the development and does not grant the City discretion over the use itself.

### On- and Off-Site Improvement Requirements

The City regulates site improvements by the Subdivision Ordinance (Section 8.24.160) through conditions and standards imposed through the City's Site Plan Review process. On-site improvements typically include street, curb, gutter, sidewalk, and utilities as well as amenities such as landscaping, required off-street parking, fencing, streetlights, open space, and water systems. Off-site improvements typically include the following (some of which are regulated by other agencies):

- Road improvements, including construction of sections of streets, alleys, curbs and gutters, bridges, pedestrian ways, and bicycle paths.
- Street Trees, in compliance with the City's Street Tree Planting Ordinance.
- Sewage collection and treatment (city of Tulare Sewer Division).
- Water systems improvements, including water mains, connections, fire hydrants, storage tanks, and treatment plants (city of Tulare Water District).
- Public facilities for fire (city of Tulare Fire Department), school (Tulare City Elementary School District, Tulare Joint Union High School District), and recreation.

To reduce housing costs, the City aims to require only those improvements that are deemed necessary to maintain public health, safety, and welfare. Although site improvement is generally not considered a constraint for new development, older infill parcels are oddly shaped and pose a constraint to infill housing.

Generally, the developer passes on-site and off-site improvement costs to the homebuyer or renter as part of the final cost of a home. The site improvements that are under the jurisdiction of the City have specific requirements that are discussed below.



## ***Street Improvements***

Street improvement requirements are regulated by the Zoning Ordinance, Section 8.24.040 (see Table 4.11).

In addition to the zoning regulations, street design shall conform in principal to the streets shown on the circulation element of the General Plan and any applicable precise plan adopted by Council relating to streets.

<b>TABLE 4.11 STREET IMPROVEMENT REQUIREMENTS CITY OF TULARE 2015</b>	
<b>Street Class</b>	<b>Minimum Width</b>
Local Streets	56 ft.
Collector Streets	64 ft.
Arterial Streets	84 ft.
Industrial Streets	68 ft.
Cul-de-sac Streets	52 - 56 ft.
Frontage Streets	48 ft.
Major Arterial Streets	84 -146 ft.

*Source: City of Tulare Zoning Ordinance, 2015.*

**Parking**

Table 4.12 lists applicable parking space requirements for residential developments.

<b>TABLE 4.12                      PARKING REQUIREMENTS BY LAND USE                      CITY OF TULARE                      2015</b>	
<b>Land Use Type: Residential Uses</b>	<b>Vehicle Spaces Required</b>
Single-family dwelling	2 covered spaces
Multiple-family dwelling	
Studio and one bedroom	1 1/2 covered spaces/unit, plus 1 uncovered guest space/5 units
Two or more bedrooms	2 covered spaces/unit, plus 1 uncovered guest space/5units
Senior citizen apartments	1 covered space/unit, plus 1 uncovered guest space/5 units
Planned residential development (includes Single-family residential and Condominiums)	2 covered spaces, plus 1 uncovered guest space/5 units

Source: City of Tulare Zoning Ordinance, 2015.

Off-street disabled/handicapped parking is required in compliance with the California Building Code and California Code of Regulations Title 24.

Bicycle parking may substitute for parking spaces in lots with 40 or more spaces. A bicycle rack providing for at least five bicycles at a ratio of one bicycle rack for each 40 spaces is allowed.

In certain situations, parking requirements may be reduced or waived. This includes some alternative parking arrangement options:

- **Tandem spaces:** Tandem parking is allowed in mobile home parks and commercial parking structures with valet parking (Zoning Ordinance Section 10.192.050.0)
- **Compact parking spaces:** Compact parking spaces may be allowed to accommodate parking lot landscape planters.
- **Minor deviation approval:** Parking space requirements may be modified through minor deviation approval based upon specific findings that the characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces required, and that reduced parking will be adequate to accommodate all parking needs generated by the use.

## Building and Housing Codes

While local regulations and fees increase housing costs, some building and housing regulations and fees are mandated by State law to protect the health, safety, and welfare of the community or to protect existing residents from financial or environmental impacts.

The City uses the latest edition of the California Building Code, which sets minimum standards for residential and other structures. Table 4.13 lists applicable building and housing codes. No local amendments have been made to the codes that would significantly increase housing costs. Building codes are enforced through scheduled inspections of new construction, remodeling, and rehabilitation projects. Inspections are also conducted in response to public complaints or an inspector’s observation of code violation.

<b>TABLE 4.13</b> <b>APPLICABLE BUILDING AND HOUSING CODES</b> CITY OF TULARE 2013		
<b>Code Name</b>	<b>Code Date</b>	<b>Remarks</b>
California Building Code	2013	No amendments
California Plumbing Code	2013	No amendments
California Electrical Code	2013	No amendments
California Historical Building Code	2013	No amendments
California Mechanical Code	2013	No amendments that significantly increase housing costs
California Energy Code	2013	No amendments
California Green Building Standards Code	2013	No amendments
California Existing Building Code	2013	No amendments

*Source: City of Tulare Municipal Code, Title 4, Building Regulations, 2013.*

### Other Governmental Constraints

In smaller communities such as Tulare there are often a limited number of qualified HOME administrative subcontractors and nonprofit affordable housing developers. In a situation where an organization acts as the Administrative Subcontractor to a State Recipient in the State HOME program for a first-time homebuyer (FTHB) assistance program, and also develops affordable housing in the same community, HCD restricts homebuyers participating in a development program (i.e., mutual self-help housing) from utilizing HOME FTHB funding to purchase a home. This causes not only an impediment to the ability to develop new single family affordable homeownership opportunities, but also impacts the State Recipients ability to spend FTHB funds in a community with limited affordable housing.

### Governmental Constraints on Housing Production for Persons with Disabilities

As part of the governmental constraints analysis, State law calls for the analysis of potential and actual constraints upon the development, maintenance and improvement of housing for persons with disabilities. Table A-1 in Appendix A reviews not only the Zoning Ordinance, but also land use policies, permitting practices, and building codes to ensure compliance with State and Federal fair housing laws. Where necessary, the City proposes new policies or programs to remove constraints.

The City has not specifically adopted a reasonable accommodation ordinance for housing designed for persons with disabilities. However, the City does follow California's handicap and accessibility laws, in compliance with SB520, which require the following for multi-family residential developments:

- Multi-family developments containing 4-20 units only require that all of their ground floor units are adaptable (interior modifications) and meet accessibility requirements.
- Multi-family developments containing greater than 20 units require that 2 percent of total units are adaptable and the remainder of the units are accessible.
- Single-family residential developments are exempt from accessibility requirements, but accessibility features for a single-family dwelling may be added at the request of a homeowner.

Reasonable accommodation elements can be integrated into developments through two approval methods. The zoning ordinance allows the Planning and Building Director the authority to grant a 20 percent reduction in front yard setbacks. This reduction would provide the space for a ramp to be constructed. The fee for administrative approval is \$44.00. In addition, the City allows by right front porches to extend into the front yard setback area by five feet. A front porch can be designed to serve as a ramp as well. The City also has a variance procedure for review by the Planning Commission within 30 - 60 days.

While the City does provide some accommodations to the development standards, the City does not have a formal procedure for providing reasonable accommodation in land use, zoning, and development standards. The Housing Element includes a program to prepare and adopt a reasonable accommodation ordinance.

Universal Design can address limited lifting or flexibility (with roll-in showers and grab bars), limited mobility (with push/pull lever faucets, wide swing hinges) and limited vision (by additional stairwell and task lighting). The City's Building Code does not include specific regulations that require the incorporation of Universal Design in new construction. The City's Building Department does expect that Universal Design will be part of the next code revision cycle. The City has proposed Policy 3, Program A, Action Plan 5 to ensure that the building code is revised with Universal Design criteria.

## 4.3 Non-governmental Constraints

The availability and cost of housing is strongly influenced by market factors over which local governments have little or no control. Nonetheless, State law requires that the housing element contain a general assessment of these constraints. This assessment can serve as the basis for actions to offset the effects of such constraints. The primary non-governmental constraints to the development of new housing in The City are land, construction costs, and environmental constraints.

### Land Costs

Costs associated with the acquisition of land include both the market price of raw land and the cost of holding the property throughout the development process. These costs can account for over half of the final sale prices of new homes in very small developments and in areas where land is scarce. Among the variables affecting the cost of land are its location, amenities, the availability and proximity of public services, and financing arrangements. According to the Building Industry Association (BIA) Tulare/Kings Counties, unimproved land that is suitable for single-family development in the city ranges between \$40,000 to \$80,000 per acre. As of June 2015, there is no multifamily land available for sale.

### Construction Costs

Construction costs vary widely depending on the type, size, and amenities of the development. According to building-cost.net, an online building estimator, construction costs for typical, 2,000 square foot single-family home are approximately \$228,000, or about \$114 per square foot.

An even greater constraint to residential development is financing the cost of infrastructure. Since the passage of Proposition 13, infrastructure costs cannot practically be passed on to the

## **Tulare Housing Element**

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taxpayer through property tax backed general or special obligations bonds by the local jurisdiction. The incremental cost of these facilities must be partially financed through impact fees; however, these costs are typically passed along by increasing the cost of housing and rents.

### **Availability of Financing**

The primary factor related to home finance affecting housing affordability and availability is the cost of borrowing money (interest rates). Historically, substantial changes in interest rates have correlated with swings in home sales. When interest rates decline, sales increase. The reverse has been true when interest rates increase. Mortgage rates have steadily declined since 2007, and hit a historic low in 2013 at 3.41 percent for a 30-year fixed-rate mortgage. In 2015 interest rates remain around 4 percent.

While mortgage rates are currently at historic lows, mortgage credit is difficult to obtain for most first-time buyers and the recent tightening of underwriting standards also hinders the ability of households at the low and middle tiers to move up. Besides lowering monthly interest payments for buyers, low interest rates allow existing homeowners to refinance their homes, thereby lowering monthly housing costs and perhaps preserving their ownership status.

The City has not found any local constraints to the availability or cost of financing for home purchases or rehabilitation that differ significantly from the availability and cost of financing throughout California. Even in older neighborhoods of the city, there are no barriers to obtaining financing for home purchase, improvement, or construction (other than customary underwriting considerations by lenders).

### **Environmental and Physical Constraints**

The following potential physical and environmental constraints may affect development regulated by the City by limiting the development potential and/or adding mitigation costs to a project. However, the sites included in the inventory have been reviewed for known environmental constraints and none were identified. Only one parcel listed as a potential rezone site is currently zoned for agriculture and would require mitigation if rezoned and converted to residential use. Otherwise no known constraints are present.

## ***Environmental Constraints***

- Two sensitive plant communities are known to occur in the city: Oak Woodland and wetlands.
- Vernal pools historically occurred in the area, however at present vernal pools are not known to occur within the city due to urbanization, landscaping, and agriculture. If a vernal pool were discovered at the site of a potential project it would constrain development in its vicinity.
- Two special status animal species are known to occur in the city, the burrowing owl and the San Joaquin kit fox. Other special status species with the potential to occur in and around the city are the Blunt-nosed leopard lizard, white-tailed kite, San Joaquin antelope squirrel, and San Joaquin pocket mouse. Barriers to wildlife movement and migration and the removal of raptor nesting sites are to be avoided in future development. The occurrence of any of these species on a site could pose constraints to a housing project.
- Sites in the city historically used for agriculture may have contamination due to former pesticide use, a potential environmental constraint.

## ***Physical Constraints***

- A small part of the city falls within the 100-year and 500-year floodplains, therefore flood hazards may pose potential constraints to some areas in the city (See Figure 4.1).
- Operational noise sources near potential sites for development may pose constraints. For example, the railroad tracks that run north-south through the city exceed acceptable noise levels. Noise levels for vacant residential zones in the area surrounding the airport do not exceed acceptable standards for development.
- Housing may be limited within 500 feet of State Route 99 under CEQA, due to the health hazards of siting sensitive uses near urban roads with over 100,000 vehicles per day.

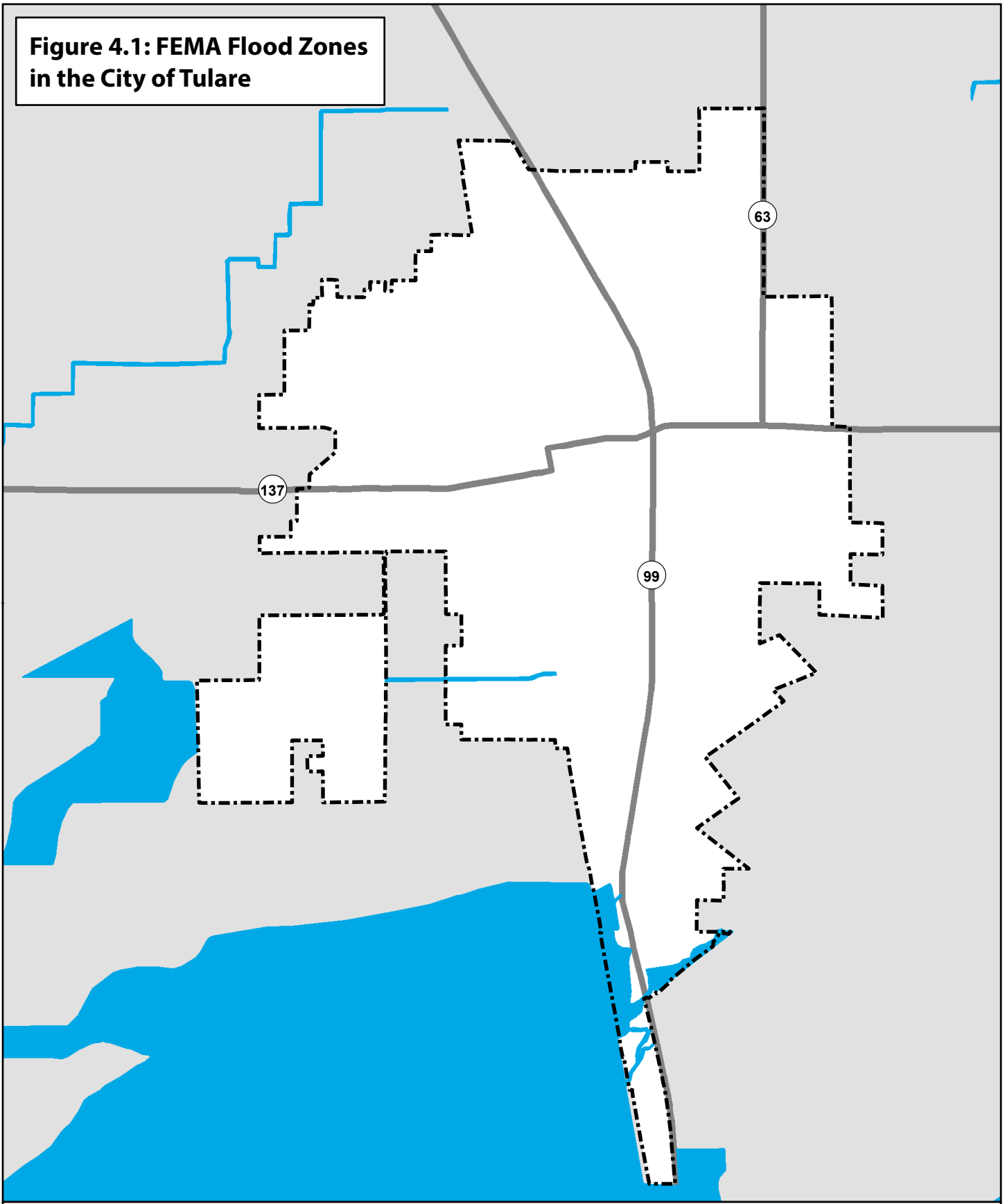
## Tulare Housing Element

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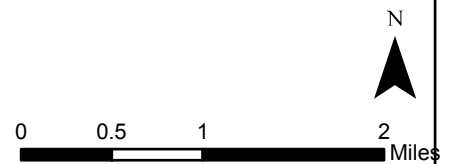


**Figure 4.1: FEMA Flood Zones in the City of Tulare**



-  City Limits
-  Highways
-  100 Year Flood Zones
-  County Limit

Source: FEMA, 2015



## Tulare Housing Element

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## 4.4 Availability of Funding for Affordable Housing

Many programs within California exist to provide cities, communities, and counties financial assistance in the development, preservation, and rehabilitation of units for affordable housing. The Department of Housing and Community Development identifies and provides detailed information on the grants and loans available for affordable and workforce housing, which include:

- **Affordable Housing Innovation Program:** This program provides grants or loans to fund the development or preservation of workforce housing.
- **Building Equity and Growth in Neighborhoods Program:** Provides grants and loans to first-time low and moderate-income buyers. <http://www.hcd.ca.gov/financial-assistance/building-equity-and-growth-in-neighborhoods/>
- **CalHome Program:** Provides grants and loans to very-low income homeowners. <http://www.hcd.ca.gov/financial-assistance/calhome/>
- **Emergency Housing and Assistance Program Capital Development:** Provides deferred payment loans for capital development activities for: emergency shelters, transitional housing, and safe havens. [www.hcd.ca.gov/fa/ehap/ehapcd.html](http://www.hcd.ca.gov/fa/ehap/ehapcd.html)
- **Emergency Housing and Assistance Program Operating Facility Grants:** Provides grants for: emergency shelters, transitional housing, and supportive services for homeless individuals and families. [www.hcd.ca.gov/fa/ehap/](http://www.hcd.ca.gov/fa/ehap/)
- **Federal Emergency Solutions Grant Program:** Provides grants to fund emergency shelters and transitional housing for the homeless. <https://www.hudexchange.info/esg>
- **Governor's Homeless Initiative:** Provides loans for the development of supportive housing for homeless residents who suffer from severe mental illness. [www.hcd.ca.gov/fa/ghi](http://www.hcd.ca.gov/fa/ghi)
- **HOME Investment Partnerships Program:** Provides cities, counties, and nonprofit organizations with grants and low-interest loans to develop and preserve workforce housing. [www.hud.gov/offices/cpd/affordablehousing/programs/home/](http://www.hud.gov/offices/cpd/affordablehousing/programs/home/)
- **Housing Assistance Program:** Provides grants to assist housing payments for extremely-low to very-low-income housing. [www.hcd.ca.gov/fa/hap](http://www.hcd.ca.gov/fa/hap)
- **Joe Serna, Jr. Farmworker Housing Grant Program:** Provides grants and loans to finance the construction, repair, and purchase of rental units for farmworker housing. [www.hcd.ca.gov/fa/fwhg](http://www.hcd.ca.gov/fa/fwhg)

## Tulare Housing Element

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- **Multifamily Housing Program:** Provides deferred payment loans to fund the construction, repair, and purchase of permanent and rental units for supportive housing. This includes housing for low-income residents with disabilities, or those who are at risk of homelessness. <http://hcd.ca.gov/financial-assistance/multifamily-housing-program/>
- **Office of Migrant Services:** Provides grants to assist in seasonal rental housing and support for migrant farmworker families. [www.hcd.ca.gov/fa/oms](http://www.hcd.ca.gov/fa/oms)
- **Predevelopment Loan Program:** Provides short-term loans for financing low-income housing projects. [www.hcd.ca.gov/fa/pdlp](http://www.hcd.ca.gov/fa/pdlp)
- **State CDBG Program Economic Development Allocation, Over the Counter Component:** Provides grants to create or sustain jobs for rural low-income workers. <http://www.hcd.ca.gov/fa/cdbg/EconDevelopment.html>
- **State CDBG Program General, Native American, and Colonias Allocations:** Provides grants to fund housing, capital improvement, and community projects that benefit lower-income residents in rural communities. [www.hcd.ca.gov/fa/cdbg/gennatamcol.html](http://www.hcd.ca.gov/fa/cdbg/gennatamcol.html)
- **Workforce Housing Reward Program:** Provides grants to cities and counties that approve permits for new workforce housing going to very-low to low-income households. [www.hcd.ca.gov/fa/whrp](http://www.hcd.ca.gov/fa/whrp)

## 4.5 Energy Conservation

Planning to maximize energy efficiency and the incorporation of energy conservation and green building features can contribute to reduced housing costs for homeowners and renters. Energy efficiency design produces sustainable community design and reduced dependence on automobiles. Additionally, maximizing energy efficiency renders a reduction in greenhouse gas emissions contributing to global climate change. In response to landmark legislation on global climate change, local governments are required to implement measures that cut greenhouse gas emissions attributable to land use decisions (see discussion on Climate Change below). The Housing Element programs can support energy efficiency that benefits both the market and the changing climate by:

- Establishing a more compact urban core, bringing residents closer to work and services, therefore reducing automobile trips and reducing emissions that add to global climate change.
- Implementing passive solar construction techniques that require solar orientation, thermal massing, and other energy efficient design techniques.
- Encouraging the use of solar water and space heating.

Executive Order S-E-05 set into action the first steps in establishing greenhouse gas emission reduction targets in California. This was followed by the California Global Warming Solutions Act (AB 32), which required CARB to establish reduction measures.

There are several areas where programs for energy conservation in new and existing housing is supported by the City:

- Through application of State residential building standards that establish energy performance criteria for new residential buildings (Title 24 of the California Administrative Code).
- Through appropriate Smart Growth land use policies and development standards that reduce energy consumption, such as promoting infill projects; building the downtown area up as an active business district with more compact, walkable neighborhoods; and planning and zoning for mixed-use and higher development.

Southern California Edison (SCE) provides a variety of energy conservation services for residents and participates in several other energy assistance programs for lower income households, which help qualified homeowners and renters conserve energy and control electricity costs. These programs include the Multifamily Energy Efficiency Rebate Program, the Multifamily Affordable Solar Housing (MASH) Program, and four programs for income qualified households: the California Alternate Rates for Energy (CARE) Program, Family Electric Rate Assistance (FERA) Program, Energy Management Assistance (EMA) Program, Energy Assistance Fund (EAF) Program.

The City Council of Tulare launched the HERO Property Assessed Clean Energy (PACE) Program on June 10, 2015. HERO PACE financing enables homeowners to make energy- and water-efficiency improvements and pay them off through their property tax bill. Property owners repay the assessment over up to 20 years, the interest is tax-deductible, and homeowners see immediate savings on utility bills. Given the State of California's newly-adopted regulations aimed at reducing urban water consumption by 25 percent, PACE financing is a particularly appealing option for homeowners and cities.

The Residential Multifamily Energy Efficiency Rebate Program offers property owners and managers incentives on a broad list of energy efficiency improvements in lighting, HVAC, insulation and window categories. These improvements are to be used to retrofit existing multifamily properties of two or more units.

The MASH program is part of the statewide California Solar Initiative (CSI). MASH offers incentives for installing eligible photovoltaic systems for qualifying multifamily affordable housing. The program subsidizes photovoltaic systems in multifamily housing, which in turn offsets electricity loads and provides economic benefits for housing property owners and tenants.

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The income qualified programs are designed to help families manage their energy consumption and also assist with electricity bills. The EMA program pays for the cost of purchasing and installing energy efficient appliances and equipment for income-qualified customers. The CARE provides a 20 percent or more monthly discount on electricity rates to income-qualified households, certain non-profits, facilities housing agricultural employees, homeless shelters, hospices and other qualified non-profit group living facilities. If a household does not qualify for the CARE program, they have the opportunity to qualify for the FERA program. Additionally, the EAF program is available to assist customers with their electric bill once in a 12-month period.

### **Energy Consumption**

Residential water heating and space heating/cooling are major sources of energy consumption. With the application of energy efficient design and the use of solar power systems, these sources can be operated on a much more efficient and sustainable level.

- Active Systems use mechanical equipment to collect and transport heat, such as a roof plate collector system used in solar water and space heaters.
- Passive Systems use certain types of building materials to absorb solar energy and can transmit that energy later, without mechanization.

By encouraging solar energy technology for residential heating/cooling in both retrofits and new construction the City can play a major role in energy conservation. There are two distinct approaches to solar heating: active and passive. The best method to encourage use of these solar systems for heating and cooling is to not restrict their use in the zoning and building ordinances and to require subdivision layouts that facilitate solar use.

Residential water heating can be made more energy efficient through the application of solar water heating technologies. Solar water heating uses the sun to heat water, which is then stored for later use, a conventional water heater is needed only as a backup. By cutting the amount of natural gas needed to heat water 50-75 percent per building, solar water heating systems can lower energy bills and reduce global warming pollution. The City has the opportunity to implement solar technologies with the help of recent legislation. The Solar Water Heating and Efficiency Act of 2007 (AB 1470) established a \$250 million ten-year program to provide consumer rebates for solar water heating systems.

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# Chapter 5

## GOALS, POLICIES, PROGRAMS, & ACTION PLANS

The Housing Element Policy Document includes eight goal statements. Under each goal statement, the element sets out policies to help the City achieve the goal. Implementation programs are listed directly below the related policy and describe the specific actions the City will take to achieve its housing goals. The implementation programs also identify the City agencies or departments with primary responsibility for carrying out the program, the time frame and potential funding sources for accomplishing the program, and quantified objectives for the number of units expected to result from implementing the program.

The following definitions describe the nature of the statements of goals, policies, implementation programs, and quantified objectives as they are used in the Housing Element Policy Document:

- **Goal:** The ultimate purpose for or intended outcome of an effort stated in a way that is general in nature and immeasurable.
- **Policy:** A specific statement to guide actions and implies a clear commitment to achieve the Goal.
- **Implementation Program:** An action, procedure, program, or technique that carries out the policy. Implementation programs also specify primary responsibility for carrying out the action and an estimated timeframe for its accomplishment. These timeframes are general guidelines and may be adjusted based on City staffing and budgetary considerations.
- **Quantified Objective:** The number of housing units that the City expects to be constructed, conserved, or rehabilitated; or the number of households the City expects will be assisted through Housing Element programs and based on general market conditions during the eight-year timeframe of the Housing Element (December 31, 2015 – December 31, 2023).

The quantified objectives identified in this Element are only included for programs that can be reasonably quantified. The quantified objectives are not targets or goals the City is committing to achieve. Rather, they are estimates for tracking the effectiveness of each program in meeting the city's housing needs. Funding availability, staffing resources, market conditions, and other factors will ultimately influence the City's ability to achieve or exceed each objective.

## HOUSING POLICIES, PROGRAMS, & ACTION PLANS

### Goal A: New Housing Development

Provide opportunities for a broad range of housing types to meet the needs of all Tulare residents.

**Policy A-1:** The City shall ensure sufficient land is zoned at appropriate densities to accommodate the city's Regional Housing Needs Allocation (RHNA). (Program A, edited)

**Policy A-2:** The City shall encourage residential infill development on vacant and underutilized land that are properly zoned and planned for residential uses within the City limits. (New Policy)

**Policy A-3:** The City shall encourage home builders to develop multifamily designated land at the highest allowed density to make the use of land and facilities more efficient and to provide more affordable housing opportunities. (New Policy)

**Policy A-4:** The City shall require that 8 to 12 percent of units in all Master Planned Communities be higher density residential. (Action Plan 4)

**Policy A-5:** The City shall consider the potential impact on the City's ability to meet its share of the regional housing need when reviewing proposals to downzone residential properties, reclassify residentially-designated property to other uses, or develop a residential site with fewer units than what is assumed for the site in the Housing Element sites inventory. (New Policy)

**Policy A-6:** The City shall strive to ensure adequate infrastructure and public services are provided to serve existing and planned residential development. (New Policy)

## **Implementation Program A-1: Provision of Adequate Sites**

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The City shall maintain and annually update the inventory of residential land resources identified in the Housing Element and shall monitor development and other changes in the inventory to ensure the City has remaining capacity consistent with its share of the regional housing need, and shall develop and implement a formal evaluation procedure pursuant to Government Code Section 65863. The City shall actively participate in the development of the next RHNA Plan to ensure that the allocations are reflective of regional and local land use goals and policies. (New Program)

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* Annually and Ongoing

*Quantified Objective:* N/A

## **Implementation Program A-2: Public Lands for Housing**

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The City shall maintain and regularly update its inventory of State-, Federal-, County, and City-owned lands and analyze that land for possible housing sites. If appropriate sites are identified, the City shall approach the land owner, potential developers, and funding agencies to facilitate development of the sites for affordable housing and provide priority permit processing. The City shall sell or lease, as appropriate, City-owned land to non-profit housing organizations or governmental agencies who will construct housing for lower-income households. (Action Plan 2). Since the disbanding of the RDA, the City has established a property management division, which maintains a listing of City-owned properties. The City will consider offers from the development community and NPO's to purchase City-owned properties for the construction of affordable housing. The City is not required to assist with any type of foreclosure acquisition programs or the like at this time.

*Responsibility:* City Council and the Planning Division

*Funding Source:* General Fund

*Timing:* Ongoing

*Quantified Objective:* 20 very low-income and 30 low-income units

### **Implementation Program A-3: Rezone Program**

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In order to meet State law requirements (Government Code Section 65583(c)(1) (A) and 65583(c)(1) (B)) to address the 2015-2023 RHNA, the City shall amend the General Plan and the Zoning Ordinance to provide adequate sites for 1,954 lower-income units at a minimum of 20 dwelling units per acre from the sites identified in Table 3.9. At least half (50%) of these sites shall be zoned for residential uses only. Multifamily developments shall be allowed without discretionary action; however, projects can be subject to design review as long as they do not trigger the CEQA review process.

Per State law, the City must rezone to accommodate the unaccommodated need from the Fourth Cycle RHNA within one year of the start of the Housing Element planning period (i.e., on or before December 31, 2016), and must accommodate the Fifth Cycle RHNA within three years of the actual Housing Element adoption date. The City will rezone enough land and appropriate densities to cover the unaccommodated need from the Fourth Cycle of 969 lower-income units on or before December 31, 2016. The City will rezone enough land to cover the remaining Fifth Cycle unaccommodated need of 1,010 lower-income units within three years of adoption of the Housing Element. The City will monitor the availability of vacant land and ensure that the rezoned sites require a minimum of 20 units per acre for the lower-income need. (Action Plan 3)

*Responsibility: Planning Division*

*Funding Source: General Fund*

*Timing: Rezone to accommodate 969 lower-income units by December 31, 2016; rezone to accommodate the remaining 1,010 lower-income units within three years of adoption of the Housing Element*

*Quantified Objective: Capacity for 1,979 lower-income units*

### **Implementation Program A-4: Infrastructure Capacity**

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The City shall continue to monitor water and wastewater capacity and make improvements, as appropriate and feasible, to better serve existing development and strive to accommodate the RHNA, with priority for projects that provide lower-income housing.

The City shall prepare a model to improve system efficiency to improve peak hour demand by 2015 and enter into a contract with a hydrologist to prepare a report identifying new locations for new wells and/or storage tanks by 2015. The City

shall provide report findings to the City's hydrology engineers to develop an engineering plan by 2016 to expand capacity and shall update the City's Capital Improvement Program to identify funding and phasing over the next three to five years for developing new wells and storage tank improvements and standby equipment for system redundancy, as well as improving the capacity of existing supply pipelines to accommodate increased capacity for areas within the city limits and SOI.

The City shall continue working with the State Department of Water Resources to identify funding in order to meet the needs of subdivisions and disadvantaged unincorporated communities located within the SOI over the next three to five years. The City shall continue studying improvements to the Wastewater Treatment Plan to achieve tertiary treatment to augment the City's water supply

*Responsibility:*                      *Planning Division*

*Funding Source:*                      *General Fund*

*Timing:*                                      *Expand capacity by 2020; Ongoing monitoring*

*Quantified Objective:*    *N/A*

### **Implementation Program A-5: Lot Consolidation**

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The City shall actively work with local property owners and developers to assist in the consolidation and assembly of small parcels for residential projects, particularly for parcels listed in the sites inventory and parcels with multiple owners. The City shall process lot mergers ministerially, as feasible, and shall offer incentives, such as expedited processing.

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* Ongoing

*Quantified Objective:* N/A

## **Goal B: Affordable Housing**

Protect existing sources of affordable housing and facilitate new affordable housing opportunities.

- Policy B-1:** The City shall strive to conserve the existing housing stock, including existing rental housing that is affordable to lower- and moderate- income households and affordable housing that is at-risk of being converted to market rate housing. (New Policy)
- Policy B-2:** The City shall assist developers, nonprofit housing developers, and other qualified private sector interests in pursuing and applying for Federal, State, NGO, and private financing and grants for the development of affordable housing. (Program A, revised)
- Policy B-3:** The City shall facilitate partnerships between non-profit and for-profit housing developers to encourage affordable housing production. (New Policy)
- Policy B-4:** The City shall encourage sweat equity programs (allowing buyers to contribute labor hours to lower housing costs) for the construction of homes for first-time homebuyers. (New Policy)
- Policy B-5:** The City shall support and assist to the extent possible, the construction of secondary dwelling units on single family designated and zoned parcels as a means of providing affordable housing. (New Policy)

- Policy B-6:** In accordance with the provisions of State law, the City shall grant density bonuses for qualifying projects as an incentive for the development of lower-income and senior citizen housing. (New Policy)
- Policy B-7:** The City shall support lot consolidation to encourage the development of housing for lower-income households. (New Policy)
- Policy B-8:** The City shall continue expeditiously processing residential projects that provide affordable housing, while meeting General Plan policy and City regulatory requirements. (New Policy)
- Policy B-9:** The City shall continue to improve outreach programs and facilitate coordination between agencies and committees to increase public awareness of housing issues and available assistance. (Program A)

## **Implementation Program B-1: First Time Homebuyer Programs**

---

The City shall continue, to the extent resources are available, administer the First-time Homebuyers Program to qualified homebuyers, and shall promote the use of homebuyer assistance programs offered by the California Housing Finance Agency (CalHFA), including the Mortgage Credit Certificate Program, CalPlus Conventional Program, and the CalHFA Conventional Program. The City shall annually monitor funding resources available at the State and Federal levels and pursue, as appropriate, to provide homebuyer assistance. (Action Plan 1)

*Responsibility:* Planning Division

*Funding Source:* State and Federal Funds

*Timing:* Annually and Ongoing

*Quantified Objective:* 5 low-income and 25 moderate-income units

**Implementation Program B-2: Housing Choice Vouchers**

---

The City shall continue to coordinate with the Tulare County Housing Authority and support their Housing Choice Voucher (HCV) Program, which extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. The City shall provide information on the HCV program on the City website and public counters, and shall refer interested households and individuals to the Tulare County Housing Authority and encourage landlords to register their properties with the Housing Authority for accepting HCVs. (Action Plan 5)

*Responsibility: Planning Division*

*Funding Source: Section 8 Vouchers*

*Timing: Ongoing*

*Quantified Objective: 400 Housing Choice Vouchers*

**Implementation Program B-3: Funding Assistance**

---

The City shall monitor the State Department of Housing and Community Development's website for Notices of Funding Ability (NOFA) and, where appropriate, coordinate with developers to submit applications for HOME funds, tax credits and other financial assistance programs for construction of houses affordable to lower-income households. (Action Plan 6)

*Responsibility: Planning Division*

*Funding Source: General Fund*

*Timing: Annually*

*Quantified Objective: 30 extremely-low, 40 very-low, and 40 low-income units*

**Implementation Program B-4: At-risk Housing Preservation**

---

The City shall maintain and annually update a database of subsidized affordable projects/units to conserve the existing supply of subsidized and below-market-rate housing to ensure that affordability is preserved. The City shall monitor the status of any HUD receipt/approval of Notice of Intent and Plans of Action filed by property owners to convert subsidized units to market rate. The City shall annually contact owners/operators of subsidized multi-family housing to determine the status of at-risk units. In the event a project is determined to be at-risk of converting to market rate housing, the City shall work with the



owner/operator or other qualified entity to apply for needed grant funds to preserve the units and ensure the owner has met the tenant noticing requirements as set forth in California Government Code Sections 65863.10 and 65863.11. The City shall ensure that tenants are informed of their eligibility to obtain special Housing Choice Vouchers for tenants of converted HUD properties. (Action Plan 7)

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* Annually

*Quantified Objective:* N/A

## **Implementation Program B-5: Priority Sewer and Water Service for Affordable Housing**

---

The City shall adopt policies and procedures to provide priority sewer and water service for developments that include lower income housing units, consistent with State law (Government Code Section 65589.7). The City shall not deny or condition the approval of an application for services to, or reduce the amount of services applied for by, a proposed development that includes housing units affordable to lower income households unless the City makes specific written findings pursuant to Government Code Section 65589.7(c)(1-5). (New Program)

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* 2016

*Quantified Objective:* N/A

## **Goal C: Special Needs**

Provide a range of housing and services for Tulare residents with special needs.

**Policy C-1:** The City encourage and support developers to supply housing that is accessible and affordable to extremely low-income residents and special needs groups, including: the disabled, large families, female-headed households with children, seniors, farmworkers, and the homeless. (Program A, edited)

**Policy C-2:** The City shall continue to support efforts at the regional and sub-regional levels to provide housing for the homeless and those in need of emergency shelter. (New Policy)

## **Tulare Housing Element**

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- Policy C-3:** The City shall ensure that locations are available within the city to accommodate emergency shelters, supportive housing, or transitional housing. (New Policy)
- Policy C-4:** The City shall support efforts of the Kings/Tulare Continuum of Care to monitor the homeless population in Tulare and assist with efforts to establish homeless shelters in appropriate locations as needed. (New Policy)
- Policy C-5:** The City shall encourage a diversity of housing types that could meet the needs of seniors, including rental housing, apartments designed specifically for seniors, shared housing, secondary dwelling units, group homes, independent living and assisted living facilities, and congregate care facilities. (New Policy)
- Policy C-6:** The City shall ensure equal access to housing for people with disabilities by providing reasonable accommodation, such as relief from the City's land use and zoning regulations, development standards, and processing procedures. (New Policy)
- Policy C-7:** The City shall support applications for County, State, and Federal funding for the construction and rehabilitation of supportive housing for persons with disabilities, including developmental disabilities. (New Program)
- Policy C-8:** The City shall support developers and non-profit housing developers of farmworker housing by assisting in potential site identification and applying for or supporting applications for funding. (New Policy)
- Policy C-9:** The City shall encourage the construction of affordable units with three or more bedrooms to accommodate the needs of large households, and shall encourage non-profit housing developers to construct affordable single-family homes with 3 or 4 bedrooms that will benefit large families. (New Policy)

## **Implementation Program C-1: Affordable Housing Listing**

---

The City shall annually update and publish a comprehensive listing of the current housing developments in the City, which have units reserved for low-income, senior, and disabled individuals. (New Program)

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* Ongoing

*Quantified Objective:* N/A

## **Implementation Program C-2: Support for Transitional and Supportive Housing**

---

The City shall continue to provide support to Family Services and other organizations that provide transitional and supportive housing to homeless individuals and families or those facing the threat of homelessness.

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* Ongoing

*Quantified Objective:* 11 extremely low-income units

**Implementation Program C-3: Emergency Shelter Assistance**

---

When possible and resources are available, the City shall apply for HUD and/or State funding grants on behalf of local nonprofit organizations and partner with faith-based programs to assist in providing housing opportunities for the homeless. When possible and resources are available, the City shall assist in applying for the funding of a housing project that caters to lower income families with children and encourages on-site day care facilities. (Action Plan 3)

*Responsibility: Planning Division*

*Funding Source: General Fund*

*Timing: Review NOFAs annually and pursue opportunities as available and feasible*

*Quantified Objective: 60 extremely low- and very low-income units*

**Implementation Program C-4: Coordination on Housing for Developmentally Disabled Residents**

---

The City shall work with the Central Valley Regional Center to implement an outreach program informing residents of the housing and services available for persons with developmental disabilities, and make information available on the City website. (New Program)

*Responsibility: Planning Division*

*Funding Source: General Fund*

*Timing: Initiate contact in 2017*

*Quantified Objective: N/A*

## **Implementation Program C-5: Reasonable Accommodation Ordinance**

---

The City shall prepare and adopt a reasonable accommodation ordinance for persons with disabilities to request relief from land use, zoning, or building regulations that may constrain housing for persons with disabilities. (New Program)

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* 2016

*Quantified Objective:* N/A

## **Implementation Program C-6: Emergency Shelter Standards**

---

The City shall reach out to local providers of emergency shelter to identify whether or not the occupancy restriction of 13 or fewer persons in emergency shelters allowed by right is a constraint. Based on input received from this outreach, the City may amend the Zoning Ordinance to revise the occupancy limit, and may adopt additional standards for emergency shelters as allowed by State law. (New Program)

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* 2016

*Quantified Objective:* N/A

**Implementation Program C-7: Compliance with Employee Housing Act**

---

The City shall amend the Zoning Ordinance to fully comply with the Employee Housing Act, which requires employee housing of 36 beds or 12 units be allowed in all zones that allow agricultural uses (i.e., A, R-A, UR, M-1, M-2), and requires employee housing for six or fewer be allowed in all zones that allow single family homes (i.e., A, R-A, R-1, R-1-4). (New Program)

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* 2016

*Quantified Objective:* N/A

**Implementation Program C-8: Farmworker Housing**

---

The City will seek to coordinate programs and funding from State and Federal programs through the Tulare County Housing Authority. The City will work with the Housing Authority to explore opportunities for locating farmworker housing within the city, as demand necessitates. Through the Housing Authority and Farm Bureau, the City will meet with stakeholders to discuss the demand for farmworker housing and whether pursuit of funding for this type of housing is needed within Tulare. The City, through the Housing Authority, will provide assistance to the farming community and housing developers in obtaining loans and grants and processing applications for the rehabilitation and/or establishment of new farm labor housing under USDA Rural Development and California Department of Housing and HCD programs and other funding sources that may become available. The City will assist, based on available staff resources, nonprofit groups and stakeholders in pursuing funding resources, water and sewage availability, and entitlements. In addition, the City will provide, based on available resources, development incentives for the provision of farmworker housing and expediting the permitting process for all farmworker housing projects, to the extent feasible.

*Responsibility:* Planning Division

*Funding Source:* As funding permits. General Fund

*Timing:* Consider opportunities annually; Ongoing

*Quantified Objective:* N/A

## Goal D: Sustainability and Residential Energy and Water Conservation

Improve energy efficiency and water conservation in new and existing housing.

- Policy D-1:** The City shall encourage high density residential uses, such as senior housing, to be located near shopping, transit, and medical services in order to minimize auto use and encourage pedestrian travel and transit usage. (Action A, edited)
- Policy D-2:** The City shall establish a development pattern that helps reduce vehicle miles traveled and promotes transit ridership, and pedestrian and bicycle access. (New Policy)
- Policy D-3:** The City shall continue to encourage new residential construction to exceed State requirements for energy efficiency and water conservation. (New Policy)
- Policy D-4:** The City shall encourage the use of water-efficient landscaping and xeriscaping in residential settings. (New Policy)
- Policy D-5:** The City should work with local utility companies to promote water and energy efficiency. (New Policy)

### Implementation Program D-1: Efficiency and Conservation Awareness

---

The City shall provide energy efficiency and water conservation awareness brochures on the City's website and at public meeting places, including brochures advertizing energy and water provider programs and rebates. (New Program, Consultants)

*Responsibility:* Public Works Department

*Funding Source:* General Fund

*Timing:* Ongoing

*Quantified Objective:* N/A

## Goal E: Fair Housing

Ensure equal opportunity to secure, safe, sanitary, and affordable housing for everyone in the community.

## **Tulare Housing Element**

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- Policy E-1:** The City shall promote fair housing opportunities for all people regardless of age, religion, race, creed, sex, sexual orientation, marital status, ancestry, national origin, disability, economic level, and other arbitrary factors. (New Policy)
- Policy E-2:** The City shall enforce anti-discrimination laws, including discrimination involving age (Age Discrimination Act of 1975), race, color, national origin, sex (HUD, Sections 109 and Title VI of the Civil Rights Act of 1964), or the handicapped (HUD, Section 504). (Program A)
- Policy E-3:** The City shall continue to support programs and organizations that promote fair-housing and provide rental-mediation services. (New Policy)
- Policy E-4:** The City shall assist in the enforcement of fair housing laws by providing information and referrals to the public. (New Policy)

### **Implementation Program E-1: Fair Housing Complaint Referrals**

---

The City shall coordinate efforts when referring individuals to the appropriate City department or responsible agency for fair housing assistance. The Building Official shall report any serious housing discrimination complaints to the State Department of Fair Employment and Housing. (Action Plan 5.1)

*Responsibility:* Planning Division and Building Department

*Funding Source:* General Fund

*Timing:* Ongoing

*Quantified Objective:* N/A



## **Implementation Program E-2: Housing Program and Fair Housing Outreach Brochures**

---

The City shall provide housing brochures that detail the housing programs available to address fair housing issues. These brochures (in both English and Spanish) will describe each program and provide the reader with a contact person or agency and phone number. The City will distribute this information at City offices and at various community facilities and public locations throughout the city (e.g., City Hall, City Library, Senior Center) and on social media sites. (New program, Consultants)

*Responsibility:* Planning Division and Building Department

*Funding Source:* General Fund

*Timing:* 2016 and annually thereafter

*Quantified Objective:* N/A

## **Implementation Program E-3: Definition of “Family”**

---

The City shall amend the definition of “family” in the Zoning Ordinance as follows to ensure compliance with fair housing laws: “One or more individuals living as a single housekeeping unit.”

(New program, Consultants)

*Responsibility:* Planning Division and Building Department

*Funding Source:* General Fund

*Timing:* 2016

*Quantified Objective:* N/A

## **Goal F: Removal of Government Constraints**

Minimize the impact of potential governmental constraints on the maintenance, improvement, and development of housing.

**Policy F-1:** The City shall maintain entitlement procedures that provide the City sufficient oversight of the development and design process while offering residential developers a fair, timely, consistent, and predictable process. (New Policy)

**Policy F-2:** The City shall encourage continue to monitor and refine its processes and regulations to barriers to the production of housing, particularly affordable- and higher-density housing. (New Policy)

## Tulare Housing Element

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- Policy F-3:** The City shall continue to ensure that City policies, regulations, and procedures do not unnecessarily add to the cost of producing housing, while assuring the attainment of other City objectives. (New Policy)
- Policy F-4:** The City shall encourage developers to "piggyback" or file concurrent applications (i.e., rezones, tentative tract maps, conditional use permits, variance requests, etc.) if multiple approvals are required, and if consistent with applicable processing requirements, to reduce processing times. (New Policy)
- Policy F-5:** The City shall facilitate the review of development applications, encourage pre-application meetings with planning and building staff, and streamline the overall planning application and building process for all residential development. (New Policy)
- Policy F-6:** The City shall consider, on a case-by-case basis, deferring payment of fees through the economic development assistance fund/process.

### **Implementation Program F-1: Density Bonus Ordinance**

---

The City shall update Zoning Code Chapter 10.148: Density Bonus in compliance with Government Code Section 65915.

(Action Plan 4)

*Responsibility:* Planning Division and Building Department

*Funding Source:* General Fund

*Timing:* 2016

*Quantified Objective:* N/A

## **Goal G: Neighborhood Preservation/Housing Rehabilitation**

Preserve and enhance the quality and livability of existing housing and residential neighborhoods.

- Policy G-1:** The City shall monitor the quality of the housing stock and maintain an inventory of all substandard housing units. (Program A)
- Policy G-2:** The City shall provide housing rehabilitation assistance to very-low income, low-income, and special needs groups. (Program A)
- Policy G-3:** The City shall seek to eliminate incompatible land uses or blighting influences from residential neighborhoods through cooperative neighborhood improvement

programs, targeted code enforcement, and other available regulatory measures. (New Policy)

**Policy G-4:** The City shall strive to minimize the demolition of existing multifamily housing, unless the property is found to be substandard and unsuitable for rehabilitation, or will be replaced with an equal or greater number of units of equal or greater affordability.

**Policy G-5:** The City shall provide assistance and support community volunteer groups, clubs, charitable organizations, religious institutions, and other nonprofit organizations that further minor rehabilitation of the existing housing stock. (Action Plan 7.3)

## **Implementation Program G-1: Rehabilitation with HOME and CalHOME Funds**

---

The City will continue to partner with non-profit organizations to apply for HOME and CalHOME funds that would provide loans for housing rehabilitation. Rehabilitation would be targeted to very-low and low-income households, as well as disabled and senior populations. (Action Plan 7.1)

*Responsibility:* Planning Division

*Funding Source:* General Fund

*Timing:* Review NOFAs annually and apply for funds as available

*Quantified Objective:* 25 home rehabs

## **Goal H: Implementation Monitoring**

Ensure that Housing Element policies and programs are implemented on a timely basis.

**Policy H-1:** The City shall continually work to improve the day-to-day implementation of Housing Element programs. (New Policy)

**Policy H-1:** The City shall annually evaluate implementation of the Housing Element.

## **Implementation Program H-1: Monitoring and Reporting**

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The City shall review and report annually on the implementation of Housing Element programs and the City's effectiveness in meeting the program objectives for the prior calendar year. The City shall present the annual report to the City Council at a public hearing before submitting the annual report to the California

## Tulare Housing Element

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Department of Housing and Community Development (HCD) and the Office of Planning and Research (OPR). (New Program, Consultants)

*Responsibility:*            *Planning Division*

*Funding Source:*        *General Fund*

*Timing:*                 *Annual*

*Quantified Objective:* *N/A*

**Quantified Objectives**

The following quantified objectives are based on the Housing Element’s identification of existing and projected housing needs, potential housing development sites and financial resources, and the Element’s analysis of constraints to the development and maintenance of housing. This information has been used to establish reasonable estimates of what these programs and policies can accomplish. These quantified objectives do not represent targets. They are not designed to be minimum requirements. They are estimates based on past experience, anticipated funding levels, and expected housing market conditions.

The City has estimated the number of units likely to be constructed, rehabilitated, and conserved/preserved during the planning period (December 31, 2015 to December 31, 2023). These quantified objectives do not represent a ceiling, but rather establish a goal for the City to strive to achieve, based on needs, resources and constraints.

<b>TABLE 5.1</b> <b>QUANTIFIED OBJECTIVES</b> <b>TULARE</b> <b>2015</b>						
	<b>Extremely Low</b>	<b>Very Low</b>	<b>Low</b>	<b>Moderate</b>	<b>Above Moderate</b>	<b>Total</b>
New Construction	71	195	295	300	400	1,261
Rehabilitation/Preservation	-	10	15	-	-	25
<b>Total</b>	<b>71</b>	<b>205</b>	<b>310</b>	<b>300</b>	<b>400</b>	<b>1,268</b>

## Tulare Housing Element

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# Appendix A

## ANALYSIS OF CONSTRAINTS ON HOUSING FOR PERSONS WITH DISABILITIES

<b>TABLE A.1</b> <b>CONSTRAINTS ON HOUSING FOR PERSONS WITH DISABILITIES</b> CITY OF TULARE 2015	
<b>Overarching and General</b>	
Does the City have a process for persons with disabilities to make requests for reasonable accommodation?	The City is in the process of adopting a reasonable accommodation ordinance. It is expected to be adopted prior to adoption of this Housing Element.
Has the City made efforts to remove constraints on housing for persons with disabilities?	The City is in the process of adopting a reasonable accommodation ordinance. It is expected to be adopted prior to adoption of this Housing Element.
Does the City assist in meeting identified needs?	<p>The City requires that multifamily with 4-20 units have ground floor units that meet accessibility requirements and interior adaptability requirements. Multifamily with &gt;20 units require 2% of total units be adaptable and remainder of units are accessible.</p> <p>In addition, the City works with applicants in need of special accommodations in their homes to ensure the application of building code requirements do not create constraints.</p>
<b>Zoning and Land Use</b>	
Has the City reviewed all its zoning laws, policies, and practices for compliance with fair housing law?	Yes, the City has reviewed the land use regulations and practices to ensure compliance with fair housing laws.
Are residential parking standards for persons with disabilities different from other parking standards?  Does the City have a policy or program for the reduction of parking requirements for special	Subsection 10.192.050.N of the Zoning Ordinance (Parking Lot Design Standards - Handicapped parking) mandates the provision of disabled parking spaces in accordance with the California Building Code.

<b>TABLE A.1</b> <b>CONSTRAINTS ON HOUSING FOR PERSONS WITH DISABILITIES</b> <b>CITY OF TULARE</b> <b>2015</b>	
needs housing if a proponent can demonstrate a reduced parking need?	
Does the locality restrict the siting of group homes?	No.
What zones allow group homes other than those allowed by State law? Are group homes over six persons allowed?	Group Homes (also known as Licensed Group Care Homes) of six or less individuals are allowed by right in the single family residential, and multiple-family residential districts and with a Conditional Use Permit in the commercial districts. Facilities with more than 7 residents are allowed in the single family residential, multiple-family residential, and commercial districts with a Conditional Use Permit.
Does the City have occupancy standards in the zoning code that apply specifically to unrelated adults and not to families?	Yes. The definition of “family” in the Zoning Ordinance limits the number of unrelated individuals to five occupants. The Housing Element includes a program to amend the definition of “family.”
Does the land use element regulate the siting of special needs housing in relationship to one another?	No. There is no minimum distance required between two or more special needs housing units.
<b>Permits and Processing</b>	
How does the City process a request to retrofit homes for accessibility?	The City allows residential retrofitting to increase the suitability of homes for persons with disabilities in compliance with ADA requirements, as permitted in the California Code. City Staff works with applicants in need of special accommodations in their homes to ensure the application of building code requirements do not create constraints.
Does the City allow group homes with six or fewer persons by right in single-family zones?	Yes.



**TABLE A.1  
CONSTRAINTS ON HOUSING FOR PERSONS WITH DISABILITIES  
CITY OF TULARE  
2015**

<p>Does the City have a set of particular conditions or use restrictions for group homes with greater than six persons?</p>	<p>Group homes with greater than six persons are allowed by Use Permit in the R-A, R-1, R-1-4, and R-M districts. They are subject to design review and are required to be in compliance with the same parking and site coverage requirements as multifamily uses.</p>
<p>What kind of community input does the City allow for the approval of group homes?</p>	<p>Group homes (also known as Licensed Group Care Homes) of six or less individuals are permitted by right in the R-A, R-1, R-1-4, and R-M districts. A Conditional Use Permit is required in commercial districts. They require no other planning approval other than to ensure that the development conforms to the standards of the Zoning Ordinance. The facilities with more than 7 residents are allowed in R-A, R-1, R-1-4, and R-M districts with a Conditional Use Permit. The Conditional Use Permit provides the public with an opportunity to review the project and express their concerns in a public hearing.</p>
<p>Does the City have particular conditions for group homes that will be providing services on site?</p>	<p>No, the City does not have special standards for group homes regarding location, design or operation.</p>
<p><b>Building Codes</b></p>	
<p>Has the locality adopted the Uniform Building Code?</p>	<p>The City adopted the 2013 California Building Code in 2013. No amendments have been made that affect the ability to accommodate persons with disabilities.</p>
<p>Has the City adopted any Universal Design element into the code?</p>	<p>No.</p>
<p>Does the City provide reasonable accommodation for persons with disabilities in the enforcement of building codes and the issuance of building permits?</p>	<p>The City is in the process of adopting a reasonable accommodation ordinance. It is expected to be adopted prior to adoption of this Housing Element.</p>

Source: City of Tulare, 2015.

## Tulare Housing Element

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# Appendix B

## EVALUATION OF PREVIOUS HOUSING ELEMENT

### B.1 Summary of Progress

Table B.1 summarizes the City's regional housing needs allocation for the period of January 1, 2006 - December 31, 2013 and the number of housing units built or approved during that planning period. Since January 2006, 1,433 single family and multifamily homes have been built or approved. Most of these were affordable to above-moderate households. However, 56 units were homes affordable to very low- or low-income households.

TABLE B.1 PROGRESS DURING PREVIOUS PLANNING PERIOD TULARE JANUARY 1, 2006 – DECEMBER 31, 2013				
Year	Units by Income Level			Total Units
	LI	MI	AMI	
2006-2013 RHNA	2,057	1,103	2,483	5,643
Housing Units Built or Approved Since 2006	56	214	1,163	1,433
<b>Remainder of Housing Goals</b>	<b>2,001</b>	<b>889</b>	<b>1,320</b>	<b>4,210</b>

Source: City of Tulare, 2014, TCAG RHNP.

Since the adoption of the Impediments to Fair Housing in 2007, the City of Tulare has accomplished the following:

VIAH and the Housing Authority completed five homes that were rehabilitated or constructed utilizing Neighborhood Stabilization Program (NSP) funding. Those units are currently (2015) rented to low-income residents.

Self-Help Enterprises completed 9 of 22 single family affordable units at Gail Estates, and are recruiting and qualifying families for the remaining units.

The Housing Authority acquired 20 low-mod rental apartment units at West Oakwood Estates and rehabilitated them with a \$250,000 loan from the former Redevelopment Agency. Since it re-opened the project has been fully rented to low-mod Tulare families. Between 2012 and 2013 \$100,501 in CDBG funding was used to purchase new tot lot equipment for the City park next door.

## **Tulare Housing Element**

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Tulare worked with Pacific West Communities (PWC) and Self-Help to redevelop a remediated former industrial site into affordable rental housing. The former Tulare Irrigation District operations center is surrounded with residential uses, making the project a good fit for the neighborhood. The project includes 49-units of affordable housing, including units designated for very low income farmworker housing, and it is adjacent to the Santa Fe Trail, one of Tulare's prime recreational amenities. PWC completed construction on the project in January, 2012.

Tulare also worked with Pacific West Communities to construct 57 affordable small-lot homes in the Tule Vista development. The project plan includes renting the homes to qualified tenants for 15 years and then allowing them to purchase their homes using the First Time Homebuyer program. The first units became available in June, 2011 and the entire project is fully occupied. The project has been awarded both an APA Central California regional award for planning excellence, and a California APA award of excellence for the sustainable components, integration with the surrounding community, and use of a unique financing structure.

The City committed \$1.25 million to the development of Phase II of the Valley Oaks Apartment complex to meet the needs of an additional 72 low-income Tulare individuals and families. Construction was completed in spring 2011.

<b>TABLE B.2 EVALUATION OF EXISTING HOUSING ELEMENT CITY OF TULARE 2015</b>			
<b>2009-2014 Housing Element Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<b>Policy 1: Provision of adequate sites for housing development</b>			
<p><b>Action Plan 1) Annexations - Pursuit and Initiation</b></p> <p>The City will pursue annexation of lands within its General Plan planning area that are designated for residential development, contiguous to existing urban development, and consistent with policies in its Land Use Element.</p> <p>Unincorporated land within the City's Urban Development Boundary line is zoned agriculture with a minimum parcel size of twenty acres. This preserves the land in parcel sizes that can accommodate future urbanization and precludes the development of uses incompatible with urban development, such as small lot ranchettes. These reserve areas constitute the City's land inventory for future housing. The City will advocate for a change in LAFCo policies, if necessary, to allow annexed land sufficient to meet the City's RHNA.</p>	<p>2009-2014</p>	<p>The City continues to work with LAFCo to preserve sites within the City's Urban Development Boundary in sizes of not less than 20 acres for future urban development. The City continues to oppose any small lot ranchette development within the Urban Development Boundary.</p>	<p>Continue</p>

## Tulare Housing Element

<b>TABLE B.2</b> <b>EVALUATION OF EXISTING HOUSING ELEMENT</b> <b>CITY OF TULARE</b> <b>2015</b>			
<b>2009-2014 Housing Element</b> <b>Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<p><b>Action Plan 2) Update Vacant Public Land Inventory</b></p> <p>The City will prepare an inventory of State, federal, City and Redevelopment Agency owned land and will analyze that land for possible housing sites. If appropriate sites are identified, the City will approach developers and funding agencies to facilitate development of the sites for affordable housing and provide priority permit processing.</p>	Ongoing	<p>The City maintains a list of State, Federal, City, and Successor Agency-owned lands and updates the inventory as necessary.</p> <p>Since the demise of the RDA, the City has established a Property Management Department, which keeps inventory and oversees the disposition of any State, Federal, City and RDA properties. The City continues to work with developers and non-profit organizations to identify any potential sites for affordable housing projects.</p>	Continue, but remove reference to Redevelopment Agency.
<p><b>Action Plan 3) Adequate Sites</b></p> <p>In order to meet State law requirements (Government Code Section 65583(c)(1) (A) and 65583(c)(1) (B)) to address the 2007 - 2014 RHNA, the City shall amend the General Plan and the Zoning Ordinance to provide adequate sites for 1,175 sites at a minimum of 20 dwelling units per acre "by right" on certain sites or in certain zones. At least half (50%) of these sites shall be zoned for residential uses only. Projects</p>	August 2010	<p>The City did not complete its rezoning program. The 2015-2023 Housing Element has addressed the carryover and penalty. The City will complete the necessary rezones from the 2009-2014 Housing Element within one year of adopting the Housing Element and the remaining rezones within three years of the Housing Element adoption deadline (i.e., December 31, 2018).</p> <p>The City Council accepted the Transit Oriented Development</p>	Revise to address 2009-2014 rezone carryover and 2015-2023 remaining need.

<b>TABLE B.2</b> <b>EVALUATION OF EXISTING HOUSING ELEMENT</b> <b>CITY OF TULARE</b> <b>2015</b>			
<b>2009-2014 Housing Element</b> <b>Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<p>can be subject to design review as long as they do not trigger the CEQA review process.</p>		<p>Plan on September 18, 2012. There were three areas of town identified as suitable for this type of development: one on the west side, one downtown, and one near the new College of the Sequoias Tulare Campus. All sites are accessible to transit, offer a mix of land uses, and are near bike/pedestrian facilities. The TOD plan will be incorporated into the 2030 General Plan Update. There is potential at maximum build out of all 3 areas to add 2,591 residential units. Once the General Plan is adopted, opportunity to rezone these areas is feasible.</p>	
<p><b>Action Plan 4) High Density Residential</b> Inclusion in Master Planned Communities The City will require that 8 percent to 12 percent of all units be higher density residential in all Master Planned Communities.</p>	<p>Ongoing</p>	<p>No master plans were submitted for the year 2012 but the City remains committed to requiring that 8%-12% of new master planned areas be reserved for higher densities. The City's 2035 General Plan has 2 large areas identified for future master plan proposals. The City started the processing of a revised subdivision map that creates 355 lots and required developers to include 8</p>	<p>Continue as a policy</p>

**Tulare Housing Element**

<b>TABLE B.2 EVALUATION OF EXISTING HOUSING ELEMENT CITY OF TULARE 2015</b>			
<b>2009-2014 Housing Element Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
		percent of the units as multiple family within the subdivision area.	
<b>Policy 2: Provision for very-low, low-, and moderate-income housing</b>			
<b>Action Plan 1) First-Time Homebuyers Program for New Construction</b> The City will continue to administer the First-time Homebuyers Program to qualified homebuyers. The program provides a second trust deed with deferred interest for 30 years.	Ongoing	There were no first-time homebuyers new construction units to report in 2012. In 2012 the City, as successor agency to the Redevelopment Agency, allotted \$80,000 to Habitat for Humanity for one single family residence for a very low-income family. The City, as Successor Agency, provided support to Self-Help Enterprises in a Home application for \$700,000 to provide First Time Home buyer assistance for 10 units and 3 rehabilitations.  The City continues to contract with Self-Help Enterprises for First Time Homebuyers assistance. The City will be going out with a RFP to administer the 2014 HOME grant.	Continue
<b>Action Plan 2) Land Set-Aside/Acquisition Program for Lower Income Housing (owner occupied)</b> As appropriate, the City will sell or lease City-owned land to non-profit housing	2009-2014	The City did not sell or lease any City-owned land for the development of affordable housing between 2009 and 2014.	Continue



<b>TABLE B.2</b> <b>EVALUATION OF EXISTING HOUSING ELEMENT</b> <b>CITY OF TULARE</b> <b>2015</b>			
<b>2009-2014 Housing Element</b> <b>Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
organizations or governmental agencies who will construct housing for lower-income households.			
<b>Action Plan 3)</b> <b>Redevelopment Assistance - New Infrastructure</b> The Tulare Redevelopment Agency will utilize its tax increment financing for the construction of affordable units and/or infrastructure extensions to serve lower-income owner and renter-occupied units.	Ongoing, monitored annually	The Redevelopment Agency was dissolved in 2012. In 2012, the city utilized \$2,000,000 of low-/moderate-income housing set aside to assist in the construction of 46 affordable units/1 managers unit at the Aspen Ct. multiple family project. See section B-1 of this Appendix B for additional information.	Delete
<b>Action Plan 4) Density Bonus Program</b> The City will adopt a density bonus ordinance in compliance with Government Code §65915 and develop an outreach program to ensure its successful implementation.	Ongoing	The City created informational pamphlets following the adoption of the 2010 Housing Element and distributed to the Building Industry Association members. However, the density bonus ordinance is out of date and needs to be updated to comply with State law.	Maintain program to update density bonus ordinance.
<b>Action Plan 5) Expand Section-8 Voucher Program</b> The City will continue to cultivate a relationship with the Tulare County Housing Authority and support their Public Housing Rental Program and Section 8 Program. The Housing Authority provides 388	2009-2014	The Housing Authority reports that in 2015, 550 Section 8 vouchers were provided in the city. The number of Section 8 applicants that currently (2015) live in Tulare is 2,727.	Continue, but update to reflect the current allocation of Section 8 vouchers.

## Tulare Housing Element

<b>TABLE B.2</b> <b>EVALUATION OF EXISTING HOUSING ELEMENT</b> <b>CITY OF TULARE</b> <b>2015</b>			
<b>2009-2014 Housing Element</b> <b>Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
Section 8 vouchers to families in the City.		Countywide Section 8 voucher waitlist total is 13,105 individuals.	
<b>Action Plan 6) Tax Credit/HOME Applications</b> The City will partner with developers to submit applications for HOME funds, Tax Credits and other financial assistance programs for construction of houses affordable to lower-income households.	Ongoing	In 2012 the city of Tulare submitted a HOME application for 6 units (3 low income and 3 very low income) of affordable housing for first time homebuyer assistance. In addition, the successor agency partnered with Kaweah Management Company on a Tax Credit project committing \$2,000,000 of 20% set aside for low/mod funds for the Aspen Ct. multiple family project providing for 46 affordable units. The City as the successor agency is also partnering with Self Help Enterprises in an application for HOME funds in the amount of \$700,000. For Fiscal Year 2013 HOME Grant for First Time Homebuyers program total \$700,000. The City continues to apply for HOME funds to assist with affordable housing programs.	Continue
<b>Action Plan 7) Conservation of At-Risk Units</b> The City will continue to conserve the existing supply of	Ongoing	The City maintains a database of deed restricted units. The former Redevelopment Agency	Continue, but remove reference to Parkwood Manor.

<b>TABLE B.2</b> <b>EVALUATION OF EXISTING HOUSING ELEMENT</b> <b>CITY OF TULARE</b> <b>2015</b>			
<b>2009-2014 Housing Element</b> <b>Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
subsidized and below-market-rate housing to ensure that affordability is preserved. The Parkwood Manor will come up for renewal of its deed restriction before 2014. The Housing Authority plans to renew the deed restriction, and, therefore, the project is not at risk of conversion. The City will continue to contact owners/operators of subsidized multi-family housing annually to determine the status of at-risk units. Such monitoring will allow the City to apply for needed grant funds to preserve these units if necessary.		connected Parkwood Manor owners with multiple non-profit affordable housing developers to preserve those units.	
<b>Action Plan 8) Extremely Low Income Housing</b> The City shall continue to partner with the Continuum of Care and/or member organizations to apply for funding to provide transitional housing and housing for ELI, through programs such as the Shelter Plus Care program, Emergency Housing Assistance Program (capital development), and the Supportive Housing Program.	Monitor available funding sources annually and ongoing	The city of Tulare as the successor agency continues to work with the Continuum of Care and/or member organizations to apply for funding for transitional housing. The City continued to work with Family Services of Tulare County to provide transitional housing option in the city. The City currently (2015) has seven units, all of which are full.	Continue

**Tulare Housing Element**

<b>TABLE B.2 EVALUATION OF EXISTING HOUSING ELEMENT CITY OF TULARE 2015</b>			
<b>2009-2014 Housing Element Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<b>Policy 3. Housing to accommodate special needs</b>			
<b>Action Plan 1) Non-Profit Construction</b> The City will encourage non-profit housing developers to construct affordable single-family homes with 3 or 4 bedrooms that will benefit large families.	2009-2014	In 2012 the Successor Agency assisted Habitat for Humanity with \$80,000 for a home for a very low-income family. The Successor Agency is partnering with Kaweah Management Company, Tulare County Housing Authority, and Pacific West Communities on a Tax Credit project committing \$2,000,000 of 20% set aside for low/mod funds for the Aspen Ct. multiple family project. The project will provide for 46 affordable units and 1 manager's unit multifamily complex (Aspen Court Apartments), including a swimming pool and community center with a managers unit on the 2nd story located on the east side of South Laspina Street at Aspen Avenue. Four building types are proposed: 4 Type A-2 story 4-plexes - 2 bedroom/1 bath - 808 sq. ft. 16 units 9 Type B - 1 story tri-plexes -3 bedroom/ 2 bath -1,384 sq. ft. 27 units	Continue

<b>TABLE B.2</b> <b>EVALUATION OF EXISTING HOUSING ELEMENT</b> <b>CITY OF TULARE</b> <b>2015</b>			
<b>2009-2014 Housing Element</b> <b>Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
		1 Type C- 1 story duplex -3 bedroom/ 2 bath - 1,384 sq. ft 2 units 1 Type D-1 story - 3 bedrooms/ 2 bath- 1,384 sq. ft. 1 unit (Total 46 units)	
<b>Action Plan 2) Transitional                      Housing/Group Home                      Construction</b> The City will encourage transitional units to meet short- term homeless needs. As a long range goal it may be desirable for the City to partner with a non-profit organization and create a staged transitional campus that will provide skills leading to self-sustaining living arrangements.	Ongoing	The City continued to work with Family Services of Tulare County to provide transitional housing option in the city. The City currently (2015) has seven units, all of which are full.	Continue
<b>Action Plan 3) Assist Non-                      Profit Organizations in                      Meeting Homeless Needs</b> In an effort to assist in meeting the needs of homeless persons in the city, the City shall apply for HUD and State funds on behalf of local charity organizations and partner with faith-based programs to assist in providing housing opportunities for the homeless.	2009-2014	The City, as Successor Agency, continues to work with the Continuum of Care providing assistance to 17 extremely low-income persons through the Shelter Plus Care program in 2012. The City continued to work with Family Services of Tulare County to provide transitional housing option in the city. The City currently (2015) has seven units, all of which are full.	Continue

## Tulare Housing Element

**TABLE B.2  
EVALUATION OF EXISTING HOUSING ELEMENT  
CITY OF TULARE  
2015**

2009-2014 Housing Element Action Item	Status	Evaluation	Recommendation
<p><b>Action Plan 4) Housing Assistance for Lower Income Families with Children</b> The City will assist in one application for funding that caters to lower income families with children and encourages on-site day care facilities.</p>	2009-2014	The City, as Successor Agency, provided support to Self-Help Enterprises in a Home application for \$700,000 to provide First Time Home buyer assistance for the 10 units and 3 rehabilitations.	Continue
<p><b>Action Plan 5) Universal Design</b> The City shall work with homebuilders to encourage universal design in new construction and remodels in a way that does not increase housing costs.</p> <p>Universal design is based on the idea that throughout life, all people experience changes in their abilities. The goal of universal design is to design environments to be usable by all people, to the greatest extent possible, without the need for adaptation.</p>	Ongoing	The City building department continues to encourage homebuilders to use universal design in new construction and remodels.	Continue as a policy.
<p><b>Action Plan 6) New Legal Requirements for Farmworker Housing</b> The City will amend the Zoning Ordinance to ensure that permit processing procedures for farmworker housing do not conflict with Health and Safety Code Section 17021.6 which</p>	Within 1 year after adoption of Housing Element	City Council adopted two zone text amendments: 1) in agriculture zones providing for employees that live on the property for no more than 36 beds in group quarters or 12 units or spaces designed for use by a single family or households;	Maintain program to fully comply with State law.

<b>TABLE B.2 EVALUATION OF EXISTING HOUSING ELEMENT CITY OF TULARE 2015</b>			
<b>2009-2014 Housing Element Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<p>states that “no conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing that serves 12 or fewer employees and if it is not required of any other agricultural activity in the same zone”. The City shall also ensure that such procedures encourage and facilitate the development of housing for farmworkers.</p>		<p>2) amended the municipal code to allow employee housing for six or fewer as a permitted use in the rural residential and single family residential zone districts. These text amendments partially comply with State law; however, additional changes are needed. Employee housing of 36 beds or 12 units must be allowed in all zones that allow agricultural uses (i.e., A, R-A, UR, M-1, M-2). Employee housing for six or fewer must be allowed in all zones that allow single family homes (i.e., A, R-A, R-1, R-1-4).</p>	
<p><b>Action Plan 7) Siting of Emergency and Transitional Shelters</b> The City shall amend the Zoning Ordinance to comply with SB2 and permit emergency shelters without a Conditional Use Permit in at least one zone with adequate capacity and define transitional and supportive housing as a residential use subject to the same standards and requirements that apply to other residential uses.</p>	<p>Within 1 year after adoption of Housing Element</p>	<p>After much discussion and input, in 2011, the Council adopted the following in regards to emergency shelters and transitional housing. 1. added section 10.36.040 (I) emergency shelters and transitional housing for 12 or fewer as a permitted use in the RM Zone districts 2. added section 10.36.050 (O) providing for emergency shelters and transitional housing for 13 or more as a</p>	<p>Delete</p>

**Tulare Housing Element**

<p align="center"><b>TABLE B.2</b>  <b>EVALUATION OF EXISTING HOUSING ELEMENT</b>  <b>CITY OF TULARE</b>  <b>2015</b></p>			
<p align="center"><b>2009-2014 Housing Element Action Item</b></p>	<p align="center"><b>Status</b></p>	<p align="center"><b>Evaluation</b></p>	<p align="center"><b>Recommendation</b></p>
		<p>conditional use in the RM zone districts</p> <p>3. Amended chapter 10.040 Permitted and Conditional Uses in Commercial Zones Table Section F – Medical Care/Health Facilities adding emergency shelters and transitional housing as a conditional use in the C-4 district.</p> <p>4. Added section 10.136.030 (G) providing for emergency shelters and transitional housing for 12 or fewer in the R-M district to be processed as administrative approvals and by adding chapter 10.147 providing standards for emergency shelters and transitional housing.</p> <p>As part of the 2015-2023 Housing Element Update process, the City will amend its Zoning Ordinance to be consistent with State housing law for transitional and supportive housing.</p>	
<p><b>Action Plan 8) Reasonable Accommodation</b></p> <p>Pursuant to the Fair Housing Amendment act of 1988 and the requirements of Chapter 671, Statutes of 2001 (Senate</p>	<p>Within 2 years of the adoption of the Housing Element</p>	<p>The City requires that 10 percent of the units for new construction of apartments be ADA compliant. The City continues to reconstruct sidewalk ramps for ADA</p>	<p>Delete</p>



<b>TABLE B.2</b> <b>EVALUATION OF EXISTING HOUSING ELEMENT</b> <b>CITY OF TULARE</b> <b>2015</b>			
<b>2009-2014 Housing Element</b> <b>Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<p>Bill 520), the City will adopt a reasonable accommodation ordinance or policy to provide people with disabilities reasonable accommodation in rules, policies, practices and procedures that may be necessary to ensure equal access to housing. The City will promote its reasonable accommodations procedures on its website and with handouts at City Hall.</p>		<p>compliance. Building Department requires that commercial retrofits are ADA compliant. City buildings are ADA compliant. The City has adopted the new California Building Codes which incorporate ADA compliance into the regulations.</p> <p>As part of the 2015-2023 Housing Element Update process, the City will amend its Zoning Ordinance to include a process for reasonable accommodation.</p>	
<p><b>Action Plan 9) Allow Single-Room Occupancy Units</b>                      The City currently allows single-room occupancy units (SROs) in the C-3and C-4 zoning districts with a conditional use permit. The Zoning Ordinance shall be amended to additionally allow SROs in the R-M-3 and R-M-4 zoning districts with a conditional use permit. Standards and procedures shall be developed to encourage and facilitate development of SROs. SROs are suited to the needs of extremely low income residents. Parking needs will</p>		<p>SROs are conditionally allowed in several zones in the city: the C-4 and C-4 zones, as well as the Downtown Combining District and the Mixed-use Combining District. These zones provide ample opportunities for single room occupancy units.</p>	<p>Delete</p>

## Tulare Housing Element

**TABLE B.2  
EVALUATION OF EXISTING HOUSING ELEMENT  
CITY OF TULARE  
2015**

2009-2014 Housing Element Action Item	Status	Evaluation	Recommendation
be analyzed during development of the standards and procedures.			
<b>Policy 4. Energy conservation opportunities</b>			
<p><b>Action Plan 1) Density Node Energy Conservation Technique</b></p> <p>The City will encourage high-density residential land uses near essential community facilities. Bike trails, bike lanes and bus stops shall be required where appropriate.</p>	Ongoing	<p>The City continues to encourage high-density residential land uses near essential community facilities. The city received HUD funding in the amount of \$200,000 (Sustainable Communities) to prepare a Transit Oriented Development (TOD) plan. The TOD was accepted by the City Council September 18, 2012 and will be incorporated in the 2030 General Plan Update.</p>	Continue as a policy.
<p><b>Action Plan 2) Infill as a Priority</b></p> <p>The City shall provide expedited (fast track) permit processing for high density and infill developments.</p>	2009-2014	<p>The City is committed to fast tracking permit request for high density and infill developments.</p>	Continue as a policy.
<p><b>Action Plan 3) Energy Efficient Housing</b></p> <p>The City will support the California Energy Commission energy efficiency requirements in new housing and encourage the installation of energy saving devices in pre-1975 housing.</p>	On-going	<p>The City adopted the 2010 California Building Codes that incorporates green building within the codes, including voluntary adoption of Tier 1 measures under Cal Green.</p>	Continue as a policy.

<b>TABLE B.2 EVALUATION OF EXISTING HOUSING ELEMENT CITY OF TULARE 2015</b>			
<b>2009-2014 Housing Element Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<p><b>Action Plan 4) Energy and Water Conservation</b> The City will continue to monitor energy and water usage in the city and investigate other appropriate programs to conserve these and other natural resources. The City will work to reduce residential (and commercial) water use 20 percent by 2010 and reduce the overall energy usage in the City.</p>	On-going	The City has adopted the state model water efficient ordinance. All city residences are on water meters.	Continue
<p><b>Action Plan 5) Green Building Standards</b> The City shall support and encourage green building design standards in new construction and redevelopment to promote increased energy conservation. The City shall establish regulations requiring the development of environmentally sustainable buildings. The City shall use “Build it Green” standards as a guide.</p>	Ongoing	The City adopted the 2010 California Building Codes that incorporates green building within the codes, including voluntary adoption of Tier 1 measures under Cal-Green.	Continue as a policy, but remove references to establishing regulations and to “Build-it-Green”.
<p><b>Policy 5. Promotion of equal housing opportunities</b></p>			
<p><b>Action Plan 1) Fair Housing Program</b> The City shall coordinate efforts and be responsible for referring individuals to the appropriate City department or</p>	Ongoing	The City of Tulare continues to operate the discrimination hotline. The City uses many avenues to disseminate information on fair housing rights. The Housing Hotline	Continue

## Tulare Housing Element

**TABLE B.2  
EVALUATION OF EXISTING HOUSING ELEMENT  
CITY OF TULARE  
2015**

2009-2014 Housing Element Action Item	Status	Evaluation	Recommendation
<p>responsible agency for assistance. The Building Official shall report any serious housing discrimination complaints to the State Department of Fair Employment and Housing.</p>		<p>number is in the Tulare telephone book Discussions have been held with lenders, realtors, mortgage brokers, development community and disadvantaged ethnic groups during informational meetings pertaining to the First Time Homebuyers Program for both existing and new construction. The city of Tulare will continue to partner with tile housing Authority to ensure that all fair housing resources are available to the residents of Tulare.</p>	
<b>Policy 6. Intergovernmental coordination and public awareness</b>			
<p><b>Action Plan 1) Housing Program and Fair Housing Outreach Brochures</b> The City will continue to distribute housing brochures that detail the various housing programs available and address Fair Housing issues. These brochures (in both English and Spanish) will describe each program and provide the reader with a contact person or agency and phone number.</p>	<p>Ongoing (Updated as necessary)</p>	<p>The City produces a brochure in English and Spanish that will provide information regarding the Fair Housing Act and the protection it gives home owners and renters. It also provides examples of discrimination and phone numbers to call. The brochure is available at the public counter.</p>	<p>Continue</p>

<b>TABLE B.2                      EVALUATION OF EXISTING HOUSING ELEMENT                      CITY OF TULARE                      2015</b>			
<b>2009-2014 Housing Element                      Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<b>Policy 7. Housing Rehabilitation and conservation</b>			
<b>Action Plan 1) Rehabilitation with HOME AND CalHOME Funds</b> The City will provide loans for housing rehabilitation and grants for emergency repairs for very low-and low-income households living in the city. The City will actively participate in outreach efforts to make known to city residents that the program is available.	Ongoing	2009 CDBG Rehab: 1 LI Emergency Repair: 2VLI Brush with Kindness: 5LI  2010: CDBG Rehab: 1 LI Emergency Repair: 1VLI Brush with Kindness: 5LI  2011: CDBG Rehab: 0 Emergency Repair: 5VLI Brush with Kindness: 2LI  2012: CDBG Rehab: 0 Emergency Repair: 2VLI, 1 ELI Brush with Kindness: 1VLI  2013: CDBG Rehab: 0 Emergency Repair: 1 ELI Brush with Kindness: 0  2014: CDBG Rehab: 0 Emergency Repair: 0 Brush with Kindness: 0  The City is evaluating the opportunity to reinstate the Emergency Repair and Brush	Continue

**Tulare Housing Element**

<b>TABLE B.2                      EVALUATION OF EXISTING HOUSING ELEMENT                      CITY OF TULARE                      2015</b>			
<b>2009-2014 Housing Element                      Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
		with Kindness programs through the CDBG funding. Such programs would be reinstated with the City's FY 2016-2017 entitlement.	
<b>Action Plan 2) RDA Weatherization and Rehabilitation Assistance</b> The City to continue to work with Community, Services, Employment, Training (CSET) will provide weatherization services to lower-income households.	Ongoing	The Redevelopment Agency was dissolved in 2012. However, the City continues to work with CSET to offer utility payment assistance and weatherization services to low-income residents. In 2012 CSET provided 76 low income families with weatherization services.	Continue

<b>TABLE B.2</b> <b>EVALUATION OF EXISTING HOUSING ELEMENT</b> <b>CITY OF TULARE</b> <b>2015</b>			
<b>2009-2014 Housing Element</b> <b>Action Item</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<p><b>Action Plan 3) Minor Housing Rehab Assistance</b></p> <p>The City will provide assistance and support community volunteer groups, clubs, charitable organizations, religious institutions, and other non-profit entities that further minor rehabilitation of the existing housing stock. Minor rehabilitation shall be targeted to very low- and low-income households as well as disabled and senior populations.</p>	<p>Ongoing</p>	<p>This program was funded by the Redevelopment Agency, which was dissolved in 2012. The city of Tulare as Successor Agency has an Emergency Repair Program that provides minor rehab services to address immediate health and safety concerns. Additionally, the agency will be partnering with Habitat for Humanity to provide loans under the Brush With Kindness program, which provides volunteers to make minor rehab repairs for disabled, senior and low-income populations.</p> <p>The City will be looking at utilizing CDBG funds in FY 2016-2107 to reinstate the Brush with Kindness program.</p>	<p>Continue</p>

## Tulare Housing Element

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# Appendix C

## PUBLIC PARTICIPATION AND PUBLIC COMMENTS RECEIVED

**J. Michael Lane, Executive Officers, Building Industry Association Tulare/Kings Counties, July 27, 2015.**

“The Introduction to the Housing Element should emphasize Government Code 65580 paragraph d: ‘Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.’

On Page 63 Water Systems it states that the City provides careful oversight to the system as development occurs. According to Carollo Engineers ‘the City is faced with a significant supply capacity shortfall.’ The Water System paragraph should include a statement that describes the near term improvements needed for system capacity, water supply and water storage to adequately serve existing demand. It should also describe improvements planned for future development through 2023.

In Chapter 4 Constraints lists Development Impact Fees levied by the school districts should be included.

On Page 84 in the next to last paragraph, last sentence states ‘Major infrastructure constraints are primarily in the older parts of the community where the inefficient stormwater drainage system causes localized drainage issues.’ Perhaps in the paragraph the existing deficiencies in the water system could also be discussed in more detail as described in the Technical Memorandum prepared by Carollo Engineers.

Also, in Chapter 4 Constraints the fact that a developer must pay for a Subdivision Water System Analysis in the amount of \$5,580 in order to determine if the City will serve water to the project should be mentioned. A typical 100 lot single family subdivision will add about 0.3% to the overall demand on the water supply. A developer is faced with a sizable fee in order to determine if a parcel is worth buying. No water, no project. The Subdivision Water System Analysis cost is definitely a constraint.

On Page 89 Land Costs it is stated that an acre of vacant, unimproved land that is suitable for single-family development in the city ranges between \$80,000 and \$130,000. The market is more like \$40,000 to \$80,000 per acre.”

## **Tulare Housing Element**

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### **List of attendees: Stakeholder Meeting and Community Workshop, June 2, 2015**

- T. Sharley, Tulare City School District
- D. Terry, Tulare City School District
- S. Canales, Leadership Council
- J. Harman, Tulare Downtown
- M. Smith, Kings/Tulare Council of Governments
- S. Gowin, City of Tulare
- L. Barton, City of Tulare
- B. Brubaker, Tulare Chamber of Commerce
- R. Hunt, City of Tulare
- D. Holkeboer, Habitat for Humanity, Tulare County



September 9, 2015

Traci Myers, Interim Deputy Community Development Director  
City of Tulare  
411 E. Kern Avenue  
Tulare, CA 93274

**Re: City of Tulare's Draft 2015-2023 Housing Element**

Dear Ms. Myers:

We are writing to provide comments on the City of Tulare's Draft 2015-2023 Housing Element (Draft Housing Element). Through our comments, we aim to assist you in creating a Final Housing Element that satisfies the requirements of state housing element law and other applicable laws and regulations. Given our work to advance the goals of residents of various disadvantaged unincorporated communities (DUCs) in Tulare County, including but not limited to Matheny Tract, Lone Oak Tract, The Villa and Soult's Tract, our comments aim to ensure that the Final Housing Element plans for and supports the development of affordable housing to meet its regional housing needs allocation (RHNA) and does not negatively impact but rather supports quality of life in DUCs within the City's Sphere of Influence (SOI).

**1. The Cities' and County's RHNA Should Be Re-Examined**

The Draft Housing Element states that between 2000 and 2014, the City of Tulare experienced a growth rate of 2.5% and that the Regional Transportation Plan / Sustainable Communities Strategy projects that the City's population will grow at an average rate of 1.7% between 2010 and 2040. pp. 4-5. The County of Tulare's 2015-2023 Draft Housing Element states that while the populations in the cities grew by 26% total since 2000, the population in the unincorporated county grew a total of just 2.7% since 2000. p. 3-1. The City of Tulare has been assigned a RHNA of 3,594 units while the County has been assigned 7,081 units.

In light of the significantly higher growth rates of the cities compared to the County and the significantly higher RHNA assumed by the County compared to the cities, we believe that the RHNA for each of the cities and the County should be reexamined by the jurisdictions, including the City of Tulare, and by HCD to determine whether assumption of greater RHNAs by the cities and the corresponding reduction in the County's RHNA would better support the attainment of the region's total RHNA.

## **2. Inadequate Analysis of and Policies and Programs to Address Farmworker Housing Needs**

Government Code § 65583(a)(7) requires that housing elements include an analysis of special housing needs in the jurisdiction, including but not limited to those of the elderly, persons with disabilities, large families, farm workers, families with female heads of households, and families and persons in need of emergency shelter. The California Department of Housing and Community Development's (HCD's) "Building Blocks for Effective Housing Elements" (HCD Building Blocks or Building Blocks) states that, a "thorough analysis of special needs helps a locality identify groups with the most serious housing needs in order to develop and prioritize responsive programs." Building Blocks continues to state that, "[t]he analysis of each special needs group should include the following:

- "quantification of the total number of persons and households in the special housing needs group, including tenure, where possible."
- "A quantification and qualitative description of the need, including a description of the potential housing problems faced by the special needs groups, a description of any existing resources, and an assessment of unmet needs."
- "Identification of potential program or policy options and resources to address the need."

Building Blocks specifies additional subjects of analysis for each special needs group identified in Government Code § 65583(a)(7), including farmworkers, which it advises jurisdictions to consider in designing appropriate programmatic responses.

The Draft Housing Element provides only minimal information about the housing needs of farmworkers in Tulare, despite the significant presence of farmworkers in the region and lack of housing serving that population. The Draft Housing Element estimates that approximately 25,247 permanent and seasonal farm workers reside in Tulare County, and that in 2012, 10% of the City's employed population worked in the agriculture, forestry, fishing, and hunting or mining industry. Yet, just one farmworker housing project exists in Tulare. p. 36.

The Draft Housing Element generally speculates about the housing problems that farmworkers have historically faced yet provides virtually no information about the nature and extent of the actual housing needs facing farmworker populations in the City and County. p. 37. In fact, the Draft Housing Element casually dismisses the particular housing needs of farmworkers, stating, contrary to data provided in the Housing Needs Assessment, that "Because the percent of existing farmworker housing population is small, many of the housing needs of this group are addressed through affordable housing strategies." p. 76.

The Draft Housing Element states that the Agricultural Zoning District permits certain employee housing and that employee housing for less than six persons is permitted in single family zones. It does not, however, complete the analysis by stating what procedural and/or permit

requirements exist for farmworker housing in these and other districts as recommended by Building Blocks.

In addition, the Draft Housing Element contains no policies or programs specifically aimed at addressing the needs of farmworkers. The Final Housing Element must contain additional information and analysis regarding the specific housing needs of farmworkers and include policies and programs to address those needs. To the extent that the Final Housing Element cannot demonstrate that adequate housing exists to meet the needs of farmworkers, “the element must include a program to provide sufficient sites with zoning that permits farmworker housing by right.” HCD Building Blocks. As recommended by HCD’s Building Blocks, the Final Housing Element should also include a program that commits the City to “collaborating with agricultural employers in identifying sites and pursuing funding sources available through HCD and the USDA’s Rural Development programs.”

### **3. The Final Housing Element Must Supplement the RHNA Carry-Over Analysis**

Draft Housing Element Table 3.2 indicates the number of units for which building permits were issued by year categorized by income level. p. 42. Neither the table nor the associated discussion provides any information to allow the reader to verify the accuracy of the unit income categorizations. In particular, the Draft Housing Element does not but should provide details regarding the unit sizes and rents of the 214 multi-family units to support the categorization of those units as affordable to moderate-income populations.

In addition, Table 3.3- Rezoned Sites identifies two vacant sites that were annexed into the City in 2009 which it counts towards its progress in meeting the need for moderate income housing during the 4th Cycle Housing Element planning period. Table 3.3 indicates that those sites were not contained in the 4th Cycle Housing Element rezone program. The Final Housing Element should provide additional information to verify that those sites were actually suitable for the development of moderate-income housing, including information about the availability of infrastructure and public services and any environmental constraints impacting housing development at those sites. The Final Housing Element should also justify the realistic development potential of the final site identified in Table 3.3 (APN 181-010-007) given its small size of 1.7 acres. See HCD Building Blocks (providing standards for analysis of suitability of small sites for development).

The City must increase the unaccommodated housing need to the extent that the City is unable to provide the necessary data noted above to support its current calculation.

### **4. Inadequate 5th Cycle Housing Element RHNA Analysis**

Pursuant to Government Code § 65583(a)(3), the housing element shall contain an “inventory of land suitable for residential development including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to

these sites.” Building Blocks provides additional guidance regarding the contents of a satisfactory analysis of the suitability of parcels. As explained in detail below, the City must supplement its analysis of the sites contained in its inventory in the Final Housing Element in accordance with the requirements set forth in the Government Code and Building Blocks.

**a. Additional Information Necessary to Support Progress Towards Meeting 5th Cycle RHNA**

As with the Draft Housing Element’s RHNA Carry-Over Analysis, the Draft Housing Element Analysis of the City’s progress towards meeting its 5th Cycle RHNA includes 274 planned and/or approved single and multi-family units which it categorizes as affordable to moderate-income populations “based on expected rents” but does not provide information relating to the expected rents of the units to support their categorization. The Final Housing Element must provide such information to justify inclusion of the 274 units in the City’s measurement of its progress towards meeting its 5th Cycle RHNA or remove those units from its calculation.

**b. Justify Inclusion of Small Sites and Underutilized Sites**

Building Blocks states that “parcel size can be a key factor in determining development viability, capacity, and affordability.” It further states that:

“The element should include an analysis demonstrating the estimate of the number of units projected on small sites is realistic or feasible. The analysis should consider development trends on small sites as well as policies or incentives to facilitate such development.”

“To utilize small sites to accommodate the jurisdiction’s share of the regional housing need for lower-income households, the element must consider the impact of constraints associated with small lot development on the ability of a developer to produce housing affordable to lower-income households.” Building Blocks also suggests that the housing element, if applicable, could include a program action that provides for lot consolidation and/or parcel assemblage.

The Draft Housing Element includes numerous small sites that are less than two acres in size but does not provide any information to justify the feasibility of development thereon. We support the City’s aims to encourage infill development, and to that end, the Final Housing Element must demonstrate the suitability of small parcels contained in the sites inventory pursuant to the analysis set forth in Building Blocks and programs and policies that will facilitate development on those parcels.

In addition, the Draft Housing Element includes seven “underutilized sites” which are currently used for agricultural purposes. The Draft Housing Element does not explain why it believes that conversion of these sites from agricultural to residential uses can be expected to occur within the

planning period. The Final Housing Element must providing supporting information to justify the City's inclusion of these sites in the inventory.

**a. Lack of Information about Environmental Constraints to Development of Sites Included in the Inventory**

The Draft Housing Element dismisses the existence of any environmental constraints which could impact the feasibility of development on any of the sites identified in the sites inventory. However, Draft Housing Element Chapter 4, "Constraints", indicates that the existence of freeway corridors and railroad tracks running north-south through the City generate noise and health hazards which may exceed acceptable standards and limit housing development. p. 90.

Figure 3.1, Sites Inventory, shows potential housing sites located along Highway 99 and near the railroad tracks, including a significantly sized area designated for higher density residential (RM3) development near the intersection of Highway 99 and Paige Avenue. The Final Housing Element must explain how noise, pollution, and other environmental impacts might undermine the suitability of these and other sites contained in the sites inventory. The Final Housing Element must include policies and programs to ensure that impacts are reduced to acceptable levels; that housing development may reasonably be expected to occur on the sites or eliminate the sites from the inventory; and that sites designated for higher density and/or lower-income housing development are not disproportionately impacted by noise, pollution, and other environmental impacts associated with the highway and railroad.

**b. Inadequate Description of Water and Wastewater Infrastructure and Service Capacity**

**i. Lack of Information about Availability of Infrastructure and Services at Sites Included in the Sites Inventory**

The Draft Housing Element does not provide any information regarding the existence and/or availability of water and wastewater infrastructure and services on sites included in the inventory or identified for potential rezoning. However, the Draft Housing Element recognizes that financing the cost of infrastructure constitutes a significant constraint to residential development and that the costs of infrastructure development are "typically passed along by increasing the cost of housing and rents". p. 89.

The Final Housing Element must demonstrate that the sites included in the inventory are suitable for development at the anticipated densities by indicating whether water and wastewater infrastructure and services are currently available at each site identified in the inventory. If any sites lack sewer and water infrastructure and services, the Final Housing Element must explain why the development of housing at the densities and affordability levels indicated in the inventory for the respective sites is reasonable. The Element must further include policies and

programs to support the provision of infrastructure and services at the sites as needed to ensure the feasibility of the development of housing at the anticipated densities during the planning period as well as policies and programs necessary to ensure adequate affordability of housing on the identified sites.

As discussed in greater detail below, the policies and programs should include the prioritization of the delivery of water and wastewater infrastructure and services as necessary to meet the need for affordable housing and infrastructure needs of existing communities within and adjacent to City boundaries and the City's sphere of influence. Similarly, the City must prioritize the provision of water and wastewater infrastructure to those communities with which the City has a commitment to provide water and wastewater for residential uses, including but not limited to Matheny Tract.

## **ii. Insufficient Information about Wastewater Treatment Demand and Capacity**

The Draft Housing Element does not provide necessary information regarding the sufficiency of the City's wastewater system capacity to meet its RHNA. Section 3.5, "Infrastructure Capacity", includes a brief discussion of the City's wastewater treatment and water service capacity. The description states that the City's domestic wastewater treatment plan has a design capacity of 6.09 million galls per day (mgd) and that "design is underway" to increase that capacity to 12.0 mgd. The description must provide information about the current demand for wastewater treatment services by domestic users in the City and the time frame in which enhancement of the City's wastewater treatment capacity to 12.0 mgd is expected to occur.

The Draft Housing Element also does not provide information about the City's existing or potential future commitments to provide service, including to residents of disadvantaged unincorporated communities (DUCs) located within and adjacent to the City's sphere of influence. For example, pursuant to Tulare LAFCO Resolution 10-015, the City is obligated to provide Matheny Tract residents who desire sewer service from the City with such services once wastewater infrastructure becomes available in Matheny Tract. Similarly, Soult's Tract residents lack sewer service and due to its location immediately outside of City limits, could likely be best served through connection to the City's sewer system. The Final Housing Element must analyze existing and future demand for sewer service – including by DUCs - and City capacity to meet those demands as well as those associated with meeting its RHNA. The City should harmonize this analysis with its SB 244 analysis (due no later than its adoption of its 5th Cycle Housing Element on December 31, 2015) by including the need for sewer service by DUCs located within and adjacent to the City's SOI (including The Villa, Matheny Tract, Soult's Tract, and Lone Oak Tract) and programs and policies necessary to secure wastewater service for those communities. Through these policies and programs, the City should prioritize provision of waste water service to existing communities, including DUCs outside of City limits, and identify and commit to the steps necessary for the implementation of this prioritization.



DUCs outside of the City limits are likely to have a disproportionate share of low-income and extremely low-income households; farmworkers; residents of color, including but not limited to Latino immigrants; non-English and Limited English Proficient speakers; and disabled compared to residents of the City. Denial of water and/or wastewater services to and/or failure to plan for the provision of such services to these communities would effectively deny community members enjoyment of residence therefore be null and void as a violation of Government Code § 65008.

The Final Housing Element must analyze the City's ability to provide wastewater service necessary to accommodate the need for housing in accordance with its 5th Cycle Housing Element in light of current and anticipated treatment capacity and existing and potential demand for services. The Final Housing Element must include policies and programs to ensure that the City has sufficient capacity to support achievement of its RHNA and its commitments to provide services during the planning period.

### **iii. Insufficient Information About Water Service Demand and Capacity**

Like its analysis of its wastewater treatment capacity, the Draft Housing Element analysis of the City's ability to supply water to meet the demand associated with current and potential future customers and to support development to meet its RHNA is inadequate.

The Draft Housing Element includes only a brief discussion of the City's water system in which it recognizes that City sources its water from groundwater and the City owns and operates its own water system; assures the reader that the "City provides careful oversight to the system as new development occurs", and indicates that current capacity of the system is 30.4 mgd while peak and average demand in 2014 were respectively 22.7 and 16.4 mgd. p. 63.

The Draft Housing Element must include information and analysis regarding the sufficiency of City water supplies to meet the City's RHNA during the planning period and to provide for existing and potential future customers. The Final Housing Element should provide information regarding the demand from anticipated new development as well as DUCs to which the City is obligated or may become obligation to provide water service. The City has issued approvals for the development of hundreds of new market rate housing units over the past year, which could impact the City's ability to provide water to meet its RHNA, other pre-existing commitments to provide water, and DUCs outside of City limits but within the City's SOI. The City must prioritize, through policies and programs in the housing element, the provision of water to existing communities and for affordable housing.

..

The Draft Housing Element also makes no mention of the current drought, now in its fourth year, or its impact on the City water supply, including through the reduction in groundwater levels. The City has withheld providing potable water to Matheny Tract and Soult's Tract despite its

existing commitments and contractual obligations to do so, at least in part, on the City's assertions that it lacks adequate water supply to provide the water to those communities. The Final Housing Element must address how the drought and its impact on the City's water supply could impact the City's ability to provide water necessary to meet its RHNA and as required pursuant to other commitments made by the City. The Final Housing Element must include policies and programs that commit the City to take any and all steps necessary to ensure its ability to provide water to meet its RHNA along with its other commitments to provide water to existing communities, including to Matheny Tract and Soult's Tract. As mentioned above, the denial and/or failure to plan for the provision of potable water to DUCs within the City's SOI such as Matheny Tract and Soult's Tract could constitute denial of enjoyment of resident in violation of Government Code § 65008 as such be null and void.

The Final Housing Element must also contain analysis, policies, and programs that demonstrate compliance with SB 1087's requirement that water and sewer providers grant priority for service allocations to proposed developments that include housing units affordable to low income households. The increasing scarcity of and competing demands for water due to the ongoing drought make the City's compliance with SB 1087 all the more critical.

The Final Housing Element should also include an analysis of the Sustainable Groundwater Management Act (SGMA), its implementation in Tulare, and its implications for future development. As SGMA promises to transform and is already transforming the way local jurisdictions must relate to land use, water, and the interconnections between the two, a Final Housing Element lacking such analysis risks being inaccurate and incomplete.

### **c. Conflicting General Plan Land Use Designations and Zoning**

Table 3.7 includes various sites with apparently inconsistent land use designations and zoning. These sites include but are not limited to the following:

- Sites designated as D-MDR and zoned RM3, including the second through tenth entry in table 3.7. Table 3.7 identifies a density range of 21.787 units per acre (upa) for these parcels. However, according to the City of Tulare's General Plan, the MDR (Medium Density Residential ) land use designation allows a density range of only 7.1 units per acre to 14.0 units per acre.
- Sites designated D-MDR and zoned RM2. Table 3.7 denotes a density range of 14.52 upa which is inconsistent with the density range of 7.1 to 14.0 upa established by the General Plan for sites designated D-MDR..
- Sites designated B-RE and zoned R-1-12.5. Table 3.7 identifies a density range of 3.48 upa, yet the General Plan establishes a density range of 2.1 to 3.0 for the B-RE land use designation.

The Final Housing Element must demonstrate that conflicting land use designations and zoning of the sites identified in the inventory does not pose a barrier to the development of housing in accordance with the total realistic potential identified for the respective sites. If it cannot do so, the City must remove the sites from the site inventory;; reduce the total realistic potential for respective sites as needed to ensure accuracy; or adopt policies and programs to ensure the immediate elimination of the barrier to the development of housing created by the conflicting land use designations and zoning upon adoption of the housing element.

**d. Insufficient Information to Support Potential Rezone Sites**

The Draft Housing Element includes insufficient information to justify its selection of the sites identified in Table 3.9 – Potential Rezone Sites. The Final Housing Element must include information regarding the current use of the sites identified, the likelihood of the conversion of the sites for future development at the anticipated density, and, as discussed in Section 1(a) above, the availability of infrastructure and public services at the sites identified.

**e. Lack of Fair Housing Analysis for Selected Sites**

The Draft Housing Element contains no discussion of the extent to which the sites contained in the sites inventory comply with state and federal civil rights and fair housing requirements to further housing opportunities for all residents, including by creating opportunities for affordable housing outside of areas of concentrated poverty.

According to the San Joaquin Valley Fair Housing and Equity Assessment (FHEA), in which the City of Tulare participated in developing, Tulare continues to exhibit highly concentrated White neighborhoods where over 70% of residents are white. pp. 20, 22. The Final Housing Element must include an analysis that incorporates this and other available data regarding isolation by race, racially and ethnically concentrated poverty, and access to opportunity across neighborhoods to assess the extent to which the sites contained in the sites inventory expand access to affordable housing, a safe neighborhood, and essential resources and amenities. The Final Housing Element must include a modified sites inventory to the extent necessary to ensure that the inventory further fair housing and access to opportunity for all residents, including members of protected classes. See e.g., 42 U.S.C. §§ 3601, et seq.; 42 U.S.C. § 2000d; Gov. Code § 11135.

**5. The Final Housing Must Commit to Undertake Specific Program Actions Within Established Timeframes**

Government Code § 65583(c) provides that each housing element shall contain:

“A program which sets forth a schedule of actions during the planning period, each with a timeline for implementation,...such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to

undertake to implement the policies and achieve the goals and objectives of the housing element...”

Building Blocks further states that:

“Programs are specific action steps the locality will take to implement its policies and achieve its goals and objectives. Programs must include a specific time frame for implementation, identify the agencies or officials responsible for implementation and describe the jurisdiction’s specific role in implementation.” (underline added)

The Draft Housing Element’s definition of “Implementation Program” is clearly at odds with the direction of Government Code § 65583(c) and the Building Blocks. The definition reads:

“An action, procedure, program, or technique that carries out the policy. Implementation programs also specify primary responsibility for carrying out the action and an *estimated timeframe* for its accomplishment. *These timeframes are general guidelines and may be adjusted based on City staffing and budgetary considerations.*” p. 98. (italics added)

The City must commit through its housing element to “specific time frame[s]” for the implementation of each of the programs contained therein. Those time frames must be established so as to result in “beneficial impacts of the programs within the planning period”. Government Code § 65583(c). The Final Housing Element must include a revised definition of “Implementation Program” which demonstrates the commitment to adhere to the specific implementation programs and timelines established therein.

#### **6. Include Implementation Programs to Ensure Effective Mitigation and Elimination of Constraints to Housing**

As mentioned above, Government Code § 65583(c) requires that each housing element contain a program of actions, “such that there will be beneficial impacts of the programs within the planning period”, that the local government will undertake to “implement the policies and achieve the goals and objectives of the housing element...” The Housing Element must include implementation programs to “[a]ddress, and where legally possible and appropriate, remove governmental constraints to the maintenance, improvement, and development of housing”. Government Code § 65583(c).

The Draft Housing Element fails to adopt programs to implement various policies contained therein that address requirements of state law and/or governmental constraints to housing. For example, the Draft Housing Element lacks implementation programs for Policy B-5, B-6, B-7 , C-1, and G-3 which respectively provide as follows:

- “The City shall support and assist to the extent possible, the construction of secondary dwelling units on single family designated and zoned parcels as a means of providing [sic] affordable housing.”
- “In accordance with the provisions of State law, the City shall grant density bonuses for qualifying projects as an incentive for the development of lower-income and senior citizen housing.”
- “The City shall support lot consolidation to encourage the development housing for lower-income households.”
- “The City encourage and support [sic] developers to supply housing that is accessible and affordable to extremely low-income residents and special needs groups, including: the disabled, large families, female-headed households with children, seniors, farm workers, and the homeless.” (The Draft Housing Element contains no specific program actions to support the development of housing for various special needs groups, including farmworkers and extremely low-income residents).
- “The City shall seek to eliminate incompatible land uses or blighting influences from residential neighborhoods through cooperative neighborhood improvement programs, targeted code enforcement, and other available regulatory measures.”

The Draft Housing Element further contains *no* implementation programs and *no* timelines for specific actions with respect to the six policies set forth under Goal F, “Removal of Governmental Constraints”. Effective implementation of these and other policies lacking implementation programs are essential to meeting the housing element statutory requirements that jurisdictions commit to actions to address and where possible, eliminate governmental constraints to affordable housing. The Final Housing Element should include programs (as defined by Building Blocks, “specific action steps”) to ensure the effective implementation of the policies contained therein and compliance with the requirements set forth in Government Code § 65583(c).

In addition, the Draft Housing Element’s four general policies and two programs relating to the promotion of fair housing will do not address and are likely to have little impact on the specific fair housing needs that impact particular protected classes in Tulare. The Final Housing Element should include specific policies and programs tailored to the fair housing constraints that exist in Tulare and which will have a beneficial impact in the planning period. The FHEA – prepared in collaboration with and vetted by staff of 14 cities in the San Joaquin Valley, including the City of Tulare – includes policy and program recommendations relating to a range of fair housing issues identified in the San Joaquin Valley. We recommend that the City supplement its fair housing analysis with data and information contained in the FHEA and incorporate policies recommended by the FHEA into the Final Housing Element as appropriate.

Traci Myers  
September 9, 2015  
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Thank you for your consideration of our comments. Please contact Ashley Werner at (559) 369-2786 to find a time when we can discuss them in person.

Sincerely,



Ashley Werner  
Attorney

Cc: Harrison Anixter, State Department of Housing and Community Development  
Paul McDougall, State Department of Housing and Community Development

## PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500  
LOS ANGELES, CA 90013



March 21, 2016

Traci Myers  
City of Tulare  
411 East Kern Avenue  
Tulare, California 93277

Dear Traci:

SUBJECT: SCH 2016031060 Tulare (TULARE) 2015-2023 Housing Element Update - DND

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings in California. The Commission Rail Crossings and Engineering Branch (RCEB) has received the draft *Negative Declaration (DND)* for the proposed City of Tulare (City) 2015-2023 Housing Element Update.

The project area includes active railroad tracks. RCEB recommends that the City add language to the Housing Element Update so that any future development adjacent to or near the railroad/light rail right-of-way (ROW) is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade crossings. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act. Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade crossings due to increase in traffic volumes, and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad ROW.

If you have any questions in this matter, please contact me at (213) 576-7076, [ykc@cpuc.ca.gov](mailto:ykc@cpuc.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Chiang".

Ken Chiang, P.E.  
Utilities Engineer  
Rail Crossings and Engineering Branch  
Safety and Enforcement Division

C: State Clearinghouse