Newsletter #2: Public Review Draft Housing Element

Public Review Draft Housing Element

We are excited to announce the release of the Public Review Draft 2023-2031 Housing Element. The Public Review Draft Housing Element is available on the Housing Element website (housevisalia.com) and will be available for public comment through July 10, 2023. This newsletter provides an overview of the Housing Element, including a discussion of the major chapters.

Send us your comments:

To comment on the Public Review Draft, please use the green "Comments" button on the project website (housevisalia.com).

To email comments directly to the Project Team, please email Brandon Smith, Principal Planner at: brandon.smith@visalia.city

What is a Housing Element?

The purpose of the Housing Element is to identify and analyze existing and projected housing needs in order to preserve, improve, and develop housing for all economic segments of the community.

The Housing Element consists of three parts, the Needs Assessment, a Policy Document, and a Fair Housing Analysis. The Needs Assessment analyzes existing housing conditions and projected housing need through 2031, and includes analyses of housing needs and constraints to housing production and an inventory of sites available for residential use. The Policy Document includes goals, policies, and programs that respond to the housing needs, constraints, and issues identified in the Needs Assessment and serves as the City's housing action plan for the next eight years. The Fair Housing Analysis identifies fair housing issues in the community and meaningful actions the City can take to work to overcome these issues.

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Have questions?

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Overview and Remaining Schedule

What does a Housing Element do?

- Provides an assessment of both current and future housing needs
- Identifies opportunities and constraints on housing production
- Establishes goals, policies, and programs to meet housing needs
- Updates City practices and regulations to reflect new State laws

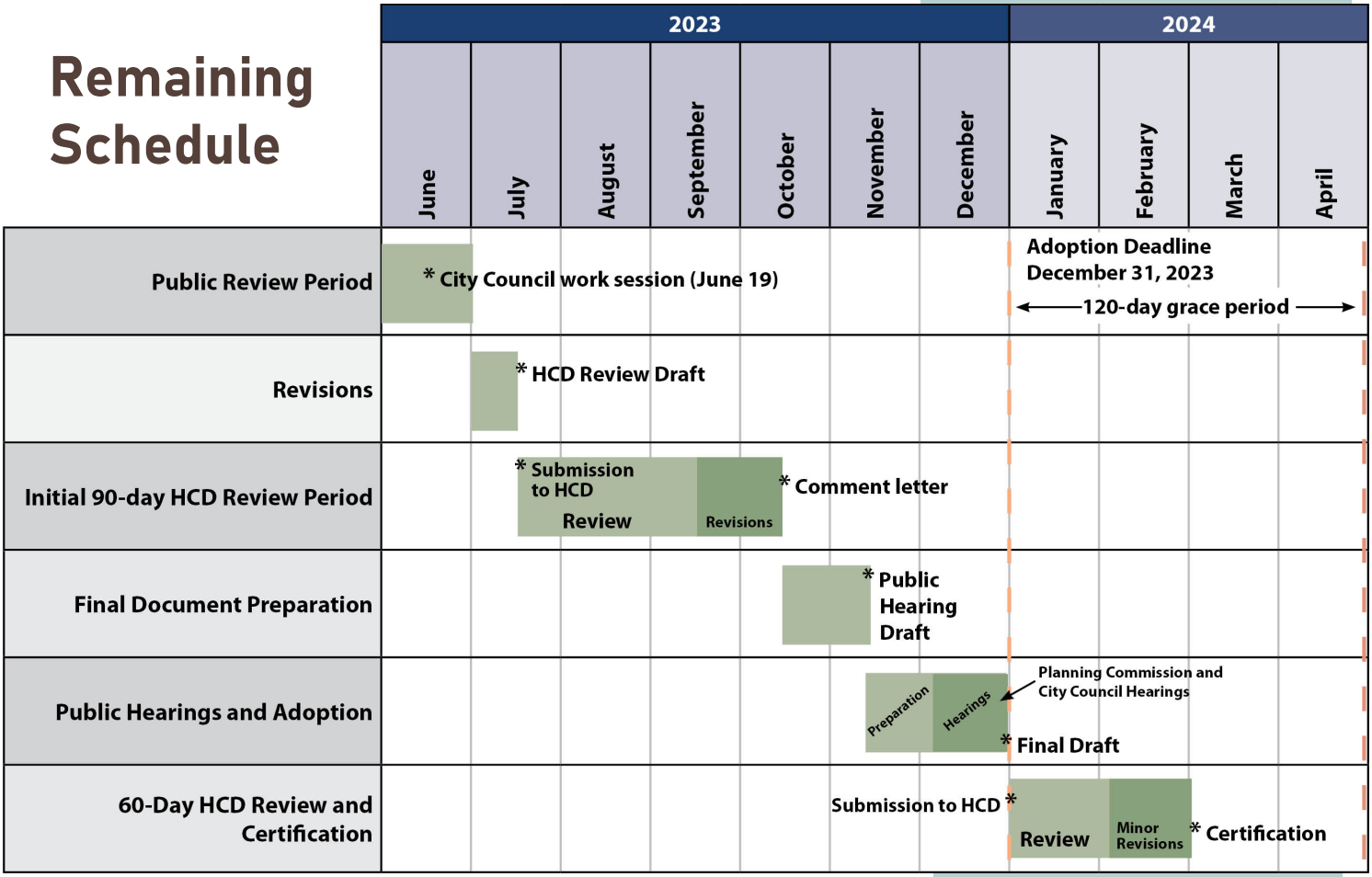
Why are we updating the Housing Element?

- Updates are required by State law in eight year "cycles"
- Deadline for adoption is December 31, 2023
- Without a compliant Housing Element:
  - » The General Plan could be deemed inadequate and therefore invalid
  - » A non-compliant or invalid General Plan creates the potential for the City to be sued when making land use decisions
  - » The City would be ineligible for several Federal and State housing, community development, and infrastructure funding and grant programs

Next Steps:

1. Revise the Public Review Draft Housing Element to respond to public input and comments from the City Council
2. Submit the revised Draft to the California Department of Housing and Community Development (HCD) for initial 90-day review
3. Revise the Draft based on HCD's comments
4. Hold public hearings with the Planning Commission and City Council to consider the revised Housing Element

Remaining Schedule



HCD = California Department of Housing and Community Development

Housing Element Contents

The Housing Element identifies and analyzes the existing and projected housing needs, documents constraints to housing production, provides a list of sites for housing development that are adequate to accommodate the City's regional housing needs allocation, analyzes fair housing issues, and creates an action plan to provide for the housing needs of the community for the next eight years. An outline of the Housing Element is provided below and key chapters are explained on the following pages.

Housing Element Organization

The Housing Element is organized under the following chapters:

1. Introduction and Public Participation
2. Existing and Special Needs Housing Assessment
3. Zoning for a Variety of Housing Types
4. Constraints
5. Site Inventory and Analysis
6. Goals, Policies, and Programs
7. Affirmatively Furthering Fair Housing

Engagement events to date:

- City Council Work Session
- Community Workshops (2)
- Stakeholder Interviews
- Housing Needs Survey (English and Spanish)
- Site Inventory Mapping Exercise
- Housing Element Technical Advisory Committee Meetings (3)

Public Participation

As part of the Housing Element update process, the City implemented the State's public participation requirements in Housing Element law. In response to the need for public participation, City planning staff worked with the consultants to develop a robust community engagement program tailored to ensure the community and other stakeholders are engaged in the process and are given ample opportunities to provide input.

Project Website (housevisalia.com)

The project website serves as a central hub for information related to the 2023-2031 Housing Element Update and associated General Plan Updates. The webpage provides easy access to information on the project, including information and details about documents, surveys, and events, a "Comments" button on each page where residents can provide their thoughts to the project team 24/7, and a link to sign up for the email list. To enhance accessibility, the project website includes a built-in translator to convert the website to Spanish and provided a range of accessibility tools to enhance website accessibility in compliance with the Americans with Disabilities Act (ADA).

Stakeholder Interviews

Throughout December 2022 and January 2023, Mintier Harnish, consultants for the City, conducted one-on-one and small group interviews with local housing developers, agencies, and housing and community health advocates to gain an understanding of the housing conditions, issues, and opportunities in the city. The input received during these interviews provides context to the consultants on housing needs and constraints in the community.

Housing Needs Survey

A Housing Needs Survey was distributed digitally and in hardcopy at events and city offices. The surveys were accessible to the public from November 1, 2022, to January 15, 2023. Additionally, in-person informational tables were set up at three locations: a monthly community food pantry hosted by Family Services in December 2022, during a weekly Visalia Farmers Markets in January 2023, and a Visalia Home & Garden show in February 2023. A total of 273 residents completed the English survey, and 19 residents completed the Spanish survey.

Existing and Special Needs Housing Assessment

This section discusses the existing housing needs of the city based on housing, demographic, and employment characteristics and summarizes the housing needs of "special" population groups as defined in State law. The purpose of this chapter is to establish "baseline" population, employment, and housing characteristics for Visalia. A description of each section of the chapter, as well as example tables are presented below.

Demographic and Employment Profile

This section analyzed the population of Visalia by age, race and ethnicity, household income, and employment characteristics and provides comparisons to the County and State. The table below compares population change from 2000 to 2020 for Visalia, Tulare County, and California. As shown Visalia has grown at a rate that outpaces growth in the county and state.

Population Change
Visalia, Tulare County, and California
2000, 2010, 2020

	Visalia			Tulare County			California		
	2000	2010	2020	2000	2010	2020	2000	2010	2020
Population	91,891	124,442	141,384	368,021	442,179	473,117	33,871,648	37,253,956	39,538,223
Growth from Previous Period	-	32,551	16,942	-	74,158	30,938	-	3,382,308	2,284,267
CAGR from Previous Period	-	3.08%	1.29%	-	1.85%	0.69%	-	0.95%	0.60%

Source: U.S. Census Bureau, Census 2000, 2010; Social Explorer tables for Census 2020.

Household Characteristics and Housing Supply

The section provides an analysis of household characteristics, such as household population, composition, size, tenure, and overcrowding. More simply stated, it summarizes the profile of Visalia residents living in private households, whether they are renters or owners, how many people live in a household, and if it is overcrowded. The section also analyzes the city housing inventory and supply, including a discussion of vacant units. The table below shows the percentage of households that are owner- or renter-occupied and compares these totals to the county and state.

Owner-Occupied and Renter-Occupied Housing Units
Visalia, Tulare County, and California
2012 and 2020

	Visalia		Tulare County		California	
	Number	Percent	Number	Percent	Number	Percent
2012						
Owner-Occupied	23,721	56.9%	75,044	56.6%	6,781,817	54.0%
Renter-Occupied	17,996	43.1%	57,570	43.4%	5,770,841	46.0%
TOTAL	41,717	100.0%	132,614	100.0%	12,552,658	100.0%
2020						
Owner-Occupied	25,950	59.2%	79,353	57.1%	7,241,318	55.3%
Renter-Occupied	17,917	40.8%	59,691	42.9%	5,861,796	44.7%
TOTAL	43,867	100%	139,044	100%	13,103,114	100%

Source: Tulare County Association of Realtors; Zillow, accessed February 2023

Housing Affordability

Identifying and evaluating existing housing needs are a critical component of the housing element. This requires comparison of resident incomes with the local cost of housing. The analysis helps local governments identify existing housing conditions that require addressing and households with housing cost burdens or unmet housing needs. This section includes an analysis of housing cost burden, ability to pay for housing, and the cost of housing. The table below examines median home prices in Visalia from 2010 to 2022. As shown, prices have more than doubled over this time period.

Median Prices of Existing Homes and New Home Construction Visalia 2010 to 2022							
	2010	2012	2014	2016	2018	2020	2022
Median Price	$153,200	$148,850	$194,900	$220,000	$256,950	$322,595	$372,961
Percent Change	-23%	-3%	31%	13%	17%	26%	16%
New Construction	N/A	$222,889	$265,286	$326,743	$288,304	$337,540	$369,450
Percent Change	N/A	N/A	19%	23%	-12%	17%	9%

Source: Tulare County Association of Realtors; Zillow, accessed February 2023

Special Housing Needs

Within the general population of Visalia 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. This section discusses the special housing needs of six groups identified in State housing law: "elderly, persons with disabilities, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter." The table below show data related to seniors. The table below compares senior population and household totals for Visalia, Tulare County, and California.

Senior Populations and Households Visalia, Tulare County, and California 2020						
	Visalia		Tulare County		California	
	Number	Percent	Number	Percent	Number	Percent
Population						
TOTAL POPULATION	133,100	100.00%	463,955	100.00%	39,346,023	100.00%
TOTAL SENIORS	17,512	13.16%	52,826	11.39%	5,644,497	14.35%
Male	7,559	5.68%	23,886	5.15%	2,511,445	6.38%
Female	9,953	7.48%	28,940	6.24%	3,133,052	7.96%
Households						
TOTAL HOUSEHOLDS	43,867	100.00%	139,044	100.00%	13,103,114	100.00%
Households with one or more people 65 years and over	12,795	29.17%	37,461	26.94%	3,923,027	29.94%
1-person household	4,659	10.62%	11,121	8.00%	1,256,365	9.59%
2-person household	8,136	18.55%	26,340	18.94%	2,666,662	20.35%
- Family households	7,894	18.00%	25,609	18.42%	2,501,617	19.09%
- Nonfamily households	242	0.55%	731	0.53%	165,045	1.26%
Senior householder owner-occupied	7,816	61.09%	22,482	60.01%	2,340,689	59.67%
Senior householder renter-occupied	2,747	21.47%	7,494	20.00%	858,161	21.87%

Source: U.S. Census, American Community Survey, 2020 (5-year estimate), B11007, B25007, S0101.

Zoning for a Variety of Housing Types

State Housing Element Law (Government Code Sections 65583 and 65583.2) requires local governments to analyze the availability of zoning for a variety of housing types to promote a diverse housing stock (i.e., price, style, size). Having a variety of housing types contributes to neighborhood stability by offering more affordable housing options that meet the needs of different households. This section describes the zoning regulations for a variety of housing types topics and identifies regulations that are out of compliance with State law. When compliance issues are identified, the Housing Element must include a program committing the City to modifying the zoning code to bring it into compliance. Topics discussed in this section include:

- **Density Bonuses.** California Government Code requires local governments to provide density bonus provisions to projects that comply with specific standards. In 2021, the City of Visalia updated its Zoning Ordinance to default to State law in regard to density bonuses. Since the City defers to State law, the City is in compliance with State law.
- **Multifamily Rental Housing.** Multifamily residential developments (80 units or less) are permitted by-right in the R-M-2 and R-M-3 zoning districts. Any proposed multifamily housing development with over 80 units in size requires a Conditional Use Permit (CUP). However, requiring a CUP for all developments over 80 units can constrain housing development on larger lots. In response to this potential constraint the Housing Element includes a program committing the City to increasing this CUP requirement threshold from 80 to 200 units.
- **Manufactured (Factory-Built) Homes.** California Government Code Sections 65852.3 and 65852.4 requires jurisdictions to allow the installation of manufactured homes on a foundation in the same manner and zones as all lots zoned for conventional single-family residential dwellings. Visalia's zoning regulations are consistent with State law.
- **Mobile Homes and Mobile Home Parks.** Section 69852.7 of the California Government Code specifies that mobile home parks shall be an allowed use on "all land planned and zoned for residential land use." City regulations comply with State law on this topic.
- **Farmworker / Agricultural Employee Housing.** California Health and Safety Code Sections 17021.5 and 17021.6 requires employee housing for six or more to be considered a single-family dwelling, and housing up to 36 beds in group quarters or 12 single-family units to be considered an agricultural use. The Zoning Code was updated in 2020 for compliance with State law.

- **Supportive and Transitional Housing.** State law requires local jurisdictions to permit transitional and supportive housing as a residential use in all zones where residential uses are allowed and are not subject to any restrictions not imposed on similar residential dwellings (i.e., single-family, multifamily) of the same type in the same zone. The City of Visalia is in compliance with State law, except in the O-C zone where transitional and supportive housing requires a Conditional Use Permit, but allows residential units as a mixed use in an existing building containing one or more commercial or office uses by-right. The Housing Element includes a program to allow these uses in the O-C zone.
- **Single-Room Occupancy Units (SROs).** State law requires local jurisdictions to identify zoning and development standards that allow and encourage new SRO construction and include programs in their housing elements that commit to the preservation and rehabilitation of existing residential hotels and other buildings for SROs. The City is in compliance with State law related to SROs.
- **Emergency Shelters.** State law requires local jurisdictions to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use permit. In compliance with State law, emergency shelters are permitted by-right in the Light Industrial (I-L) zone, which has enough vacant and underutilized land to provide potential capacity to accommodate residents experiencing homelessness in the city.
- **Low Barrier Navigation Centers.** With the passage of Assembly Bill 101 in 2019, a Low Barrier Navigation Center (LBNC) is required to be permitted by-right in zones where mixed use and nonresidential zones permitting multi- family uses are permitted. Residential uses are allowed in any commercial, office, or industrial zone district with a conditional use permit. In compliance with State law, LBNCs are also allowed uses in these zones with a conditional use permit.
- **Accessory Dwelling Units (Second Dwelling Units).** An accessory dwelling unit (ADU), also referred to as a second dwelling unit, is an additional self-contained living unit, either attached to or detached from the primary residential unit on a single lot. In recent years, the State has passed several laws to further encourage ADU development. The City of Visalia's ADU Ordinance was last updated in 2017 and is not in full compliance with State ADU law. However, the City is currently undertaking an update to its ADU Ordinance to bring the City into compliance with the changes to State law that took effect between 2017 and 2023.

Constraints

State law (Government Code Section 65583(a)(5) and (6)) requires local governments to review both governmental and non-governmental constraints to the maintenance and production of housing for all income levels. Local governmental actions such as zoning, development standards, and permitting fees can restrict housing development by increasing the cost and timeline of projects. State law also requires the housing element to establish program(s) that set forth actions to "address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities" (Government Code Section 65583(c)(3)).

Governmental Constraints

It is in the public interest for the government to regulate development to protect the health, safety, and general welfare of the community. Governmental regulations can directly influence, positively or negatively, the supply and production of housing in the community through zoning, land use controls, development standards, impact fees, on- and off-site improvement requirements, government codes and enforcement, and permitting and processing procedures. By reviewing local conditions and regulations that impact the development of housing, a local government can prepare for future growth by implementing policies and actions that protect the public health, safety, and welfare without unduly constraining housing production.

This section discusses government regulations in the City of Visalia and assesses whether any are a potential constraint to affordable housing development.

Potential Environmental Constraints

This section discusses potential environmental constraints to housing development in Visalia. Topics discussed in this section include:

- Flooding
- Hazardous Materials and Sites
- Noise

Non-Governmental Constraints

The availability and cost of housing is strongly influenced by market forces over which local governments have little or no control. Nonetheless, State law requires that the Housing Element contain a general assessment of these constraints, which can serve as the basis for actions to offset their effects.

All resources needed to develop housing in Visalia are subject to the laws of supply and demand, meaning that these resources may not always be available at prices which make housing development affordable. Thus, cost factors are the primary non-governmental constraints upon development of housing in Visalia. This is particularly true in the case of housing for lower and moderate-income households, where basic development cost factors such as the cost of land, required site improvements, and basic construction are critical in determining the income a household must have to afford housing.

This section analyzes non-governmental constraints in the City of Visalia, which include the availability and cost of financing affordable housing, land costs, and construction costs.

Site Inventory and Analysis

Government Code Section 65583(a)(3) requires local governments to prepare an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment. The purpose of the sites inventory is to identify specific sites that are suitable for residential development in order to compare the local government's regional housing needs allocation (RHNA) with its residential development capacity, as shown in the table below.

The Regional Housing Needs Allocation (RHNA)

The RHNA represents the minimum number of market rate and below market rate housing units each community is required to plan for by providing "adequate sites" through zoning.

The California Department of Housing and Community Development (HCD) and the Tulare County Association of Governments determine the number of housing units allocated for each city and county. The City, through the sites inventory, needs to identify land suitable for residential development that meets this need, including a required 15-30 percent buffer.

Through the Draft Housing Element, the City has identified sufficient capacity to meet the RHNA, with sufficient buffer, as shown in the table below. The Site Inventory and Analysis chapter maps residential sites and describes the methodology for calculating residential capacity. Please note, the properties identified have potential for residential development due to current or proposed zoning, however, owners are not compelled to develop or redevelop their property. Market forces will continue to drive development trends.

Regional Housing Needs Allocation and Sites Inventory, Visalia

	Lower Income		Moderate Income	Above Moderate Income	Total RHNA
	Very Low Income	Low Income			
Visalia RHNA	**3,741**	**2,306**	**1,321**	**3,423**	**10,791**
Credits toward the RHNA					
Pending Projects	468	877	1	0	1,346
ADU Trends	0	0	0	64	64
Remaining RHNA	**4,702**		**1,320**	**3,359**	**9,381**
Sites Inventory					
Sites Inventory	5,858		1,713	5,019	12,590
Total Credits + Sites	**6,326**		**1,713**	**5,083**	**14,000**
Surplus	**1,156**		**393**	**1,660**	**3,209**
Total % Buffer	**25%**		**30%**	**49%**	**34%**

Income Categories

A Very Low-Income Unit is one that is affordable to a household whose combined income is less than 50 percent of the Area Median Income (AMI), or $32,400 for a 4-person household.

A Low-Income Unit is one that is affordable to a household whose combined income is at or between 51 and 80 percent of the AMI, or $32,401 and $51,850 for a 4-person household.

A Moderate-Income Unit is one that is affordable to a household whose combined income is at or between 81 and 120 percent of the AMI or $51,851 and $77,775 for a 4-person household.

An Above Moderate-Income Unit is one that is affordable to a household whose combined income is above 121 percent of the AMI or $77,775 for a 4-person household.

Goals, Policies, and Programs (Policy Document)

The Policy Document includes goals, policies, implementing program, and quantified objectives for the development, rehabilitation, and preservation of housing. The Policy Document is an action plan that reacts directly to the findings of the Housing Needs Assessment and input from the community. The City will implement the actions specified in the Policy Document throughout the planning period.

The 2023-2031 Housing Element Policy Document includes nine goals, supported by policies and implementation programs that aim to address identified housing needs during the planning period. The goals, policies, and programs of the Housing Element establish a policy framework to guide city decision-making to meet identified housing needs.

Policy Document Organization

The Policy Document is organized under the nine goal titles:

1. A Diversity of Housing to Meet Local Needs
2. Mixed Use, Infill, and Downtown Development
3. Affordable Housing Development
4. Foreclosure Prevention
5. Special Needs Housing
6. Maintain Diverse Housing Supply
7. Affirmatively Furthering Fair Housing
8. Energy Efficiency
9. Implementation Time

Goals

The housing goals are articulated as general "end condition statements," which describe a desired outcome or end state. The goals do not contain an action verb as they reflect a final statement of what the city hopes to achieve. Goals describe ideal future conditions for a topic and tend to be general and broad in nature. How the goal will be achieved is established via the applicable policies and programs.

Policies

Policies are statements on the position the City takes to implement a goal. Policies contained in the Housing Element are important statements as they provide a clear and unambiguous statement that guides a specific course of action for decision-makers to achieve a desired goal. Future actions and development must be consistent with these policies.

Programs

While many policies can be implemented as part of standard City operations, some policies require specific programs to assure their implementation. Housing programs define the specific actions the City will undertake to achieve the stated goals and policies. An example program is included below.

HE Program 1.5 Project Status Report

The City shall continue to utilize its electronic permitting software to track the progress of development processing and shall, through the staff project coordinator, maintain a scheduled contact with individual applicants regarding the status and progress of their project. (Existing Program 1.6)

A helpful note: goals, policies, and programs include source tags indicating if the item is "existing" or "new." Existing items cite the goal, policy, or program number used in the previous Housing Element

Affirmatively Furthering Fair Housing (AFFH)

In 2018, the California State Legislature passed Assembly Bill (AB) 686 to expand upon fair housing requirements and protections outlined in the Fair Employment and Housing Act. The law requires all State and local public agencies to facilitate deliberate action to explicitly address, combat, and relieve disparities resulting from past patterns of segregation to foster more inclusive communities. AB 686 created new requirements that apply to all housing elements due for revision on or after January 1, 2021.

AB 686 added an assessment of fair housing to the Housing Element which includes the following components:

1. A summary of fair housing issues and assessment of the City's fair housing enforcement and outreach capacity
2. An analysis of segregation patterns and disparities in access to opportunities
3. An assessment of contributing factors
4. An identification of fair housing goals and actions.

Contributing Factors

State law (AB 686) requires the identification and prioritization of contributing factors to fair housing issues based on all the analysis.

Factors found to contribute to fair housing issues in Visalia include:

- Location and type of affordable housing
- Housing discrimination
- Land use and zoning patterns
- High cost of housing
- Lack of available affordable units in a range of sizes
- Low resource areas concentrated in Downtown/central Visalia
- Limited transit access
- High pollution burden
- Displacement of residents due to economic pressures

Meaningful Actions

To address fair housing issues in the community, the Housing Element has included new actions in many existing implementation programs, as well as several new programs. For more information, please see Table 85 in the Draft Housing Element.

What does Affirmatively Furthering Fair Housing Mean?

Affirmatively Furthering Fair Housing means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics."

AFFH Seeks to:

- Combat housing discrimination
- Eliminate racial bias
- Undo historic patterns of segregation
- Lift barriers that restrict access
- Ultimately, foster inclusive communities and achieve racial equity, fair housing choice, and opportunity.

Topics addressed in the AFFH Analysis:

1. Fair Housing Enforcement and Outreach Capacity
2. Integration and Segregation Patterns and Trends
3. Racially and Ethnically Concentrated Areas of Poverty/ Affluence
4. Disparities in Access to Opportunity
5. Disproportionate Housing Needs
6. Other Relevant Factors, including historical disinvestment, lack of infrastructure improvements, and presence of older affordable housing units that may be at risk of conversion to market-rate housing.

How can you make a difference?

Get Involved!

For the Housing Element to truly represent the community's vision for the future, we need your help. The success of this planning effort will depend on the input of the community, and we have provided a range of ways to hear your ideas for the future of Visalia. You can participate as much or as little as you like, from attending public meetings to providing input online from the comfort of your home.

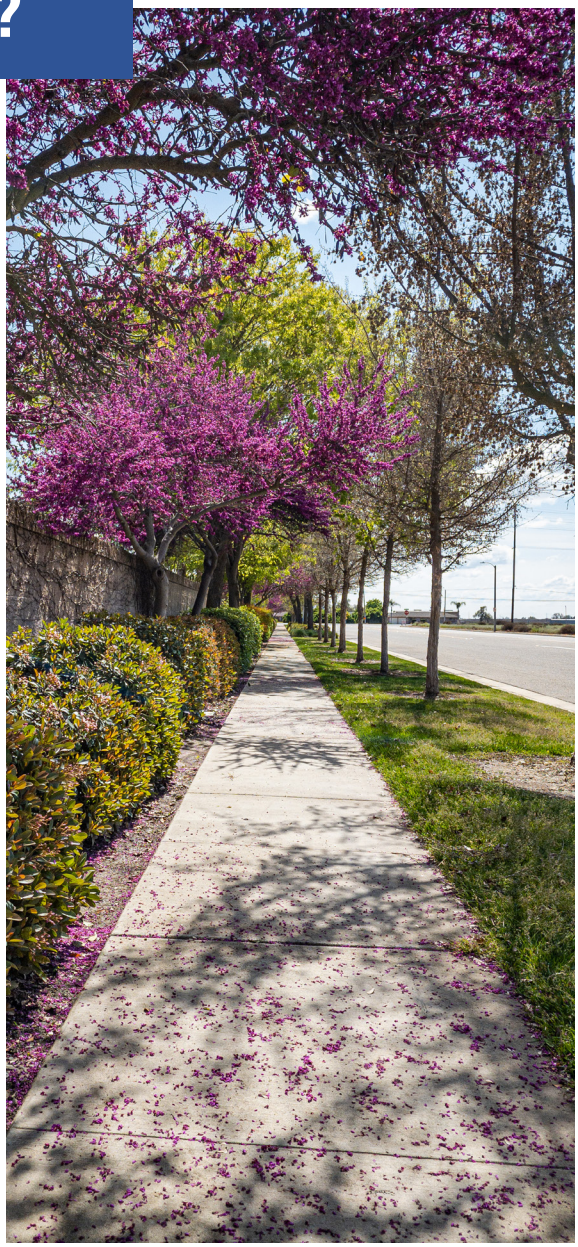
Visit the Project Website

The project website (housevisalia.com) is the hub for timely updates with information on the status of the project, announcements of upcoming workshops and meetings, and publication of key documents.

Sign-up for Email Updates

You can join the email list on the project website (housevisalia.com). By signing up, you will be notified when the City releases new documents and announces meetings, workshops, and other events.

Attend Work Sessions and Meetings

Not only are these great opportunities to learn about the Housing Element update, but meetings are also a great place to share your ideas and connect with the community. **The next City Council work session is scheduled for June 19th, 2023, at 4p.m. at City Hall Council Chambers, 707 W. Acequia Avenue. See you there!**

Upcoming Event: City Council Work Session