



# City of Lindsay



## PLANNING

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February 9, 2010

Cathy Creswell  
Deputy Director  
Department of Housing and Community Development  
Division of Housing Policy Development  
1800 3<sup>rd</sup> Street, Suite 430  
P.O. Box 952053  
Sacramento, CA 94252-2063

**Re:** City of Lindsay Housing Element – Response to HCD Review Letter Dated 10/12/09

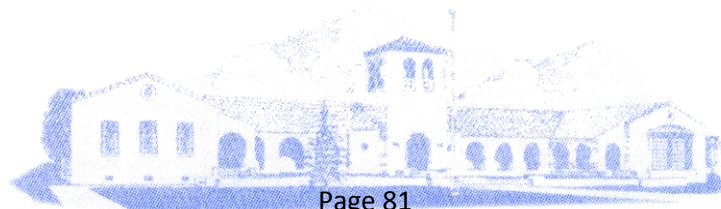
Dear Ms. Creswell:

This letter is in response to your letter dated October 12, 2009 regarding HCD's first review of the City of Lindsay's draft Housing Element. The following information addresses your concerns and comments, as well as our statutory responsibilities. The following information addresses in sequence material contained in the Appendix of your letter.

### **A. Housing Needs, Resources, and Constraints**

#### **1. Housing Inventory**

- ***Realistic Capacity:*** We have revised, expanded, and clarified Attachment A (Vacant Site Analysis) to address your concerns. Specifically:
  - We have added columns addressing the following: lot coverage, height, open space, and parking (columns "I" through "L," respectively).
  - We have expanded the methodology discussion for determining development likelihood (footnote "N").
  - We have clarified the maximum allowable densities for the R-M-3 zone. This issue is clarified by separating:
    - Maximum allowable density (based on General Plan designation), in column "G;"
    - Maximum development potential (maximum allowable density multiplied by gross site acres), in column "M;" and
    - Likely development potential (accounts for existing development approvals and site specific variables and limitations, discussed fully in Attachment B), in column "N."



- *Suitability of Non-Vacant Sites*: We have added a new Attachment B (Suitability of Non-Vacant Sites), which sufficiently describes the uses of non-vacant sites to determine the potential for redevelopment and to evaluate the extent to which existing uses may impede residential development. This evaluation includes a description of each non-vacant site, and supplies data pertaining to market conditions, regulatory incentives, and standards to facilitate redevelopment or reuse.

Additionally, this discussion describes the structural conditions and other circumstances and trends, in order to demonstrate the redevelopment potential of these sites to more intense residential uses.

- *Zoning to Encourage and Facilitate Housing For Lower-Income Households*: Chapter 4, pages 39-40, has been expanded to fully discuss development of at least 20 units per acre, development in the RM-1.5 zoning district, and use of the RM-2 zoning district. In sum, the RM-1.5 district provides minimal potential for additional high density development. The MXU zoning district provides sufficient land resources for all potential high density residential development needs.
  - *Zoning For a Variety of Housing Types (Emergency Shelters)*: Chapter 5, pages 47-48, has been expanded to fully discuss development of housing for emergency shelters. In sum, this type of housing would be permitted, without need for discretionary approval, in the MXU zoning district.
  - *Zoning For a Variety of Housing Types (Transitional and Supportive Housing)*: Chapter 5, page 51 clarifies that transitional housing is a permitted use by right in all residential zoning districts. This section also addresses supportive housing needs, by acknowledging the necessity to modify the Zoning Ordinance to be in compliance with SB2. Specifically, the ordinance must be amended to permit supportive housing as a permitted residential use, subject only to those restrictions that apply to other residential uses of the same type in the same zone. Chapter 8, pages 61-62, specifically includes a housing program to address this issue.
  - *Zoning For a Variety of Housing Types (Single-Room Occupancy)*: Chapter 5, page 51 notes that State law does not define single-room occupancy (SRO) units, but merely requires the Element to identify adequate sites to “facilitate and encourage the development” of such housing. SRO units that include a kitchen are permitted by right in the RM zoning district, similar to any apartment use. The sites inventory identified 58 acres of undeveloped/ underdeveloped land in this zoning district, with a total development potential of 581 SRO dwelling units.
2. Governmental Constraints
- *Land Use Controls*: Chapter 5, page 44 has been expanded to include development standards for the MXU zoning district.

- *Fees and Exactions*: Chapter 5, pages 46 and 52 have been expanded to address all planning and impact fees from other agencies, and the total effect or proportion of all fees and exactions on housing development costs.

New Attachment C provides a detailed breakdown of all fees and exactions from Lindsay and four other comparable local agencies.

- *Constraints on Persons With Disabilities*: The City has significantly revised Chapter 5, 48-50, to provide a complete analysis of potential constraints to housing for persons with disabilities, including a review of permit processing and zoning. Specifically, the City has not identified any regulatory practices that could discriminate against persons with disabilities and impede the availability of such housing for these individuals, with the exception of the following:
  - The Zoning Ordinance definition of “family” in §18.24.030 permits up to five unrelated individuals, which is more restrictive than limitations permitting up to six unrelated individuals in group homes.
  - The Zoning Ordinance does not explicitly include reasonable accommodation standards.
  - The City does not have universal design standards or procedural guidance for universal design issues.

Chapter 8, page 61 includes programs to address these three issues, pages 61.

### 3. Assisted Housing Developments

We have comprehensively revised the Element to address our statutory obligations. It should be noted that the City did contact the California Housing Partnership Corporation during our administrative drafting, and they indicated that they knew of no “at risk” housing units in Lindsay. Had we known about the at-risk units they later identified, we would have certainly addressed this issue in our first draft.

Attachment D includes the following required information pertaining to at-risk housing:

- At risk housing inventory
- Conversion risk
- Replacement vs. Preservation Costs
- Entities Qualified to Preserve At-Risk Units
- Financing and Subsidy Resources
- Specific Preservation Program Actions

In addition, Chapter 8, page 63 includes three specific programs targeted at the preservation of at-risk housing units: 1) preservation coordinator; 2) at-risk housing unit inventory; and 3) grant funding prioritization.

#### 4. Energy Conservation

The draft element fulfills the City's statutory obligation under Government Code §65583(a)(8), to provide "an analysis of opportunities for energy conservation with respect to residential development." We understand your comments pertaining to this subject to be advisory. It should be noted that Chapter 8, page 64 identifies four specific programs to encourage energy conservation in housing development: 1) design and infrastructure assistance; 2) fast-track review; 3) priority grant assistance; and 4) infill infrastructure improvement. For clarification purposes, a reference to these programs is now provided in Chapter 3, page 34.

#### **B. Quantified Objectives**

Quantified objectives for extremely low-income households are now provided in Chapter 6, on pages 52-53.

#### **C. Housing Programs**

##### 1. Adequate Site Analysis

As noted above, Attachment A (Vacant Site Analysis) has been extensively revised. This analysis found a total of 371 acres of vacant and partially developed land within the existing city limits, with a total maximum development potential for 3197 housing units, and a likely development potential for 1905 housing units. Chapter 4 (Adequate Sites Inventory and Analysis) has also been extensively revised to reflect data from Attachment A. In sum, these sections found no shortfall of sites or zoning available to encourage a variety of housing types. As a result, there is no need to further modify Chapter 8 (Housing Programs) to address adequate sites needs.

##### 2. Extremely Low Income Housing

Chapter 8, pages 58-61 has been revised to specifically assist in the development of variety of housing types to meet the housing needs of extremely low income households. Specifically, program categories 2 and 3 have numerous revisions which address this issue.

##### 3. Assisted Housing

Chapter 8, page 63 has been revised to specifically address the needs of preserving at-risk housing units. Specifically, program category 6 has three programs that target this need: 1) preservation coordinator; 2) at-risk housing unit inventory; and 3) grant funding prioritization.

##### 4. Governmental Constraints

Revised Chapter 5 has identified governmental constraints pertaining to housing for the disabled and supportive housing. Chapter 8, pages 61-62 has been revised to include three programs that specifically address governmental constraints: zoning ordinance amendments (reasonable accommodation, definition of "family," and supportive housing).

**D. San Joaquin Valley Air Quality Management District**

The City is aware of its obligations under Government Code Section 65302.1 and appreciates the reminder. As part of the environmental review process required by CEQA for the Housing Element update, the City will notify the San Joaquin Valley Air Pollution Control District as required by law.

**E. General Plan Consistency**

The City is aware of its obligations under Government Code Section 65302 and appreciates the reminder.

Please contact me at (559) 562-5945 should you have any questions regarding this information.

Sincerely,

William Zigler  
City Planner