

APPENDIX 2D: CITY OF FOWLER

SECTION 2D-1: ACTION PLAN

Regional Collaboration

Program 1: Regional Collaboration on Housing Opportunities

The Multi-Jurisdictional Housing Element provides an opportunity for countywide housing issues and needs to be more effectively addressed at the regional level rather than just at the local level, and the 13 participating jurisdictions are committed to continuing the regional collaboration in the implementation of the Housing Element. By working together, the jurisdictions can share best practices, explore opportunities for further collaboration, and make the best use of limited resources.

Timeframe and Objectives:

- The County of Fresno Public Works and Planning Department, with assistance of the Fresno COG, will take the lead in coordinating the Countywide Fifth Cycle Housing Element Committee meetings.
- Continue to participate in the Countywide Housing Element Technical Committee to collaborate on housing program implementation and regional issues including, disadvantaged unincorporated communities (SB 244), infrastructure challenges, farmworker housing, homelessness, and fair housing.
- The Committee will meet at least biannually to evaluate successes in implementation of programs and to identify gaps and additional needs.
- The Committee will meet annually with the California Department of Housing and Community Development (HCD) to discuss funding opportunities and challenges in implementation of programs, and seek technical assistance from HCD and other State agencies in the implementation of housing programs and the pursuit of grant funding.
- The Committee will meet periodically with Fair Housing of Central California to discuss fair housing issues and opportunities for education.
- The Committee will advocate on behalf of the Fresno County region for more grant funding for affordable housing and infrastructure improvements.
- Continue to seek partnerships with other jurisdictions in the region and other agencies (such as the Housing Authority), housing developers, community stakeholders, and agricultural employers/employees to explore viable options for increasing the availability of farmworker housing in suitable locations in the region.

- Develop a directory of services and resources for lower-income households available in the region, and review and update it annually. Make the directory available on City/County websites and at City/County offices.

Financing:	General Fund
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 1.3, Policy 1.4, Policy 1.7, Policy 4.2, Policy 4.3, Policy 4.6

Program 2: Review Annexation Standards in Memorandum of Understanding

All jurisdictions in Fresno County are subject to the City-County Memorandum of Understanding (MOU), which establishes procedures for annexation of land to cities. The City/County MOU encourages urban development to take place within cities and unincorporated communities in an effort to preserve agricultural land. The MOU standards for annexation require that development be imminent and a minimum of 50 percent of annexation areas have an approved tentative subdivision map or site plan. While cities can take certain steps to “prezone” land in advance of annexation, the annexation of the land into the city limits is dependent upon private developers to request an annexation.

Timeframe and Objectives:

- During the Housing Element planning period, the County of Fresno and the cities within the County shall work together to review and revise, as deemed appropriate by all parties, the standards for annexation contained in the Memorandum of Understanding between the County and the cities.

Financing:	General Fund
Implementation Responsibility:	City Manager
Relevant Policies:	Policy 1.1, Policy 1.3, Policy 1.4

Adequate Sites

Program 3: Provision of Adequate Sites

The City of Fowler will provide for a variety of housing types and ensure that adequate sites are available to meet its Regional Housing Needs Allocation (RHNA) of 524 units. As part of this Housing Element update, the City has developed a parcel-specific inventory of sites suitable for future residential development. The suitability of these sites has been determined based on the development standards in place and their ability to facilitate the development of housing to meet the needs of the City’s current and future residents.

Timeframe and Objectives:

- Maintain and annually update the inventory of residential land resources.
- Provide the updated inventory on City website and make copies available upon request.
- By 2018, develop specific development standards and incentives to facilitate residential and mixed-use development in commercial zones, particularly in the Downtown Form Based Code Area.
- Monitor development and other changes in the inventory to ensure the City has remaining capacity consistent with its share of the regional housing need.
- Actively participate in the development of the next RHNA Plan to better ensure that the allocations are reflective of the regional and local land use goals and policies.

Financing:	General Fund
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 1.1, Policy 1.2, Policy 1.3, Policy 1.4, Policy 1.5, Policy 1.6, Policy 1.7, Policy 1.8, Policy 1.9

Program 4: Monitoring of Residential Capacity (No Net Loss)

The City will monitor the consumption of residential acreage and development on non-residential sites included in the inventory to ensure an adequate inventory is available to meet the City’s RHNA obligations. To ensure sufficient residential capacity is maintained to accommodate the RHNA, the City will develop and implement a formal ongoing (project-by-project) evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction of capacity below the residential capacity needed to accommodate the remaining need for lower-income households, the City will identify and if necessary rezone sufficient sites to accommodate the shortfall and ensure “no net loss” in capacity to accommodate the RHNA.

Timeframe and Objectives:

- Develop and implement a formal evaluation procedure pursuant to Government Code Section 65863.
- Monitor and report through the HCD annual report process.
- If rezoning/upzoning is required to replenish the sites inventory for meeting the RHNA shortfall, the sites shall be adequate in size to accommodate at least 16 units per site at a minimum density of 20 units per acre, and shall be rezoned within two years.

Financing:	General Fund
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 1.1, Policy 1.2, Policy 1.3, Policy 1.4, Policy 1.5, Policy 1.6

Program 5: Lot Consolidation and Lot Splits

The County’s vacant sites inventory is comprised of parcels of varying sizes, from small lots of less than half acre or large lots of over 20 acres; either case presents unique challenges to residential development, especially to multi-family housing development. The County will encourage lot consolidation or lot splitting to promote the efficient use of land for residential development pursuant to the Subdivision Map Act.

Timeframe and Objectives:

- Assist interested developers/property owners in identifying opportunities for lot consolidation or lot splitting.
- Continue to process requests for lot consolidation and lot splitting concurrent with other development reviews.
- Annually monitor lot consolidation activities as part of the City annual report to HCD on Housing Element progress and evaluate if City efforts are effective in facilitating lot consolidation of small sites for residential development. If appropriate, make necessary changes to facilitate lot consolidation.
- Encourage the use of master plans/specific plans to provide a cohesive development strategy for large lots.

Financing:	General Fund
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 1.1, Policy 1.2, Policy 1.3, Policy 1.4, Policy 1.5, Policy 1.6

Program 6: Water and Wastewater Capacity

The development viability of the vacant sites in the inventory is directly linked to the availability and capacity of public facilities and services. The City continues to work to address water supply issues and infrastructure capacity limitations.

Additionally, California Government Code Section 65589.7 requires water and sewer providers to establish specific procedures and grant priority water and sewer service to developments with units affordable to lower-income households. The statute also requires local governments to immediately deliver the housing element to water and sewer providers. The City of Fowler is the water service provider; the Selma-Kingsburg-Fowler County Sanitation District (SKF) provides sewer service in the City.

Timeframe and Objectives:

- 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.
- Establish procedures by the end of 2016 for granting priority water and sewer service to developments with lower-income units in compliance with California Government Code Section 65589.7.

Financing:	General Fund
Implementation Responsibility:	Planning Department and Public Works Department
Relevant Policies:	Policy 1.7

Affordable Housing Development and Preservation

Program 7: Affordable Housing Incentives

The City continues to have needs for affordable housing for lower-income households, especially for seniors, disabled (including persons with developmental disabilities) and, the homeless. The City will continue to work with housing developers to expand affordable housing opportunities in the community.

Timeframe and Objectives:

- Maintain a list of interested developers and annually contact developers to explore affordable housing opportunities.
- Continue to promote the State density bonus, flexible development standards, and other incentives to facilitate affordable housing development by publicizing the incentives on City website and by conducting pre-application consultation with developers regarding incentives available.
- Continue to streamline the environmental review process for housing developments to the extent possible, using available state categorical exemptions and federal categorical exclusions, when applicable.
- Annually pursue State, Federal and other funding opportunities to increase the supply of safe, decent, affordable housing in Fowler for lower-income households (including extremely low-income households), such as seniors, disabled (including persons with developmental disabilities), farmworkers, the homeless, and those at risk of homelessness.
- Expand the City’s affordable housing inventory by 50 units over the next eight years – 5 extremely low-income, 5 very low-income, 10 low-income, and 30 moderate-income units.

Financing:	HOME, CDBG, Successor Agency funds, LIHTC, Multi-Family Housing Revenue Bond, and other funding sources as available
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 1.2, Policy 2.1, Policy 2.2, Policy 2.3, Policy 2.4, Policy 2.5, Policy 2.6, Policy 2.7

Program 8: Farmworker Housing

The farming industry is the foundation of the County’s economy base. According to the USDA, National Agricultural Statistics Service (NASS) 2012, about 58,600 workers were employed in farm labor throughout the County, indicating a significant need to provide housing for farmworkers and their families, particularly during peak harvest seasons.

Timeframe and Objectives:

- Continue to support and encourage other agencies and housing developers, such as the Fresno Housing Authority and Self-Help Enterprises, in the application of funds for farmworker housing, including State HCD and USDA Rural Development loans and grants and other funding sources that may become available.

- Continue to offer incentives such as gap financing (as funding is available), density bonus, streamlined processing to facilitate the development of farmworker housing.
- Annually monitor the status of farmworker housing as part of the City’s annual report to HCD on Housing Element progress and evaluate if City efforts are effective in facilitating the provision of farmworker housing. If appropriate, make necessary changes to enhance opportunities and incentives for farmworker housing development.

Financing:	General Fund
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 1.2, Policy 2.1, Policy 2.3, Policy 2.4, Policy 2.5

Program 9: Preserving Assisted Housing

Preserving the existing affordable housing stock is a cost-effective approach to providing affordable housing in Fowler. The City must guard against the loss of housing units available to lower-income households. This City has a total of 149 publicly assisted rental units in three projects. No publicly assisted rental housing units are considered at risk of converting to market-rate housing before December 31, 2025.

Timeframe and Objectives:

- Continue to monitor status of affordable housing projects. If projects become at risk of converting to market-rate housing:
 - Monitor the status of any Notice of Intent and Plan of Action filed by property owners to convert to market-rate units.
 - Identify nonprofit organizations as potential purchasers/managers of at-risk housing units.
 - Explore funding sources available to purchase affordability covenants on at-risk projects, transfer ownership of at-risk projects to public or nonprofit agencies, purchase existing buildings to replace at-risk units, or construct replacement units.
 - Ensure the tenants are properly noticed and informed of their rights and eligibility to obtain special Housing Choice Vouchers reserved for tenants of converted HUD properties.

Financing:	General Fund
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 3.6

Program 10: Accessory Units (Second Units)

A second unit (sometimes called an “accessory dwelling unit” or “granny flat”) is an additional self-contained living unit either attached to or detached from the primary residential unit on a single lot. It has cooking, eating, sleeping, and full sanitation facilities. Second units can be an important source of affordable housing given that they are generally less expensive to construct due to their typically smaller sizes and no associated land costs.

Timeframe and Objectives:

- By 2019, consider fee reductions for second units and implement a public education program advertising the opportunity for second units through the City website and at the planning counter.

Financing:	General Fund
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 2.6

Removal of Governmental Constraints

Program 11: Zoning Code Amendments

In compliance with State laws, the City will amend its Zoning Code to address the provision of a variety of housing options, especially housing for special needs groups. Specifically, the City will amend the Zoning Code to address the following:

- **Density Bonus:** Consistent with Government Code, a density bonus up to 35 percent over the otherwise maximum allowable residential density under the applicable zoning district will be available to developers who provide affordable housing as part of their projects. Developers of affordable housing will also be entitled to receive incentives on a sliding scale to a maximum of three, where the amount of density bonus and number of incentives vary according to the amount of affordable housing units provided.

- **Residential Care Facilities:** The Zoning Code needs to be updated to comply with the Lanterman Act and allow group homes for six or fewer persons in all residential zones. The Zoning Code also needs to make provisions for large residential care facilities for more than six persons.
- **Farmworker/Employee Housing:** Comply the Employee Housing Act which requires farmworker housing up to 12 units or 36 beds be considered an agricultural use and permitted in any zone that permits agricultural uses, and employee housing for six or fewer employees are to be treated as a single family structure and permitted in the same manner as other dwellings of the same type in the same zone.
- **Reasonable Accommodation:** Establish a reasonable accommodation procedure to provide flexibility in policies, rules, and regulations in order to allow persons with disabilities access to housing.
- **Definition of Family:** Remove the definition of family in the Zoning Code, or amend the definition to ensure it does not differentiate between related and unrelated individuals, or impose a numerical limit on the number of persons in a family.
- **Manufactured Homes:** Amend the Zoning code to subject permanently sited manufactured homes built to the HUD Code to the same rules as site-built homes in the same zones.
- **Single-Room Occupancy (SRO) Housing:** Amend the Zoning Code to address the provision of SRO housing.

Timeframe and Objectives:

- Amend Zoning Code to address State law requirements within one year of Housing Element adoption.
- Annually review the effectiveness and appropriateness of the Zoning Code and process any necessary amendments to remove or mitigate potential constraints to the development of housing.

Financing:	General Fund
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 4.1, Policy 4.2, Policy 4.3, Policy 4.4, Policy 4.5, Policy 4.6

Program 12: Monitoring of Planning and Development Fees

The City charges various fees to review and process development applications. Such fees may add to the cost of housing development.

Timeframe and Objectives:

- Continue to monitor the various fees charged by the City to ensure they do not unduly constrain housing development.
- As appropriate, consider incentives such as deferred or reduced fees to facilitate affordable housing development.

Financing:	General Fund
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 4.1, Policy 4.2, Policy 4.3, Policy 4.4, Policy 4.5, Policy 4.6

Housing Quality

Program 13: Code Enforcement

The City’s Building/Code Enforcement Division is in charge of the enforcing the City’s building codes with the objective of protecting the health and safety of residents.

Timeframe and Objectives:

- Continue to utilize code enforcement and substandard abatement processes to bring substandard housing units and residential properties into compliance with city codes.
- Pursue funding from state and federal programs to reinstate the City’s Home Improvement Grant program (suspended with the dissolution of the Redevelopment Agency) with the goal of assisting 20 households over the planning period (5 very low-income, 5 low-income, and 10 moderate-income households).

Financing:	General Fund
Implementation Responsibility:	Planning Department/Building Official
Relevant Policies:	Policy 1.8, Policy 2.5, Policy 3.1, Policy 3.2, Policy 3.3, Policy 3.4, Policy 3.5, Policy 4.1

Housing Assistance

Program 14: First-Time Homebuyer Resources

Fowler residents have access to a number of homebuyer assistance programs offered by the California Housing Finance Agency (CalHFA):

- **Mortgage Credit Certificate (MCC):** The MCC Tax Credit is a federal credit which can reduce potential federal income tax liability, creating additional net spendable income which borrowers may use toward their monthly mortgage payment. This MCC Tax Credit program may enable first-time homebuyers to convert a portion of their annual mortgage interest into a direct dollar for dollar tax credit on their U.S. individual income tax returns.
- **CalPLUS Conventional Program:** This is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalPLUS Conventional is fixed throughout the 30-year term. The CalPLUS Conventional is combined with a CalHFA Zero Interest Program (ZIP), which is a deferred-payment junior loan of three percent of the first mortgage loan amount, for down payment assistance.
- **CalHFA Conventional Program:** This is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalHFA Conventional is fixed throughout the 30-year term.

CalHFA loans are offered through local loan officers approved and trained by CalHFA.

Timeframe and Objectives:

- Promote available homebuyer resources on City website and public counters in 2016.
- Annually review funding resources available at the state and federal levels and pursue as appropriate to provide homebuyer assistance.

Financing:	CalHFA
Implementation Responsibility:	Planning Department
Relevant Policies:	Policy 2.8

Program 15: Energy Conservation

The City promotes energy conservation in housing development and rehabilitation.

Timeframe and Objectives:

- Consider incentives to promote green building techniques and features in 2017, and as appropriate, adopt incentives in 2018.
- Continue to promote and support Pacific Gas and Electric Company (PG&E) programs that provide energy efficiency rebates for qualifying energy-efficient upgrades by providing a link to PG&E programs on City website and make available brochures about PG&E programs at City counters.
- Expedite review and approval of alternative energy devices.

Financing:	General Fund
Implementation Responsibility:	Planning Department/Building Official
Relevant Policies:	Policy 6.1, Policy 6.2, Policy 6.3

Program 16: Housing Choice Vouchers

The Housing Choice Voucher (HCV) Program extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. The program offers a voucher that pays the difference between the current fair market rent (FMR) as established by the HUD and what a tenant can afford to pay (i.e. 30 percent of household income). The Fresno Housing Authority administers the housing choice voucher program in Fresno County.

Timeframe and Objectives:

- Provide information on the HCV program on City website and public counters in 2016.
- Refer interested households to the Fresno Housing Authority and encourage landlords to register their properties with the Housing Authority for accepting HCVs.
- Work with the Housing Authority to disseminate information on incentives for participating in the HCV program throughout the City neighborhoods with varying income levels to promote housing opportunities for all residents.

Financing:	HUD Section 8
Implementation Responsibility:	Fresno Housing Authority
Relevant Policies:	Policy 2.2

Program 17: Fair Housing

Residents in the Central Valley, including Fresno County, can access fair housing services provided by the Fair Housing Council of Central Valley (FHCCC). FHCCC offers mediation, counseling, advocacy, research, and fair housing training and workshops for residents as well as housing providers. Other fair housing resources include the Fresno Housing Authority, Fair Housing and Equal Opportunity (FHEO) division of HUD, and the State Department of Fair Employment and Housing (DFEH). The City will assist in promoting fair resources available in the region.

Timeframe and Objectives:

- Work collaboratively with other jurisdictions in the region to provide education to lenders, real estate professionals, and the community at large.
- Actively advertise fair housing resources at the public counter, community service agencies, public libraries, and City website.
- Refer fair housing complaints to HUD, DEFH, Fair Housing Council of Central California, and other housing agencies, as appropriate.

Financing:	General Fund
Implementation Responsibility:	City of Fowler; FHCCC; Fresno Housing Authority; FHEO; DFEH
Relevant Policies:	Policy 5.1, Policy 5.2

Quantified Objectives

The Housing Element must contain quantified objectives for the maintenance, preservation, improvement, and development of housing. The quantified objectives set a target goal to achieve based on needs, resources, and constraints. Table 2D-1 shows the quantified objectives for the 2015-2023 Housing Element planning period. These quantified objectives 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.

Table 2D-1 Summary of Quantified Objectives, 2015-2023

Program Type	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction	5	5	10	30	265	315
Rehabilitation		5	5	10		20
Homebuyer Assistance	0	0	0	0	0	0
Conservation (Subsidized Rental Housing and Public Housing)		64	65			129

SECTION 2D-2: SITES INVENTORY

Fourth Cycle Housing Element - AB 1233 RHNA Carryover Analysis

AB 1233 was signed into law on October 5, 2005, and applies to housing elements due on or after January 1, 2006. Specifically, the law states that if a jurisdiction fails to provide adequate sites in the prior planning period, within one year of the new cycle, the jurisdiction must rezone/upzone adequate sites to accommodate the shortfall. This requirement is in addition to rezoning/upzoning that may be needed to address the Regional Housing Needs Allocation (RHNA) for the new cycle.

This law affects the City of Fowler's 2015-2023 Housing Element, requiring the City to address its deficit in sites, if any, for the previous housing element cycle (2008-2015, extended from 2013 by legislation). The City of Fowler did not submit a fourth cycle (2008-2015) Housing Element for State HCD review or adopt an official Housing Element for the previous planning period. Consequently, the fifth cycle update must demonstrate the City's ability in meeting its prior RHNA, and roll over any shortfall in sites to the new planning period.

In the previous planning period, the RHNA assigned to the City of Fowler was 551 units (132 very low-income, 96 low-income, 105 moderate-income, and 218 above moderate-income units). The previous RHNA period covered January 1, 2006 through June 30, 2013 (extended through December 31, 2015 by legislation). The potential AB 1233 penalty will be equal to the portion of RHNA not accommodated either through actual housing production or land made available for residential development within each income category. To determine any potential penalty, the analysis in this Housing Element uses the following approach outlined by HCD:

- Step 1: Subtracting the number of housing units constructed, under construction, permitted, or approved since January 1, 2006 by income/affordability level; and
- Step 2: Subtracting the number of units that could be accommodated on any appropriately zoned sites available in the city during the RHNA cycle.

Units Built or Under Construction

Since January 1, 2006, the City issued building permits for 237 new residential units, all single family homes. Based on the building valuation, the majority of the units were affordable only to above moderate-income households. The 237 new units exceed the City's RHNA for above moderate-income housing. Therefore, the City must demonstrate adequate sites for the remaining 132 very low, 96 low, and 105 moderate-income units, for a total of 333 units from the prior RHNA planning period.

Vacant Sites Available

In assessing if the City would incur any RHNA penalty from the previous planning period, this section examines the amount of vacant land available in the city with the potential for residential development. Table 2D-2 below summarizes the amount of vacant land available as of December 2014. The sites inventory uses the following assumptions:

- ***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 Sites.** Sites that allow at least 16 units per acre were inventoried as feasible for lower-income (low- and very low-income) residential development in accordance with the market-based analysis included in this housing element. This includes sites with the following zoning:
 - Sites that are Multi-Family Residential (RM-3, RM-3-A) (up to 21.8 units per acre);
 - Sites that are zoned Neighborhood Commercial (C-1) and Community Commercial (C-2) (up to 21.8 units per acre); and
 - Sites that are zoned Form Based Code Area (FBC) (up to 21.8 units per acre).
 - **Moderate-Income Sites.** Sites that are zoned Residential Medium allow for a density range of 5.6 to 13.5 dwelling units per net acre. Typical dwelling units include small apartments and other attached units. These areas were inventoried as feasible for moderate-income residential development.
 - **Above Moderate-Income Sites.** All other sites, which allow only single family homes at lower densities, were inventoried as above moderate-income units.
- ***Realistic Development Potential.*** The inventory assumes build-out of 80 percent of the maximum permitted density for all sites. This estimate is fairly consistent with suburban development and the City's development standards are not considered excessive. Furthermore, the City's Form Based Code is specifically designed to provide flexibility and facilitate the efficient use of land by offering incentives such as off-site and shared parking options. Multi-family development in the RM and FBC zones can also exceed 21.8 units per acre with the approval of a CUP. Using an average density at 80 percent of maximum allowable density actually represents less than the mid-range density of each zone.

The City of Fowler's General Plan (adopted in 2004) provides for a High Density Residential designation that is implemented through the RM-3 and RM-3-A zoning districts. The General Plan Community Commercial designation also encourages mixed use residential development. In January 2009, the City adopted the Form Based Code to encourage flexibility in the development of the Downtown Area. Prior to the adoption of the Form Based Code in January 2009 (six months after the beginning of the fourth cycle Housing Element in July 2008), these Downtown properties were primarily zoned C-2, consistent with the Community Commercial designation under the City's General Plan (adopted in 2004). Therefore, through

the C-1, C-2, FBC, and R-3 zoning regulations, the City has provided adequate sites to accommodate its lower income RHNA for the fourth cycle RHNA.

Table 2D-2 summarizes the vacant sites that are available for residential development in Fowler. The sites are described in detail in Table 2D-3 and the locations of these sites are shown in Figure 2D-1. Combined, the C-1, C-2, FBC, and RM-3 zones have the ability to accommodate 502 multifamily units at an average density of 17.44 units per acre (80 percent of the maximum allowable density of 21.8 units per acre). This capacity is adequate to address the City's lower-income RHNA of 228 units from the previous RHNA planning period. Even if these sites are to be developed at the minimum density of 13.6 units per acre, up to 395 lower-income units can be accommodated. Vacant land designated at RM-2 has capacity to accommodate 167 potential new units, which is adequate to accommodate the moderate-income RHNA. Therefore, the City has adequate sites for its overall RHNA from the previous planning period, and would not incur a penalty.

In addition, many of the commercial properties (C-1, C-2, and FBC) surrounding or near the vacant properties are underutilized and can be consolidated along with vacant properties to form development sites of sufficient size to accommodate larger scale multifamily residential/mixed use developments. These underutilized properties are not currently included in the sites inventory. Lot consolidation in the City of Fowler, is an administrative action, and can be processed concurrently with other development reviews and approvals. The City provides pre-application consultation to developers to facilitate development.

Table 2D-2 Summary of Vacant Sites Inventory

Zoning	Acres	No. of Parcels	Max Units/Acre	Average Units/acre	DU Capacity
R-1-10	2.5	9	4.4	3.5	27
R-1-7	3.9	19	6.2	5.0	19
R-1-6	8.3	22	7.3	5.8	47
RM-2	16.7	5	12.4	10.0	167
RM-3	1.3	1	21.8	17.4	23
C-1	7.4	5	21.8	17.4	129
C-2	16.7	7	21.8	17.4	289
FBC	3.6	14	21.8	17.4	61
Total	60.4	82			762

During the fourth cycle Housing Element period, the City was severely impacted by the housing crisis and elimination of redevelopment. As the economy continues to recover, the City is receiving inquiries regarding residential/mixed use opportunities in the downtown area. Specifically, developers have inquired about mixed residential use as part of the two-story CVS Pharmacy building in the Downtown Form Based Code Area. There have also been discussions of senior housing as a component of the 16-acre Adventist Health campus (C-2 zoning), as well as discussions as to the appropriate mix of apartments with commercial on the 15.6-acre Shiv property (C-2 zoning). Based on these recent inquiries, there is a strong indication

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for an increased demand for multifamily housing that is located near retail activities, professional and health care services, and transportation. Furthermore, the Fowler City Council committed to a senior housing project in the Downtown, using former redevelopment funds, on a City-owned parcel at Vine and Fresno Streets next to the Library. At the time of the commitment, the site was zoned M-1 and is now zoned FBC.

Consistent with General Plan, the City will facilitate the development of multifamily residential/mixed use development in the Downtown area, primarily in the FBC area to cater to the changing needs in the community.

Table 2D-3 Vacant Sites, Fowler, December 2014

APN	Size (acres)	Zoning	General Plan Land Use	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
34328001	0.2	R-1-10	Residential, Low	Vacant	4.4			3	3	None
34027106	0.3	R-1-10	Residential, Low	Vacant	4.4			12	12	None
34027116	0.2	R-1-10	Residential, Low	Vacant	4.4			2	2	None
34027117	0.2	R-1-10	Residential, Low	Vacant	4.4			5	5	None
34027228	0.3	R-1-10	Residential, Low	Vacant	4.4			1	1	None
34027232	0.4	R-1-10	Residential, Low	Vacant	4.4			1	1	None
34024315	0.0	R-1-10	Residential, Low	Vacant	4.4			1	1	None
34027233	0.4	R-1-10	Residential, Low	Vacant	4.4			1	1	None
34328021	0.5	R-1-10	Residential, Low	Vacant	4.4			1	1	None
<i>Subtotal</i>	2.5							27	27	
34314310	0.2	R-1-7	Residential, High	Vacant	6.2			1	1	None
34315307	0.2	R-1-7	Residential, Medium	Vacant	6.2			1	1	None
34315112	0.2	R-1-7	Residential, Medium	Vacant	6.2			1	1	None
34021313	0.3	R-1-7	Residential, Medium	Vacant	6.2			1	1	None
34522108	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522209	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522206	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522104	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522211	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522212	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522213	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522214	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34523303	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522301	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522125	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522304	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None

Table 2D-3 Vacant Sites, Fowler, December 2014

APN	Size (acres)	Zoning	General Plan Land Use	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
34522305	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34522306	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
34523201	0.2	R-1-7	Residential, Medium Low	Vacant	6.2			1	1	None
<i>Subtotal</i>	3.9							19	19	
34316212	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34325302	0.4	R-1-6	Residential, Medium	Vacant	7.3			2	2	None
34320213	0.1	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34335051	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34335050	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34021212	0.1	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34021207	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	A
34020107	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34021208	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34326027	0.1	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34304086	0.4	R-1-6	Residential, Medium	Vacant	7.3			2	2	None
34325114	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34305217	3.0	R-1-6	Residential, Medium	Vacant	7.3			17	17	None
34324219	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34309111	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	A
34025010	0.3	R-1-6	Residential, Medium	Vacant	7.3			2	2	None
34025017	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34025016	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	None
34307209	0.2	R-1-6	Residential, Medium	Vacant	7.3			1	1	A
34021103	0.3	R-1-6	Residential, Medium	Vacant	7.3			2	2	None
34322119	0.3	R-1-6	Residential, Medium	Vacant	7.3			2	2	None
34025003	0.9	R-1-6	Residential, Medium Low	Vacant	7.3			5	5	None

Table 2D-3 Vacant Sites, Fowler, December 2014

APN	Size (acres)	Zoning	General Plan Land Use	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
<i>Subtotal</i>	8.3							47	47	None
34305233S	11.2	RM-2	Residential, Medium	Vacant	12.4		112		112	None
34319113	0.2	RM-2	Residential, High	Vacant	12.4		2		2	None
34321219	0.1	RM-2	Residential, High	Vacant	12.4		1		1	None
34327013	5.0	RM-2	Residential, Medium	Vacant	12.4		50		50	None
34320321	0.2	RM-2	Residential, Medium	Vacant	12.4		2		2	None
<i>Subtotal</i>	16.7						167		167	
34303020	1.3	RM-3	Residential, High	Vacant	21.8	23			23	None
<i>Subtotal</i>	1.3					23			23	
34334006	0.7	C-1	Commercial, Neighborhood	Vacant	21.8	12			12	None
34334003	0.1	C-1	Commercial, Neighborhood	Vacant	21.8	2			2	None
34335046	0.8	C-1	Commercial, Neighborhood	Vacant	21.8	14			14	None
34334005	0.1	C-1	Commercial, Neighborhood	Vacant	21.8	2			2	None
34336040	5.7	C-1	Commercial, Neighborhood	Vacant	21.8	99			99	0.2 pct annual chance
<i>Subtotal</i>	7.4					129			129	
34308001	0.2	C-2	Commercial, Community	Vacant	21.8	3			3	0.2 pct annual chance
34311004	0.2	C-2	Commercial, Community	Vacant	21.8	3			3	0.2 pct annual chance
34311013	0.8	C-2	Commercial, Community	Vacant	21.8	14			14	0.2 pct annual chance
34311008	0.3	C-2	Commercial, Community	Vacant	21.8	5			5	0.2 pct annual chance
34308007	0.2	C-2	Commercial, Community	Vacant	21.8	3			3	0.2 pct annual chance
34308012	0.2	C-2	Commercial, Community	Vacant	21.8	3			3	0.2 pct annual chance
34302018	14.8	C-2	Commercial, Community	Vacant	21.8	258			258	None

Table 2D-3 Vacant Sites, Fowler, December 2014

APN	Size (acres)	Zoning	General Plan Land Use	Existing Use	Density Range (per acre)	Units by Income Level			Total Realistic Development Potential	Environmental Constraints
						LI	MI	AMI		
<i>Subtotal</i>	<i>16.7</i>					289			289	
34316206	0.1	FBC	Commercial, Community	Vacant	21.8	2			2	None
34316112	0.4	FBC	Commercial, Community	Vacant	21.8	7			7	None
34316203	0.3	FBC	Commercial, Community	Vacant	21.8	5			5	None
34313107	0.2	FBC	Commercial, Community	Vacant	21.8	3			3	None
34313105	0.2	FBC	Commercial, Community	Vacant	21.8	3			3	None
34316215	0.4	FBC	Commercial, Community	Vacant	21.8	7			7	None
34313206	0.2	FBC	Commercial, Community	Vacant	21.8	3			3	None
34313114	0.1	FBC	Commercial, Community	Vacant	21.8	2			2	None
34313103	0.3	FBC	Commercial, Community	Vacant	21.8	5			5	None
34317213	0.1	FBC	Commercial, Community	Vacant	21.8	2			2	None
34314212	0.2	FBC	Commercial, Community	Vacant	21.8	3			3	None
34302009	0.7	FBC	Commercial, Community	Vacant	21.8	12			12	None
34317107	0.1	FBC	Commercial, Community	Vacant	21.8	2			2	None
34317111	0.3	FBC	Commercial, Community	Vacant	21.8	5			5	None
<i>Subtotal</i>	<i>3.6</i>					61			61	
Total	60.4					502	167	93	762	

Source: City of Fowler, December 2014.

Fifth Cycle Housing Element RHNA Analysis

For the fifth Housing Element update, Fowler has been assigned a RHNA of 524 units, including 123 very low-income units, 83 low-income units, 75 moderate-income units, and 243 above moderate-income 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 Fowler's RHNA can be reduced by the number of units built or under construction since January 1, 2013. According to building permit data, the City issued building permits for 42 new single family residential units. These units are assumed to be affordable to above moderate-income households.

Planned or Approved Projects

The City's RHNA can also be reduced by the number of new units in projects that are planned or approved. Table 2D-4 shows an inventory of residential projects that are (as of December 2014) 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 affordable units, and the current status of the project. These new developments will provide a total of 523 new units in Fowler on single family lots and an additional 46 new units of multifamily housing.

Specifically, the City Council has approved a 60-unit affordable housing project (Magill Terrace) by the Fresno County Housing Authority. This project will benefit lower-income households using LIHTC and other funding sources. The project will involve the demolition of 20 existing units, resulting in a net increase of 40 affordable units. Another six multifamily units are being proposed by a private developer. Given the market conditions in Fowler, these units should be affordable to moderate-income households.

In addition, a 171-lot development will provide housing opportunities, primarily for above moderate-income households. While 60 percent of the units will be on small lots, potentially moderating the prices for these homes, for the purposes of the inventory, all units are assumed to be affordable to above moderate-income households.

Table 2D-4 Planned or Approved Projects, Fowler, December 2014

Project	Units by Income Level					Total Units	Description of Affordable Units	Status
	ELI	VLI	LI	MI	AMI			
Proposed								
TTM 5292 – RJ Hill - APN 345-100-19s	0	0	0	0	171	171	--	Tentative Tract Map
Site Plan Review 15-02	0	0	0	6	0	6	--	--
Approved								
TTM 5834 –RJ Hill - APN 343-040-68	0	0	0	0	57	57	--	Final Map
TTM 5834 Phase 2	0	0	0	0	75	75	--	Final Map
TTM 5090 Phase 2	0	0	0	0	55	55	--	Final Map
TTM 5090 Phase 3	0	0	0	0	55	55	--	Tentative Tract Map
TTM 5623	0	0	0	0	53	53	--	Tentative Tract Map
TTM 5785	0	0	0	0	57	57	--	Tentative Tract Map
Site Plan Review 15-01 Housing Authority	0	0	40	0	0	40	--	LIHTC project by the Housing Authority – 60-unit project (including the removal of 20 existing units, resulting in a net increase of 40 units). Density is approximately 14 units per acre.
Total	0	0	40	6	523	569		

Source: City of Fowler, 2015.

RHNA Summary

Table 2D-5 provides a summary of Fowler’s ability to meet the 2013-2023 RHNA. The total RHNA for the 2013-2023 RHNA is 524 units, including 206 lower-income units, 75 moderate-income units, and 243 above moderate-income units. After accounting for units built or under construction, planned and approved projects, and capacity on vacant sites, Fowler has a surplus capacity of 849 units. Residential potential on vacant RM, Commercial, and FBC properties more than doubled the City’s remaining lower income RHNA, excluding potential residential development in underutilized commercial properties. Therefore, the City’s sites inventory is more than adequate to accommodate the City’s RHNA for this Housing Element planning period.

Table 2D-5 RHNA Summary, Fowler, December 2014

	Units by Income Level				Total Units
	ELI/VLI	LI	M	AM	
2013-2023 RHNA	123	83	75	243	524
Units Built or Under Construction	--	--	--	42	42
Planned or Approved Projects (Table 2D-4)	--	40	6	523	569
Capacity on Vacant Sites (Table 2D-2)	502		167	93	762
Surplus Capacity	336		98	415	849

Source: City of Fowler

APPENDIX 2D: CITY OF FOWLER

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Figure 2D-1 Fowler Sites Inventory

APPENDIX 2D: CITY OF FOWLER

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Availability of Infrastructure and Services

The City of Fowler provides water services to residents and businesses in the City. According to the Public Works Director, maximum production of all existing wells is 10.1 million gallons per day (mgd). In 2014, the City had 6,000 residents and pumped an average of 305 gallons per day/per person for all municipal uses, or about 1.8 mgd, leaving a remaining well capacity of 8.3 mgd. Approximately 60 percent of the total municipal water is used for residential purposes. Based on the current average usage, the City anticipates the remaining capacity can support an additional 5,100 units at full capacity, well above the City's RHNA for the Housing Element planning period. Furthermore, the City has long-term plans for a water line crossing Hwy 99 and replacement of old lines. In addition, the City has entered into an agreement for water recharge with the Consolidated Irrigation District.

The Selma-Kingsburg-Fowler County Sanitation District (SKF), a Joint Power Authority, provides sewer service to the City of Fowler as well as to the Cities of Kingsburg and Selma. According to the District Engineer, the SKF treatment plant has a capacity of 8.0 (mgd) with existing flows of 4.2 mgd (52.5 percent of capacity). By 2026, the SKF Capital Improvement Program (CIP) projects total flow at 5.71 mgd (71 percent of capacity). Fowler currently has 1,950 residential units. In 2025, if flow ratios from the three cities remain constant, SKF will have capacity for approximately 2,725 residential units in Fowler, significantly higher than the RHNA allocations for Fowler during the Housing Element period. At full capacity to 8.0 mgd, SKF would have capacity for an estimated 3,840 residential units in Fowler.

Expansion plans for a wastewater treatment plant are generally required by the Regional Water Quality Control Board when 70 percent of design capacity is reached. This threshold is not expected at the SKF plant until after 2025. The District, however, is updating its Master Plan to include provisions for long-term expansion and will make interim improvements (refurbishing aerators, basin improvements, fleet replacements, etc.) in conformance with the 10-year CIP.

SECTION 2D-3: CONSTRAINTS

Land Use Controls

General Plan

Analysis

The City of Fowler General Plan contains the following residential land use designations:

- *Low Density:* 0.0-3.6 dwelling units per gross acre
- *Medium-Low Density:* 3.7-5.5 dwelling units per gross acre
- *Medium Density:* 5.6-13.5 dwelling units per gross acre
- *High Density:* 13.6-21.8 dwelling units per gross acre
- *Community Commercial:* 13.6-21.8 dwelling units per gross acre

Conclusion

The City offers a range of housing densities in the community. The densities are sufficiently high to allow the development of affordable housing for all income levels.

Recommended Action

None required.

Zoning Code

Analysis

The City's Zoning Code provides for the following residential districts:

- *One Family Residential (R-1-12, R-1-10, R-1-8.5, R-1-7, R-1-6, R-1-5):* The R Districts are intended primarily to provide living areas at locations designated by the General Plan for Low, Medium Low, and Medium Density, involving single family dwellings.
- *Multi-Family Residential (RM-2-A, R-MP, RM-2, RM-3-A, RM-3):* The RM Multi-Family Residential Districts are intended primarily for the development of multifamily residential structures at densities consistent with policies of the General Plan. Multi-family housing is permitted by right in the RM zones. Multi-family housing exceeding 21.8 units per acre is conditionally permitted in the RM-3 zone.

In addition, the City’s Zoning Code allows residential uses in the following nonresidential zones:

- ***Neighborhood Commercial (C-1)***: This district is intended primarily for the provision of retail and personal service facilities to satisfy the convenience-goods needs of the consumer relatively close to residential neighborhoods. Horizontal or vertical mixed use development subject to the development standards of the RM-3 district is conditionally permitted.
- ***Community Commercial (C-2)***: The Community Commercial District is to be applied to the community commercial areas of the City, as may be designated by the General Plan. These areas provide a wide range of retail, financial, governmental, professional, business service, and entertainment activities. Horizontal or vertical mixed use development subject to the development standards of the RM-3 district is conditionally permitted.
- ***Form-Based Code Area (FBC)***: The Form-Based Code Area is intended to foster a vibrant town center through a mix of uses with shop fronts and commercial uses at street level, overlooked by canopy shade trees, upper story residences, and offices. The code regulates land development by setting controls on building form in order to achieve the vision for the community set forth in the Fowler General Plan. Mixed use development and stand-alone residential development (subject to the RM-3 standards) are conditionally permitted, including developments that exceed 21.8 units per acre.
- ***Urban Reserve District (UR)***: This district is intended to protect lands designated for eventual urban development to ensure the orderly conversion of these lands to nonagricultural use; to preserve lands best suited for agriculture from the encroachment of incompatible uses; and to provide appropriate areas for certain open uses of land that are not injurious to agriculture but that may not be harmonious with urban uses. The district allows one-family and farm employee housing that are incidental to permitted or conditionally permitted uses, including crops and the raising of animals or fowl.

Conclusion

The City’s Zoning Code provides for a range of housing options.

Recommended Action

None required.

Residential Development Standards

Analysis

Table 2D-6 lists and describes the residential zoning districts in the City of Fowler Zoning Code that allow residential development. These development standards are typical and consistent with standards established in surrounding communities.

Table 2D-6 Residential Development Standards

Characteristics of Lot, Location, and Height	R-1-5	R-1-6	R-1-7	R-1-8.5	R-1-10	R-1-12	RM-2-A	RM-2	RM-3-A	RM-3
Minimum Lot Area (SF)	5,000 sf	6,000 sf	7,000 sf	8,500 sf	10,000 sf	12,000 sf	7,000 sf	7,000 sf	7,000 sf	7,000 sf
Maximum Density (DU/AC)	8.7	7.3	6.2	5.1	4.4	3.6	12.4	14.5	17.4	21.8
Minimum Lot Dimensions (Interior Lots)										
Width	50'	60'	65'	70'	80'	90'	50'	50'	50'	50'
Depth	90'	95'	100'	110'	110'	120'	100'	100'	100'	100'
Maximum Lot Coverage	40%	40%	40%	40%	40%	40%	55%	55%	55%	55%
Minimum Setbacks										
Front	20'	20'	20'	20'	25'	35'	15'	15'	15'	15'
Rear	10'	10'	10'	10'	10'	10'	10'	10'	10'	10'
Side	5'	5'	5'	7'	7'	10'	5'	5'	5'	5'
Maximum Height	2 Stories 35'	2 Stories 35'	2 Stories 35'	2 Stories 35'	2 Stories 35'	2 Stories 35'	35'	35'	35'	35'
Private Open Space (SF/DU)	--	--	--	--	--	--	100	100	100	100

Source: City of Fowler Zoning Code, 2015

Note: Multifamily housing is conditionally permitted in the Neighborhood Commercial and Community Commercial zones, as well as the Form-Based Code Area at RM-3 standards.

Parking

Table 2D-7 shows residential parking requirements in Fowler, which vary by housing type.

Table 2D-7 Residential Parking Requirements

Residential Use		Required Parking Spaces	
Single-family		2 spaces per unit, including 1 garaged space	
Multi-family	Studio	1.5 spaces	1/2 of required spaces shall be covered; plus 1 guest space per each 5 units
	1 BR	1.5 spaces	
	2 BR	1.5 spaces	
	3 or more BR	2 spaces	
Secondary Dwelling Units		1 space	

Source: City of Fowler Zoning Code, 2015

Specifically, the City of Fowler Zoning Code provides reduced parking and encourages shared parking to “provide flexibility for the development or redevelopment of small sites” and “promote projects that use flexible and creative incentives to reduce parking needs.” Flexibilities offered by the Form Based Code include the following:

- 1.5 parking space per unit regardless of unit size;
- Parking requirement can be met on site or within 350 feet of the site;
- Shared parking is encouraged; and
- Off-street parking is not required for properties fronting Merced Street between Seventh Street and the alley between Fourth and Fifth Streets; and
- Off-street parking can be reduced by 50 percent within other specified areas in the Form Based Code Area.

Building Height

Buildings or structures in the R-1 zones cannot exceed a maximum height of 35 feet or two stories. Building height in the R-2 and R-3 zones is subject to the same 35-foot limit but with no limitation on the number of stories.

Open Space and Park Requirements

For multifamily development, the City requires setting aside 10 percent of the space as usable open space (which include swimming pools, green space, landscaping, and recreation room. For a single family development, 5 percent of the space is required to be set aside for usable open space. These requirements are in addition to the park development fees (discussed later). Overall, the park dedication requirement, the park improvement fees, and the open space requirements do not represent excessive constraints on residential development.

Conclusion

The City's development standards are reasonable and typical, and do not serve to constrain housing development and would not preclude the development of multi-family housing at the upper end of the allowable density range. The Form Based Code offers flexible parking standards with the expressed intent to encourage the efficient use of land and facilitate development/redevelopment of small infill sites. The Form Based Code Area (FBC) and RM 3 zones also allow for residential development to exceed 21.8 units per acre subject to approval of a CUP.

Recommended Action

None required.

Growth Management

Analysis

The Fowler General Plan contains a policy on growth management. Specifically, it states that the desirable annual population and housing growth rate should not exceed the average of the planned growth rate through 2025 of 3 percent over any five-year period (50-60 units per year), and should not exceed 6 percent in any single year (80-90 units). Projects that may exceed these numbers should include provisions for phasing the project.

Conclusion

Fowler's RHNA for the fifth update cycle is 524 units over 11 years or about 48 units annually. According to the State Department of Finance as of January 1, 2013 (the beginning of the RHNA period), the City of Fowler had a housing inventory of 1,902 units. The 524-unit RHNA represents a 27.5 percent increase over 11 years, or 2.5 percent annually. This level of growth is within the City's growth management policy of 3 percent. Therefore, the growth management policy would not unduly constrain the City's ability to accommodate its RHNA.

Recommended Action

None required.

Density Bonus

Analysis

The City's density bonus ordinance does not currently include provisions for moderate-income housing units, childcare facilities, land banking, or condominium conversions. Furthermore, the City's ordinance does not vary the density bonus granted based on the proportion of affordable units provided. The City will need to amend the density bonus ordinance to meet all requirements of SB 1818 and AB 2222, among other related and minor amendments.

Conclusion

The City's density bonus provisions do not meet current State law requirements.

Recommended Action

Amend the Zoning Code within one year of Housing Element adoption.

Zoning for a Variety of Housing Types

Analysis

Title 9 of the City of Fowler Municipal Code describes the City's regulations for residential development. Table 2D-8 summarizes the housing types permitted and conditionally permitted under the Zoning Code.

Table 2D-8 Variety of Housing Types

	R-1-5	R-1-6	R-1-7	R-1-8.5	R-1-10	R-1-12	RM-2-A	RM-2	RM-3-A	RM-3
Single Family	P	P	P	P	P	P	P	P	P	P
Multifamily	NP	NP	NP	NP	NP	NP	P	P	P	P
Manufactured/Mobilehomes	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Mobilehome Park	NP	NP	NP	NP	NP	NP	C	C	C	C
Farmworker / Employee Housing	P	P	P	P	P	P	P	P	P	P
SRO	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Foster Homes (six or fewer)	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Group Homes and Residential Care Facilities (six or fewer)	C	C	C	C	C	C	C	C	C	C
Group Homes and Residential Care Facilities (seven or more)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Second Dwelling Units	P	P	P	P	P	P	P	P	P	P

P = Permitted; P/A = Permitted with Administrative Approval; CUP = Conditional Use Permit; NP = Not Permitted

Source: City of Fowler Zoning Code, 2015

The following is a description of the City’s requirements for various housing types:

Multifamily

Multiple family dwellings are permitted by right in the RM zone, and conditionally permitted in the commercial and Form Based Code zones.

Manufactured Housing

The City requires Administrative Approval for manufactured housing in the R and RM districts while single family dwellings are permitted by right.

Farmworker/Employee Housing

The Fowler Zoning Code defines farm employee housing as “living quarters, including dwellings with sleeping accommodations and dining facilities, maintained for occupancy by persons employed principally in farming and related pursuits on land owned, leased or rented by the owner, lessee, or tenant of the site on which the farm employee housing is located; excepting a labor camp or trailer park.” While the City permits farm employee housing in all residential districts, the City’s definition of farmworker housing in the Zoning Code is not consistent with State law, which specifically states that the housing needs not be occupied by persons employed by the farm operations on site.

Emergency Shelters

The City amended the Zoning Code on May 19, 2015 to permit emergency shelters by right in the M-1 zone. According to the Fresno/Madera Continuum of Care, the homeless population in Fowler is estimated at six persons. The available vacant Light Industrial sites in Fowler offer adequate capacity for a potential shelter.

Table 2D-9 Potential Emergency Shelter Sites

APN	Acreage
34019021	0.2
34019008	1.8
Total	2.0

Source: City of Fowler, 2014.

Transitional and Supportive Housing

The City amended the Zoning Code on May 19, 2015 to address the provision of transitional and supportive housing as a residential use subject to the same development standards and regulations as similar uses in the same zones.

Single Room Occupancy (SRO) Units

The Zoning Code does not currently contain provisions for SRO housing.

Residential Care Facilities

The Ordinance permits foster homes for six or fewer with an Administrative Approval in all residential zones. However, all other types of residential care facilities for six or fewer require a Conditional Use Permit. The Zoning Code makes no provisions for large residential care facilities for more than six persons.

Second Units

The City permits secondary residential units in all of its residential zones, subject to additional development standards.

Conclusion

In summary, amendments to the City's Zoning Code are required to address the provision of a variety of housing types:

- **Residential Care Facilities:** The Zoning Code needs to be updated to comply with the Lanterman Act and allow group homes for six or fewer persons in all residential zones. The Zoning Code also needs to make provisions for large residential care facilities for more than six persons.
- **Manufactured Housing:** The Zoning Code will need to be updated to permit manufactured homes in a manner consistent with single family housing.
- **Single Room Occupancy (SRO) Housing:** The Zoning Code does not currently contain provisions for SRO housing.
- **Farmworker/Employee Housing:** The Fowler Zoning Code is not consistent with State law requirements for farmworker and employee housing.

Recommended Action

The Housing Element includes an action to amend the Zoning Code to address residential care facilities, manufactured housing, SRO units, and farmworker and employee housing.

On/Off-Site Improvements

Analysis

Fowler has residential development requirements for residential streets, sidewalks, solar access, landscaping, walls, street lighting, and parking. Improvement requirements for new developments are

regulated under the Subdivision Ordinance (Title 9, Chapter 4 of the Municipal Code). Major improvements required by the City include:

- Local roads are improved to a 40-foot curb-to-curb width within an overall 60-foot right of way. Gutters and monolithic sidewalks in a 5-foot pattern are required on all local streets with a 5-foot landscape strip. Right-of-way may be reduced to 56 feet for cul-de-sacs and short streets.
- Major streets are developed to 70, 80, and 100-foot rights-of-way, depending on their classification. The subdivider is responsible for dedicating sufficient right-of-way adjacent to the project to provide one-half of the major street with two travel lanes, including curb, gutter, parking lane, sidewalk, and a 10-foot landscape strip on one side.
- Sewer, water, and drainage lines are located in streets or within easements within the project boundaries. Easements for underground electrical, natural gas, telephone, and cable facilities are provided as requested by the affected utilities.
- A landscaped strip 10 feet in width is required adjacent to major streets between the sidewalk and wall to include street trees, ground cover, and an automatic irrigation system.
- In order to adequately provide water supply for use and safety purposes, it may be necessary for individual projects to dedicate a well site, install a well in the subdivision vicinity, or retrofit existing wells to increase flows from the wells.
- In areas lacking master drainage facilities, a temporary on-site ponding basin adequate to remove surface water and storm water from the project is required.
- Streetlights and traffic signs are required in accordance with the City's Standard Specifications.
- All utilities are placed underground, in accordance with the requirements of the utility concerned, in either City street easements or appropriate utility easements.

Conclusion

Development requirements of the City of Fowler are considered standard in the Central Valley and are comparable to surrounding cities. In order to reduce housing costs, the City does not require improvements other than those deemed necessary to maintain the public health, safety, and welfare.

Recommended Action

None required.

Fees and Exactions

Analysis

Some of the typical City fees are summarized in Table 2D-10.

Table 2D-10 Schedule of Fees for Residential Development

Permit Processing Fees		Base and Deposit
<i>Pre-Application Design Review</i>		
Conditional Use Permit	Minor	\$1,735.63
	Complex	\$4,318.54
Site Plan Review	Minor	\$2,079.68
	Major	\$3,142.62
Subdivisions	Tentative Map, Tentative Parcel Map (5-10 units)	\$7,533.05
	Tentative Map (>10 units)	\$8,960.58
	Final Subdivision Map Check (5-10 units)	\$2,501.77
	Final Parcel Map Check (5-10 units)	\$3,856.39
Land Use / Zoning	General Plan Amendment (Minor)	\$37,89.63
	General Plan Amendment (Major)	\$9,237.87
	Zoning Amendment (Minor)	\$3,738.28
	Zoning Amendment (Major)	\$10,316.22
	Negative Declaration	\$4,477.72
	Mitigated Negative Declaration	\$5,597.15
	Environmental Impact Report	\$10,146.76
<i>Development Impact Fees</i>		
City Management and General Services	Low Density Residential	\$228.25/unit
	Medium Density Residential	\$175.09/unit
	High Density Residential	\$175.09/unit
Law Enforcement	Low Density Residential	\$733.25/unit
	Medium Density Residential	\$564.40/unit
	High Density Residential	\$564.40/unit
Fire Protection	Low Density Residential	\$944.44/unit
	Medium Density Residential	\$726.98/unit
	High Density Residential	\$726.98/unit
Drainage	Low Density Residential	\$4,221.27/acre
	Medium Density Residential	\$4,377.60/acre
	High Density Residential	\$5,628.36/acre
Water Supply	Low Density Residential	\$2,266.98/unit
	Medium Density Residential	\$2,260.92/unit
	High Density Residential	\$2,266.98/unit
Recreation	Low Density Residential	\$2,604.69/unit
	Medium Density Residential	\$2,013.70/unit
	High Density Residential	\$2,013.70/unit
Sewer	Low Density Residential	\$2,519.60/unit
	Medium Density Residential	\$2,519.60/unit
	High Density Residential	\$2,519.60/unit

Source: City of Fowler, 2014.

In addition to City fees, several regional fees are also charged for residential development: Regional Transportation Mitigation and Indirect Source Review. The Selma-Kingsburg-Fowler County Sanitation District also charges a one-time fee for connection. For school fees, the Fowler Unified School District has adopted the State Level I fee of \$3.36 per square foot of residential use.

Table 2D-11 shows permit fees for single family and multifamily prototype developments. Construction fees for a typical single-family unit total about \$30,219 and those for a typical multifamily unit total about \$20,300. The single family prototype is a single family detached residential dwelling unit with 1,800 square feet of living area and a 400-square-foot garage. The estimated construction cost for this prototype unit before permit fees is \$168,000. The multifamily prototype is a 1,280 square foot-unit, 2-story multifamily housing development. The estimated construction cost for this prototype before permit and impact fees is \$115,200. The plan check, permit, and impact fees account for approximately 17.8 percent of the estimated construction cost for a single family unit and approximately 17.6 percent of the estimated construction cost for a multifamily unit.

Table 2D-11 Prototypical Construction Fees

Fee Description	Amount	
	Single family	Multifamily
Plan Check and Building Permits	\$3,450	\$2,150
City Impact Fees	\$13,885	\$9,200
School Fee ¹	\$6,048	\$4,300
Regional Transportation Mitigation Fee	\$1,637	\$1,150
Indirect Source Review ²	\$1,100	\$500
County Sanitation District	\$4,099	\$3,000
Total per Unit	\$30,219	\$20,300

Source: City of Fowler, 2015

Notes:

1. School fees are estimated at an average of 1,800 square feet for a single-family home and 1,280 square feet for a multifamily unit.
2. Projects under 50 units are not subject to this fee.

Conclusion

In summary, the fees for plan check, permits, and development impact total approximately \$20,000-\$30,000 per unit. This constitutes approximately 18 percent of the estimated construction cost. However, approximately one-third of the fees are school and regional impact fees that are consistent throughout the County and would not serve to constrain housing development in Fowler.

Recommended Action

A program is included in the Housing Element to monitor the City's fees and impacts on residential development.

Processing and Permit Procedures

Analysis

The City permits most types of residential development by right with a site plan review by the staff. Residential uses in commercial and Form Based Code districts do require the approval of a Conditional Use Permit. For the Conditional Use Permit, the conditions for approval are:

- That the site for the proposed use is adequate in size and shape to accommodate such use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required;
- That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
- That the proposed use will have no adverse effect on abutting property or the permitted use;
- That the conditions are deemed necessary to protect the public health, safety, and general welfare. Such conditions may include:
 - Special yards, spaces, and buffers;
 - Fences and walls;
 - Surfacing of parking areas subject to specifications;
 - Requiring street dedications and improvements (or bonds) subject to the provisions of site plan review of this article, including service roads or alleys when practical;
 - Regulation of points of vehicular ingress and egress;
 - Regulation of signs;
 - Requiring landscaping and the maintenance;
 - Requiring the maintenance of the grounds;
 - Regulation of noise, vibration and odors;
 - Regulation of time for certain activities;
 - A bond for the removal of such use within a specified period of time; and
 - Such other conditions as will make possible development in an orderly and efficient manner.

For Site Plan Review, the conditions for approval relate strictly to site planning considerations such as signage, fences, ingress/egress, noise/vibration levels, location of utilities and landscaping, and hours of operation, etc.

The City has no overlay zones, community plan or specific plan implementation areas, environmentally sensitive areas, or other procedures to delay project processing. The City encourages concurrent processing of applications and considers all entitlement applications, including the environmental document, at single public hearings before the Planning Commission and City Council.

Table 2D-12 Approvals and Processing Times for Typical Developments

	Single-Family	Single-Family (2-4 units)	Single-Family (5+ units)	Multi-Family (2-4 units)	Multi-Family (5+ units)	Mixed Use
Approvals Required	Director	Director	Planning Commission	Director	Director	Planning Commission
Processing Time	45 days	45-60 days	90 days	45-60 days	45-60 days	45-60 days

Conclusion

The City does not have a lengthy project review process.

Recommended Action

None required.

Building Codes**Analysis**

The City uses several uniform codes, including the 2013 California Building Code (CBC), the 2013 California Electrical Code (CEC), the 2013 California Plumbing Code (CPC), the 2013 California Mechanical Code (CMC), and the 2013 California Fire Code, as the basis for its building standards and code enforcement procedures.

Conclusion

No major local amendments to the building codes have been made that would significantly increase the cost of housing.

Recommended Action

None required.

Constraints on Housing for Persons with Disabilities**Analysis*****California Building Code***

The City adopted the 2013 California Building Code, including Title 24 regulations of the code concerning accessibility for persons with disabilities.

Definition of Family

The definition of “family” in Fowler’s Zoning Code is as follows: “An individual, or two (2) or more persons related by blood or marriage, or a group of not more than six (6) persons not necessarily related by blood or marriage, living together in a dwelling unit; full-time domestic servants of any such persons may reside on the same premises, and shall not be counted with respect to the foregoing definition.” This definition exceeds the zoning power of a local jurisdiction and would be considered restrictive.

Zoning and Land Use Policies

The Ordinance permits foster homes for six or fewer with an Administrative Approval in all residential zones. However, all other types of residential care facilities for six or fewer require a Conditional Use Permit. The Zoning Code makes no provisions for large residential care facilities for more than six persons.

Reasonable Accommodation

The City does not currently have a formal process to grant reasonable accommodation requests. The Zoning Code must be amended to establish a formal reasonable accommodations process.

Conclusion

Amendments to the City’s Zoning Code are required to address the definition of family, large residential care facilities (for more than six persons), and reasonable accommodation procedures.

Recommended Action

The Housing Element includes an action to amend the Zoning Code to address the definition of family, residential care facilities, and reasonable accommodation procedures.

SECTION 2D-4: REVIEW OF PAST ACCOMPLISHMENTS

This section reviews and evaluates the City’s progress in implementing the 1992 Housing Element. The City of Fowler last updated the Housing Element for the 1992 planning period and did not complete the fourth cycle update to the Housing Element. Given the outdated status of the 1992 Housing Element (more than 20 years old), many of the programs and policies contained in that Housing Element have long become obsolete. Therefore, this evaluation focuses on the City’s current efforts in the areas of: New construction; Rehabilitation; and Housing Assistance in general.

New Construction - Progress Toward the RHNA

Each jurisdiction in California is responsible for accommodating its share of the region’s housing needs. The process of determining each jurisdiction’s share of housing needs is called the Regional Housing Needs Assessment (RHNA). The RHNA projection period for the previous Housing Element was from January 1, 2006 to December 31, 2015 (as extended from June 30, 2013 by SB 375). The City of Fowler was assigned a RHNA of 551 units, divided into four income categories:

- Very Low-Income (less than 50 percent of the Area Median Income): 132 units
- Low-Income (50 to 80 percent of the Area Median Income): 96 units
- Moderate-Income (80 to 120 percent of the Area Median Income): 105 units
- Above Moderate-Income (greater than 120 percent of the Area Median Income): 218 units

Table 2D-13 summarizes the City’s accomplishments in meeting the RHNA during the previous RHNA projection period. Since January 1, 2006, 237 new single-family units have been constructed in the City. The City has met 100 percent of its above moderate-income RHNA. However, due to limited development interests in multifamily housing and limited funding available, no affordable housing units were constructed.

Table 2D-13 Units Built during RHNA Projection Period, City of Fowler, 2006-2013

	Very Low Income Units	Low Income Units	Moderate Income Units	Above Moderate Income Units	Total Units
2006-2013 RHNA	132	96	105	218	551
Units Built 2006-2013	0	0	0	237	237
Percent of RHNA Met	0.0%	0.0%	0.0%	108.7%	39.6%

Source: City of Fowler, 2014.

As the economy improves, the City is seeing renewed interests in residential development and is also beginning to receive inquiries about mixed use development. To facilitate residential development in the

future, recognizing the challenges of the City's sites inventory being comprised primarily of small sites and commercial properties, the 2015-2023 Housing Element includes the following programs: Adequate Sites; Sites Inventory Monitoring for "Not Net Loss", and Lot Consolidation and Lot Splits. In addition, the new Housing Element includes the Affordable Housing Incentives program to expand affordable housing opportunities in the City.

Housing Rehabilitation

Prior to the dissolution of redevelopment, the City offered housing rehabilitation assistance to homeowners through the Home Improvement Grant Program. Between 2008 and 2012, the City assisted 58 households with Home Improvement Grants.

In 2008, Low Income Housing Tax Credit (LIHTC) was used to acquire and substantially rehabilitate 45 units at 1391 E. Summer Avenue (Ruby Court Apartments). Upon rehabilitation, this project offers low-income housing for seniors.

The City recognizes the importance of providing rehabilitation assistance to the City's lower income households. The City will continue to utilize Code Enforcement efforts to preserve and improve housing quality in the City. In addition, the 2015-2023 Housing Element includes the Affordable Housing Incentives program to expand affordable housing opportunities in the City, including the acquisition/rehabilitation of existing housing and deed restriction as affordable housing.

Homebuyer Assistance

The City does not offer homebuyer assistance. Without redevelopment funds, homebuyer assistance is financially infeasible for a small community such as Fowler. However, the 2015-2023 Housing Element includes a program (First-Time Homebuyer Resources) to direct residents to available resources.

SECTION 2D-5: AT-RISK ANALYSIS

Table 2D-14 shows assisted housing units in Fowler. There are 149 assisted affordable units in Fowler and no units are at risk of expiring in the next 10 years.

Table 2D-14 Assisted Housing Developments, Fowler

Name	Address	Target Population	Funding Source	# of Units	# of Affordable Units	Affordable Units Expiration	Risk Level
Ruby Court Apartments	1391 E Sumner Ave	Senior	USDA Section 515, Rural Development Rental Assistance; LIHTC	45	44	Perpetuity	Not at risk
Fowler Apartments	340 E Adams Ave	Non-Targeted	USDA Section 515, Rural Development Rental Assistance	44	44	Perpetuity	Not at risk
Walnut Grove Villa	1446 E Sumner Ave	Non-Targeted	USDA Section 515, Rural Development Rental Assistance	40	40	Perpetuity	Not at risk
Magill Terrace	401 East Nelson Street	Family	HUD Public Housing	20	20	Perpetuity	Not at risk
Total				149	148		
Total At Risk				--	0		

Sources: Fresno Council of Governments HCD Pre-Approved Data Package; www.affordablehousingonline.com, 2015.

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