

# Chapter 3:

## Resources and Constraints Analysis

### 3.1 Resources

#### 3.1.1 Land Resources for Housing Development

Section 65583(a)(3) of the *California Government Code* requires Housing Elements to contain an “inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.” A detailed inventory of residential development sites is provided in Appendix H-B. The analysis determined that the City’s current land inventory for potential residential development is not sufficient based on current zoning to accommodate the RHNA in all income categories for this projection period; therefore, candidate sites for rezoning must be identified. Policy Action 3.1 includes a commitment to process zoning amendments for sufficient parcels to fully accommodate the RHNA pursuant to State law.

There are currently no known service limitations that would preclude the level of development described in the RHNA, although developers will be required to pay fees or construct public improvements prior to or concurrent with housing development.

#### 3.1.2 Financial and Administrative Resources

##### 1. Community Development Block Grant (CDBG) and HOME Program

The City of Fullerton is an “entitlement city” that is eligible to receive Federal housing funds directly from the Department of Housing and Urban Development (HUD). CDBG and HOME Program funds are the largest source of Federal funding for housing and housing related activities in Fullerton.

CDBG funds can be used for the following activities:

- Acquisition
- Rehabilitation
- Home Buyer Assistance
- Economic Development
- Homeless Assistance



- Public Services
- Public Improvements
- Rent Subsidies

HOME funds can be used for the following activities:

- New Construction
- Acquisition
- Rehabilitation
- Home Buyer Assistance
- Rental Assistance

## 2. City of Fullerton Successor Agency

In June 2011, Governor Jerry Brown signed the FY 2011-12 State Budget including several budget trailer bills. Specifically, one “trailer” bill attached to the Budget, Assembly Bill X1 26 (AB 26), affected Redevelopment Agencies statewide. AB 26, known as the “Dissolution Act”, immediately suspended all new redevelopment activities and incurrence of indebtedness and dissolved redevelopment agencies effective October 1, 2011. In response to the passage of AB 26, the California Redevelopment Association and League of California Cities filed a lawsuit challenging the validity and constitutionality of AB 26. On December 29, 2011, the California Supreme Court issued its ruling on California Redevelopment Association v Matosantos, which upheld AB 26 and dissolved all redevelopment agencies in California effective February 1, 2012.

As the Governor’s plan to dissolve Redevelopment came to fruition, the City Council passed a resolution on January 10, 2012, to have the City serve as the Successor Agency to the Fullerton Redevelopment Agency (Agency). Pursuant to California Health and Safety Code §34176, the City was also given the option to retain all of the housing assets and functions of the former Fullerton Redevelopment Agency. On January 17, 2012, City Council approved Resolution No. 2012-07 to this effect. In June 2012, Assembly Bill 1484 was passed by the State Legislature and signed by Governor Brown. Assembly Bill 1484 added new requirements to the redevelopment dissolution process, including agencies needing to receive a “finding of completion” to move forward with former redevelopment housing projects/ existing obligations, which can occur after preparing due diligence review audits approved by the Department of Finance that determine the amount of funds to be remitted to the State. The City has met all of the requirements of Assembly Bill 1484, including the remittance of \$7.6 million in former Agency housing funds to be distributed to all affected taxing entities, and was issued a finding of completion in May 2013.

Pursuant to Health and Safety Code section 34191.5(b), the Successor Agency submitted a Long-Range Property Management Plan (LRPMP) to the California Department of Finance (DOF) on November 6, 2013 and a revised LRPMP to DOF on December 3, 2015. The Successor Agency received approval by DOF on December 22, 2015, which governs the disposition and use of all the real property assets of the former redevelopment agency.

Assembly Bill 1486, signed by the Governor in October 2019, amended the process governing the disposition of surplus land. The Surplus Property Land Act (Government Code Sections 54220-54234),



defines surplus land as “land owned by any agency of the state, or any local agency, that is determined to be no longer necessary for the agency’s use, except property being held by the agency for the purpose of exchange.” The definition of local agency was expanded to include land held in the Community Redevelopment Property Trust Fund and land that has been designated in LRPMP either for sale or for future development.

### 3.1.3 Residential Energy and Water Conservation

The City promotes energy conservation efforts in the construction of new housing and the rehabilitation of older units. Energy conservation serves to reduce energy costs, and therefore overall housing costs.

The Fullerton Municipal Code and The Fullerton Plan allow for residential development patterns that incorporate energy and resource conservation principles. The City’s Planned Residential Development (PRD) zone utilizes flexible development standards that permit smaller individual lots and clustering of dwelling units, which in turn facilitates the conservation of natural terrain and other site features. The City also allows for mixed-use development in the C-3 zone and through the development of specific plans. Concentrating higher density housing in close proximity to transportation, services and employment centers may reduce the need for the use of private automobiles, encourages the use of public transit, and reduces fuel consumption. The City also reviews project proposals for passive solar design through building siting in the Site Plan Review and Development Project Review processes.

The City’s Building Division reviews construction drawings for compliance with Title 24 of the *California Administrative Code*. Compliance with Title 24 of the *California Administrative Code* on the use of energy efficient appliances and insulation has reduced energy demand stemming from new residential development.

The City also works cooperatively with Southern California Edison to promote energy conservation, as well as the Metropolitan Water District and the Municipal Water District of Orange County to support regional water conservation efforts.

### 3.1.4 Governmental Constraints

Governmental constraints are policies, standards, requirements, and actions imposed by various levels of government upon land and housing use and development. These constraints may include building codes, land use controls, growth management measures, development fees, processing and permit procedures, and site improvement costs. State and federal agencies play a role in the imposition of governmental constraints; however, these agencies are beyond the influence of local government. Therefore, the focus of this analysis is on the constraints that may result from local government policies and actions.

#### 1. Land Use Controls

Land use controls include General Plan policies, zoning designations (and the resulting use restrictions, development standards, and permit processing requirements), and development fees.

#### General Plan

Every city in California must have a General Plan, which establishes policy guidelines for all development within the City. A General Plan is the foundation of all land use controls in a jurisdiction. The Land Use



Element of a General Plan identifies the location, distribution, and density of the land uses within the City and expresses residential densities in terms of dwelling units per acre. The Fullerton General Plan was comprehensively updated in 2012 and uses a distinctive set of terms in place of the typical nomenclature assigned to general plans. The Fullerton General Plan is called “The Fullerton Plan,” land use designations are referred to as “Community Development Types,” and the element containing the required content of a Land Use Element is called the “Community Development and Design Element.” The Fullerton Plan’s Community Development and Design Element identifies five residential Community Development Types plus three mixed use Community Development Types that allow for residential uses. Table 3-1 summarizes the Community Development Types and their associated acreages and density ranges.

**Table 3-1 General Plan, Residential Community Development Types**

Designation	Allowable Uses	Density Range
Low Density	Conventional single-family, detached dwellings, and Planned Residential Developments.	0-6.0 du/ac
Low/Medium Density	Multiple-unit attached dwellings including duplexes, townhouses, condominiums, and mobile home parks; and Planned Residential Developments.	6.1-15.0 du/ac
Medium Density	Multiple-unit attached dwellings including duplexes, garden apartments, and multi-family attached dwellings	15.1-28.0 du/ac
High Density	Multi-family attached dwellings	Over 28.0 du/ac
Downtown Mixed Use	Office, retail and service uses Attached dwellings Gathering places such as plazas, courtyards, or parks Compatible public, quasi-public and special uses	30-60 du/ac
Neighborhood Center Mixed Use	Retail, service, office, and/or residential uses Gathering places such as plazas, courtyards, or parks Compatible public, quasi-public, and special uses	16-60 du/ac
Urban Center Mixed Use	Retail, service, office, and/or residential uses Gathering places such as plazas, courtyards, or parks Compatible public, quasi-public, and special uses	30-80 du/ac
Greenbelt Concept	Detached single-family dwellings on lots of varying sizes, clusters of detached single-family dwellings, and clusters of multi-family attached dwellings	Average 3.0 du/ac

Source: The Fullerton Plan 2021

Depending on land costs, certain densities are needed to make a housing project economically feasible. The following densities required to accommodate construction affordable to specific income levels are generally accepted by HCD:

- Very-low and Low Income: 30 dwelling units per acre minimum
- Moderate Income: 11-30 dwelling units per acre minimum
- Above-moderate Income: Up to 11 dwelling units per acre



## Zoning Code

The Zoning Code is the primary tool for implementing The Fullerton Plan. It is designed to protect and promote public health, safety, and welfare. Fullerton’s residential zoning designations control both the use and development on a parcel level and regulate residential development.

## Provision for a Variety of Housing Types

This section describes how the City’s zoning regulations accommodate a full range of housing types. Table 3-2 summarizes the single-family residential zoning designations and their requirements. Table 3-3 summarizes the multi-family residential designations and requirements. Table 3-4 and Table 3-5 further review lot coverage and building setback requirements.

- **Single-family housing.** Table 3-6 summarizes the types of housing permitted in each zone. The single-family residential zones are R-1 and R-1P (single-family residential preservation). Single-family, detached units are permitted by-right in all of the residential zones, except in R-MH zones.
- **Multi-family housing.** The City has different types of multiple-family residential zones: R-2, R-2P (two-family residential preservation), R-G (garden-type multiple-family residential), R-3R (restricted multiple-family residential), R-3P (multiple-family residential preservation), R-3, R-4, R-5, and R-MH (Mobile Home Park). Two-family residential homes are allowed in all two-family residential zones and multi-family residential zones. Multi-family developments are allowed by-right in all multi-family residential zones, except in two-family residential zones and R-MH zones. The City proposes to adopt a Housing Incentive Overlay Zone (HIOZ) to facilitate the “by-right” development of multi-family housing, including affordable housing on non-residential (industrial, office, and commercial) base zones. Projects within the HIOZ that comply with the regulations and standards of the HIOZ may be approved through an administrative permit. A separate approval would be required for projects that require a subdivision. Projects under the HIOZ would be required to provide at least 10 percent of the total number of residential units affordable to low income or below. This requirement excludes units added by density bonus.
- **Manufactured housing.** Manufactured housing meeting the requirements of §65852.3 of the *California Government Code* may be placed only on a permanent foundation on an otherwise vacant lot with a single-family zoning designation, provided all standards and requirements of the zone are met. In addition, manufactured homes shall have exterior siding extending to the ground or to the top of a solid foundation and consisting of materials found by the Director of Community Development to be those customarily utilized in conventionally built single-family dwelling. Manufactured homes shall have a shingled, pitched roof (at least 2 to 12) with at least 12-inch eave overhangs. Manufactured housing permits are reviewed in the same manner as residential additions. Plans are submitted for plan check and are reviewed by the Planning and Building Divisions of the Community and Economic Development Department, Fire Department, and Public Works Department. The departments review the plans to ensure the proposed manufactured housing is consistent with the California Building Code, Fire Code, Development Code, and any other laws and regulations from the City. Depending on the scope of the project, additional permits and plans may be required such as a grading permit, Waste Quality Management Plan (WQMP), Street Improvement Plan, demolition permit and/or Environmental Health permit. Manufactured housing is only permitted in the R-1 zone, and not within other zones that permit single-family developments, which is a constraint to development. The City will implement



Policy Action 3.4-k to allow manufactured housing by-right in all zones that permit single-family housing.

- **Mobile homes.** Mobile homes are permitted within a mobile home park or in the R-1 zone, with the same requirements as manufactured housing.

### Development standards

The maximum potential size and density of residential development is primarily determined by the number of units permitted on the parcel(s), the maximum lot coverage and/or maximum FAR.

### Allowable Densities

The R-1 and R1-P zones allow one single-family dwelling unit per legal parcel. The R-2 and R2-P zones allow two dwelling units per legal parcel. The R-G, R-3, R-3R, R-3P, R-4, R-5, and R-MH zones allow multiple dwelling units per legal parcel, provided that the parcel size meets the required minimum lot area per dwelling unit. Although the Zoning Code does not specify minimum or maximum densities in the residential zones, the minimum lot area per dwelling unit in effect sets the maximum permitted densities.

### Setbacks and Step Backs

Other development standards include setbacks and step backs. Multi-family residential developments setbacks and step backs vary depending on window placement and type, and building height, as shown in Table 3-4. In the R-1 and R-2 zones when adjacent to a public street, public alley, flood control channel, or an interior property line, as shown in Table 3-6. Rear yard setbacks from interior lot lines are between 15-25 feet depending on the zone. An additional step back of five feet is required for second stories. The setback and step back requirements do not impact the possible number of units or the ability to achieve maximum densities as these standards only apply to the R-1 and R-2 zones, which have a maximum density of one or two units per legal parcel, with the exception of ADUs and JADUs.

To standardize setback requirements for multi-family residential development, the City proposes to adopt revised standards as shown in Table 3-2. A review of recently sold homes on Zillow.com shows that four-bedroom housing units in the R-1 and R-2 zones range from 1,200 to 3,000 square feet and have setbacks greater than 30 feet from the street. As discussed in Chapter 2, the number of housing units with four or more bedrooms has increased over the past decade and comprises nearly one quarter of the housing stock, and the number of housing units with four or more bedrooms is greater than the number of large households. Therefore, development standards in the R-1 and R-2 zones do not constrain large bedroom housing typologies nor the size of the unit. To reduce potential constraints to development, the City will implement Policy Action 3.3-h to revise front yard setbacks for R-1 (10,000 – 20,000 feet) and R-1 (20,000+ feet) to a maximum of 20 feet.



**Table 3-2 Proposed Building Setback Requirements**

	R-G, R-3R, R-3, R-3P, R-4, R-5	R-MH	HIOZ
Along Street	15 feet	15 feet	10 feet
Along Side Street	15 feet	15 feet	10 feet
Along Alley	5 feet*	5 feet	5 feet*
Along Interior Lot Line	5 feet*	10 feet	5 feet*

\*Setback standard applicable to the ground floor (i.e., at finished grade).

### Allowable Building Heights

The maximum permitted building heights are shown in Table 3-4. Development in the R-1 and R-2 zones can be up to 2 stories, 30 feet in height. Development in the R-MH zone can be up to 35 feet in height. Development in the other residential zones does not have a maximum height requirement unless it is within 100 feet of an R-1 zone. If development is in an R-G, R-3, R-4 or R-5 zone, and is within 50 feet of an R-1 zone, then the maximum height limit is one story (20 feet). If development is between 50 feet and 100 feet of an R-1 zone, then the maximum height is two stories (30 feet). Section 6 *Ability to develop at Density Potential*, provides an analysis of height and density potential in the city. The analysis found that the limitation of the maximum height limit for development near the R-1 zone does not limit the achievable density potential as the realistic capacity for residential development within 100 feet of the R-1 zone incorporates a height limit of 30 feet and a density of 20 units per acre.

Although the height limit does not limit the achievable density potential of the development, it limits the overall number of possible units. As directed by Policy Action 3.3-a, the City will revise the maximum allowable building heights for multi-family residential development as follows:

- Clarify that the maximum height limit is applies to just the portion of a parcel that is within 100 feet of a property with an R-1 zoning classification, and not the entire parcel.
- If a multiple-family structure is located down-slope from an adjacent R-1 zoned property, the following maximum height limits shall apply:
  - For a grade differential of less than 20 feet, a 30 feet maximum height limit applies.
  - For a grade differential of more than 20 feet, a 40 feet maximum height limit applies.

### Lot Coverage

The City’s definition of lot coverage is “the percentage of a site covered by a building footprint, including accessory buildings, plus any areas used for parking or to provide vehicular access to parking. Accessory structures (except those used for parking, e.g. carports) shall not be considered in the lot coverage calculation.” Including parking areas in the definition of lot coverage is a constraint to development. The City will implement Policy Action 3.3-g to revise the definition of lot coverage to exclude areas used for parking or vehicular access to parking.



**Table 3-3 Summary of Single-Family Residential Zoning Requirements**

Zone	Minimum Lot Area (Sq. Ft.)	Maximum Lot Coverage	Minimum Lot Area Per Unit (Sq. Ft.)	Maximum Building Height	Minimum Front Yard (Feet)	Minimum Interior Side Yard (Feet)	Minimum Street Side Yard (Feet)	Minimum Rear Yard (Feet)
R-1	No new lot shall be created which is less in area than the minimum lot size indicated on the City's official Zoning Map for the area in which it is located*.	Refer to Table 3-5	Refer to Table 3-5	One-story – 20 ft. above natural grade Two-story – 30 ft. above natural grade	Refer to Table 3-6	Refer to Table 3-6	Refer to Table 3-6	Refer to Table 3-6
R-1P	No new lot shall be created which is less in area than the minimum lot size indicated on the City's official Zoning Map for the area in which it is located*.	Refer to Table 3-5	Refer to Table 3-5	One-story – 20 ft. above natural grade Two-story – 30 ft. above natural grade	Refer to Table 3-6	Refer to Table 3-6	Refer to Table 3-6	Refer to Table 3-6

Note:

\*Or when lots are consolidated, or when subterranean parking is used.

Source: City of Fullerton Municipal Code, Chapter 15.17



**Table 3-4 Summary of Multiple-Family Residential Zoning Requirements**

Zone	Minimum Lot Area (Sq. Ft.)	Maximum Lot Coverage	Minimum Lot Area Per Unit (Sq. Ft.)	Density (DU/Acre)	Maximum Building Height	Minimum Front Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum Street Side Yard (Ft.)	Minimum Rear Yard Through Lot (Ft.)
R-2	6,000 for new lots	Refer to Table 3-4	Refer to Table 3-4	2 units/lot	One-story – 20 ft. above natural grade Two-story – 30 ft. above natural grade	Refer to Table 3-5	Refer to Table 3-5	Refer to Table 3-5	Refer to Table 3-5
R-2P	6,000 for new lots	Refer to Table 3-4	Refer to Table 3-4	2 units/lot	One-story – 20 ft. above natural grade Two-story – 30 ft. above natural grade	Refer to Table 3-5	Refer to Table 3-5	Refer to Table 3-5	Refer to Table 3-5
R-G	7,200	60%	3,600	12.1	20 ft./1 story if within 50 ft. of R-1 property; 30 ft./2 stories if 50-100 ft. of R-1 property; unlimited otherwise	15	Depends on window type, building height, and the type of room where the window is located.	15	15
R-3R	8,800	60%	2,200	19.8	Same as R-G	15	Same as R-G	15	15
R-3P	10,000	60%	1,600 for bachelor unit*, increasing by 100 sf per bedroom to 1,900 sf for 3+ bedroom unit	27.2	Same as R-G	15	Same as R-G	15	15
R-3	10,000	60%	Same as R-3P	27.2	Same as R-G	15	Same as R-G	15	15
R-4	20,000	60%	1,150	37.9	Same as R-G	15	Same as R-G	15	15
R-5	30,000	60%	N/A	Unlimited	Same as R-G	15	Same as R-G	15	15
R-MH	5 acres	70%	4,000	10.9	35 ft.	15	10	15	15
HIOZ**	15,000	N/A	N/A	Unlimited	Same as R-G	0 to 5	5	0 to 5	15

Note:

\*Except as provided in Title 16 of the Fullerton Municipal Code.

\*\* The proposed HIOZ requires a minimum of 20 dwelling units per acre and does not have a maximum density.

Source: City of Fullerton Municipal Code, Chapter 15.17



**Table 3-5 Lot Coverage and Floor Area Ratio Requirements**

Zone	Maximum Lot Coverage	Maximum Floor Area Ratio (FAR)
R-1 (7,200 or less)	60%	50%
R-1 (7,200- 10,000)	55%	45%
R-1 (10,000- 20,000)	50%	35%
R-1 (20,000 and above)	45%	30%
R-2	60%	--

Source: City of Fullerton Municipal Code, Chapter 15.17

**Table 3-6 Building Setbacks for R-1, R1-P, R-2 and R-2P Zones**

	R-1 (7,200 or under) (ft.)	R-1 (7,200 – 10,000) (ft.)	R-1 (10,000 – 20,000) (ft.)	R-1 (20,000 and over) (ft.)	R-1P (ft.)	R-2 and R-2P (ft.)
<b>Along a public street:</b>						
Front yard	15	20	25	35	20 <sup>1</sup>	15
Side yard	5	5	5	5	5	5
Rear yard (through lot)	See Note 2	See Note 2	See Note 2	See Note 2	See Note 2	See Note 2
<b>Along a public alley or flood control channel:</b>						
Rear yard (first story)	0	0	0	0	0	0
Rear yard (second story)	0	0	0	0	0	2.5
<b>Along another property line (i.e., an interior lot line):</b>						
Side yard	5	5	7	10	5	Total of 10 ft
Rear yard (first story)	15	15	20	25	15	0
Rear yard (second story)	20	20	25	30	20	0

Notes:

- 1 In the R-1P zone, proposals requesting a front setback less than the predominant setback on the street shall be subject to approval by the Landmarks Commission as a Development Project.
- 2 The front yard setback required by the underlying zone shall apply on both street frontages of a through lot, except that fences no more than eight feet in height, non-habitable buildings, and detached accessory structures are permitted at the rear yard property line of a through lot that has an R-1, R-1P, R-2 or R-2P zone, when all vehicular access rights on that street frontage side have been dedicated to the City or have been restricted by parcel map, site plan, or tract map.

Source: City of Fullerton Municipal Code, Chapter 15.17



**Table 3-7 Permitted Uses**

Zone	Single-Family	Two-Family	Multi-Family	Manufactured Housing	Mobile Home	Accessory Dwelling Unit	Emergency Shelters	Transitional & Supportive Housing	Small Group Home <sup>1</sup>	Large Group Home <sup>2</sup>	Small Residential Care Facility	Large Residential Care Facility	Retirement Complex	SRO	Employee and Farmworker Housing
R-1/R-1P	X			X	X	X		X	X	CUP	X		CUP		
R-2/ R-2P	X	X				X		X	X	CUP	X		CUP		
R-G	X	X	X			X		X	X	CUP	X		CUP		
R-3R	X	X	X			X		X	X	CUP	X		CUP		
R-3/ R-3P	X	X	X			X		X	X	CUP	X	CUP	CUP		
R-4	X	X	X			X		X	X	CUP	X	CUP	CUP		
R-5	X	X	X			X		X	X	CUP	X	CUP	CUP		
R-MH					X										
PRD															
O-P													CUP		
C-1											CUP	CUP	CUP		
C-2											CUP	CUP		CUP	
C-3	Housing permitted as part of a mixed-use development.					X					CUP	CUP		CUP	
C-H											CUP	CUP		CUP	
C-M							X <sup>3</sup>				CUP	CUP			
M-P							X <sup>3</sup>								
M-G							X <sup>3</sup>								

Notes:

X=Use permitted by-right, CUP= Use permitted with a Conditional Use Permit, A blank space denotes that the use is not permitted.

- 1 "Small group home" means any family home, group care facility or similar facility as determined by the Director of the State Department of Social Services that is licensed to shelter and care for six or fewer persons in a dwelling, providing 24-hour non-medical services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual. Such facilities require state licensing.
- 2 "Large group home" means any family home, group housing arrangement or similar residential care facility as determined by the Director of the State Department of Social Services that is licensed to shelter and care for more than six persons, providing 24-hour non-medical services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual. Such facilities require state licensing.
- 3 Use permitted by-right through a building permit in portions of zone, as shown in Appendix B, Exhibit B-3.

Source: City/ of Fullerton Municipal Code, Title 15



## Parking Requirements

Table 3-8 summarizes the parking requirements for residential uses. Parking requirements are determined by the housing type (single-family versus multi-family), the zone, and the number of bedrooms in each unit. The Director of Community Development may modify the parking requirements for residential units provided in a City-sponsored project.

Multi-family development in the R-G, R-3R, R-3, R-3P and R-4 zones requires between 1¼ and 2 garage spaces per unit based on the number of bedrooms in addition to a ½ space to 1 space for open guest parking per unit.

The requirement for spaces within a garage may be a constraint, as it means that garages must be factored into the design and cost of the project. In the R-5 zone, garages are not required. The City will implement Policy Action 3.4-j to eliminate the requirement for a garage for multiple-family residential zones, reduce parking requirements for multi-family development, and adopt parking requirements for the HIOZ.

**Table 3-8 Residential Parking Requirements**

Single-Family Residence in the R-1, R-1P, R-2 and R-2P Zones	
Built before June 1963 and less than 5 bedrooms	1 car garage
Built after June 1963 and less than 5 bedrooms	2 car garage
5 or more bedrooms in the R-1-6 to R-1-9 zones, inclusive, and the R-2 and R-2P zones	3 parking spaces (not within the front yard setback) including 2 garage spaces and 1 open space
5 or more bedrooms in the R-1-10 and higher zones	3 garage spaces
Any R-1P zone	Same as R-1 zone, except that half of the requirement can be uncovered (but not in the front yard setback)
Duplex Project in the R-2 and R-2P Zones	
R-2 zone (per unit)	2 car garage plus one space if 5 or more bedrooms
R-2P zone (per unit)	Same as R-2 zone, except that half of the requirement can be uncovered (but not within the front yard setback)
Multiple-Family Residential Zones	
R-G, R-3R, R-3, R-3P and R-4 zones (per unit)	No bedrooms (studio): 1¼ garage spaces plus ½ space open guest parking; 1 bedroom: 1½ garage spaces plus ½ space open guest parking; 2 bedrooms: 1¾ garage spaces plus ¾ space open guest parking; 3 or more bedrooms: 2 garage spaces plus 1 space open guest parking



R-5 zone	<p>No bedrooms (studio): 1¾ spaces, open or covered, per dwelling unit</p> <p>1 bedroom: 2 spaces, open or covered, per dwelling unit</p> <p>2 bedrooms: 2½ spaces, open or covered, per dwelling unit</p> <p>3 or more bedrooms: 3 spaces, open or covered, per dwelling unit</p>
HIOZ	<p>No bedrooms (studio): 1 space, open or covered, plus 0.10 guest space</p> <p>1 bedroom: 1 space, open or covered, plus 0.10 guest space</p> <p>2 bedrooms: 1.5 spaces, open or covered, plus 0.10 guest space</p> <p>3 or more bedrooms: 2 spaces, open or covered, plus 0.10 guest space</p>

Source: City of Fullerton Municipal Code, Chapter 15.17

HCD recommends a maximum number of parking spaces depending on the characteristics of a particular area. For areas outside of a large city downtown or urban center (neither of which characterize Fullerton), HCD suggests a maximum of 1.5 resident and guest parking spaces per unit for studio and 1-bedroom units. The proposed HIOZ would require 1.10 resident and guest spaces for studio and 1-bedroom units, which is less than the maximum suggested by HCD. However, the required number of parking spaces in the R-5 zone for studio units of 1.75 per unit for both the resident and guest spaces, and 0.50 to 1 guest space in other multi-family zones, is greater than the HCD guidelines, which may be a constraint to development. The City proposes amendments to parking requirements for multi-family zones as outlined in Table 3-8.

**Table 3-9 Proposed Off-Street Parking Requirements per Unit for Multi-Family Residential Zones\***

	R-G, R-3R, R-3, R-3P and R-4 Zones	R-5 Zone	HIOZ (Proposed)
Studio	<u>1.25 spaces plus 0.25 guest spaces</u>	<u>1 space plus 0.25 guest spaces</u>	<u>1 space plus 0.1 guest spaces.</u>
1 Bedroom	<u>1.5 spaces plus 0.25 guest spaces</u>	<u>1 space plus 0.25 guest spaces</u>	<u>1 space plus 0.1 guest spaces.</u>
2 Bedrooms	<u>1.75 spaces plus 0.25 guest spaces</u>	<u>1.5 spaces plus 0.25 guest spaces</u>	<u>1.5 spaces plus 0.1 guest spaces.</u>
3 or More Bedrooms	<u>2 spaces plus 0.25 guest spaces</u>	<u>2 spaces plus 0.1 guest spaces</u>	<u>2 spaces plus 0.1 guest spaces.</u>

\*The City proposes that for dwelling units within a mixed-use development, parking facilities are required at the rate of that specified in the R-5 zone by type of residential unit for projects in the C3 zone.

### Open Space Requirements

Table 3-10 summarizes the private open space requirements per unit for multi-family residential zones. Most zones require a minimum area of 100 square feet of usable private open space per unit. The R-5 and the proposed HIOZ require 67 square feet. For dwelling units within a mixed-use development, open space



is provided at the rate of that specified in the R-5 zone by type of residential unit for projects in the C3 zone.

**Table 3-10 Private Open Space Requirements per Unit for Multiple-Family Residential Zones**

	R-G, R-3R, R-3, R-3P, R-4, and RM-H	R-5, HIOZ*
Minimum area of usable private open space required per dwelling unit	100 square feet	67 square feet

Source: City of Fullerton Municipal Code, Chapter 15.17

\*Proposed requirements for the HIOZ.

The City has analyzed the impacts that the development standards including maximum lot coverage and FAR, minimum unit sizes, parking requirements, and maximum building height have on the ability for a project to achieve maximum permitted densities. Based on an analysis of recently constructed and approved projects in Fullerton, the City has found that these development standards and their cumulative effects do not negatively impact the supply and affordability of housing.

### Density Bonus

As an incentive to encourage the construction of low-cost housing the City has adopted a Density Bonus for Affordable Housing ordinance (Section 15.17.120 of the Municipal Code). In recent years the State Legislature has amended density bonus law to provide greater incentives for the construction of affordable housing. City Density Bonus regulations were last amended in 2017. The City will continue to monitor Density Bonus legislation and amend or otherwise apply regulations as necessary to provide incentives for the construction of affordable housing consistent with State law (Policy Action 3.1). The City is currently applying Government Code 65915 as last revised, effective January 1, 2021.

### Accessory Dwelling Units

Accessory dwelling units (ADUs) provide affordable housing options for singles and small households including the elderly, young adults and caregivers. In recent years, the State Legislature has adopted extensive changes to ADU law to encourage production of this type of housing. Among the most significant changes is the requirement for cities to allow one ADU plus one “junior ADU” on single-family residential lots by-right subject to limited development standards. City ADU regulations were amended in 2020 (Municipal Code Sec. 15.17.100) in conformance with State law. ADUs are permitted by-right in all zones that permit residential uses, including the C-3 and SPD zone as shown in Table 3-7. The ordinance was amended again in 2022 to incorporate regulations for urban lot splits.

ADU permits are reviewed ministerially and are subject to the issuance of a building permit. The Zoning Code regulates the number ADUs permitted on a lot, as well as size, setbacks, and height. Additionally, the Zoning Code does not require parking for a converted structure and requires one parking space for a new ADU with exceptions, such as the property is located within one-half mile walking distance to public transit, on-street parking permits are required, but not offered to the ADU occupant, there is a car share vehicle located within a block, or if the ADU is located within a historic preservation zone. These standards are consistent with current State laws and are not a constraint to development. The City will continue to



monitor ADU legislation and amend regulations as necessary to facilitate ADU production consistent with State law (see Policy Action 3.6).

### Senior Housing and Residential Care Facilities

Small residential care facilities for seniors over 60 years old, which care for up to 6 people, are permitted by-right in all residential zones. Larger residential care facilities are allowed with a CUP in R-3, R-3P, R-4, and R-5 zones. Residential care facilities for seniors are allowed with CUPs in all commercial zones. The Zoning Code specifies six types of retirement complexes, each of which is permitted in at least two residential zones with a CUP. For instance, while a complex of detached cluster units may be permitted in lower density zones, a mid/high-rise retirement hotel is permitted with a CUP only in R-4 and R-5 zones. The denser types of developments are allowed in the O-P (Office Professional) and C-1 (Limited Commercial) zones, subject to a CUP.

Residential care facilities and retirement complexes must meet requirements for height, lot coverage, density, open space, and parking. In addition, these developments are encouraged to have a residential character and an arrangement of buildings compatible with surrounding development types.

### Emergency Shelters and Low Barrier Navigation Centers

**Emergency shelters** are facilities that provide temporary shelter for persons who are homeless. Emergency shelter is usually utilized for 180 days or less. The Municipal Code (Chapter 15.42) establishes regulations and procedures for the Emergency Shelter (ES) Overlay Zone. Properties in the ES Overlay Zone shall be consistent with the objectives of the Zoning Code and General Plan, reasonably compatible with surrounding land uses, and promote the general health, safety, and welfare of the community. The ES Overlay Zone allows emergency shelters and multi-service centers to be permitted by-right through a building permit in designated portions of the M-P (Manufacturing Park), M-G (Manufacturing General) and C-M (Commercial Manufacturing) zones subject to the following criteria and standards:

- Maximum of 50 beds
- Off-street parking at a rate of one space per 5 beds
- Secured bicycle parking with space for at least 8 bicycles
- Screened waiting and intake area with a minimum of 10 square feet per bed
- Maximum 6 months length of stay within any 12-month period
- Minimum 250-foot separation between emergency shelters or multi-service centers
- Minimum 1,320-foot separation from any residential property, K- 12 school or public park
- Site Management Plan identifying hours of operation, services to be provided, staffing, security and communications procedures

AB 2339 (Government Code Sections 65583(4) and 65863) was adopted in 2022 and went into effect on January 1, 2023. AB 2339 requires that jurisdictions identify zoning designations where emergency shelters are allowed and sites appropriate for emergency shelters that meet at least one of the following:

- Vacant and zoned for residential use;



- Vacant and zoned for nonresidential use and located near amenities and services for homeless individuals; or
- Non-vacant and is suitable for use as a shelter in the current planning period.

Additionally, identified sites must be able to accommodate a minimum area of 200 square feet per unsheltered person. The 2022 Point-in-Time Count found that there were 272 unsheltered people in the City of Fullerton. To meet the space requirement, Fullerton needs a minimum of 54,400 square feet (1.25 acres) of land that meets the requirements of AB 2339. Additionally, AB 2339 requires that zoning designations that allow emergency shelters as a permitted use without a conditional use or other discretionary permit, must allow residential uses. This could include zones that allow mixed uses and permit residential uses. The M-P and M-G Zones allow emergency shelters as a permitted use, but do not permit residential uses. The C-M Zone allows mixed-use development that can include residential. No discretionary approval is required if the development involves only the conversion of existing building area and the number of units is fewer than seven; approval of a Minor Site Plan or Minor Development Project is required if the proposal involves new building area on the property and the number of units is fewer than seven; and approval of a Major Site Plan or Major Development Project is required if the proposal involves the creation by new construction or conversion of existing building area of seven or more dwelling units on the property. The portions of the M-P, M-G, and C-M zones where emergency shelters and multi-service centers are permitted by-right through the approval of a building permit are depicted in Figure 3-1 below. These sites are clustered in two areas of the city: the Northern Industrial Area and the Southeast Industrial Area. The C-M zone is the only zone within the ES Overlay zone that permits residential uses. Eligible sites in the C-M zones within the ES Overlay Zone include three adjacent parcels encompassing a total of 2 acres and ranging in size from approximately 0.2 to 0.98 acres. These sites are within one-half mile of a bus transit line and commercial services. Many of the sites are underutilized and could accommodate an emergency shelter. Like many other cities in Orange County, Fullerton is largely built-out and has few undeveloped sites; however, there are a number of vacant buildings or tenant spaces among the eligible sites that could be remodeled for shelter use without the expense of ground-up construction. Warehouse areas are particularly adaptable with interior, non-structural walls and upgrades to plumbing and other facilities (see additional discussion in Appendix H-B). Based on the allowable shelter size of 50 beds, the estimated total need of 272 homeless persons, and the 63 existing year-round emergency shelter beds in Fullerton, six additional shelters could fully accommodate the city's shelter needs. Even without considering potential shelter capacity on the campuses of 25+ religious institutions in Fullerton (which can provide emergency shelters for up to 12 persons by-right in any zone), sites in the C-M zone are estimated to have the potential capacity needed to meet the city's shelter needs.

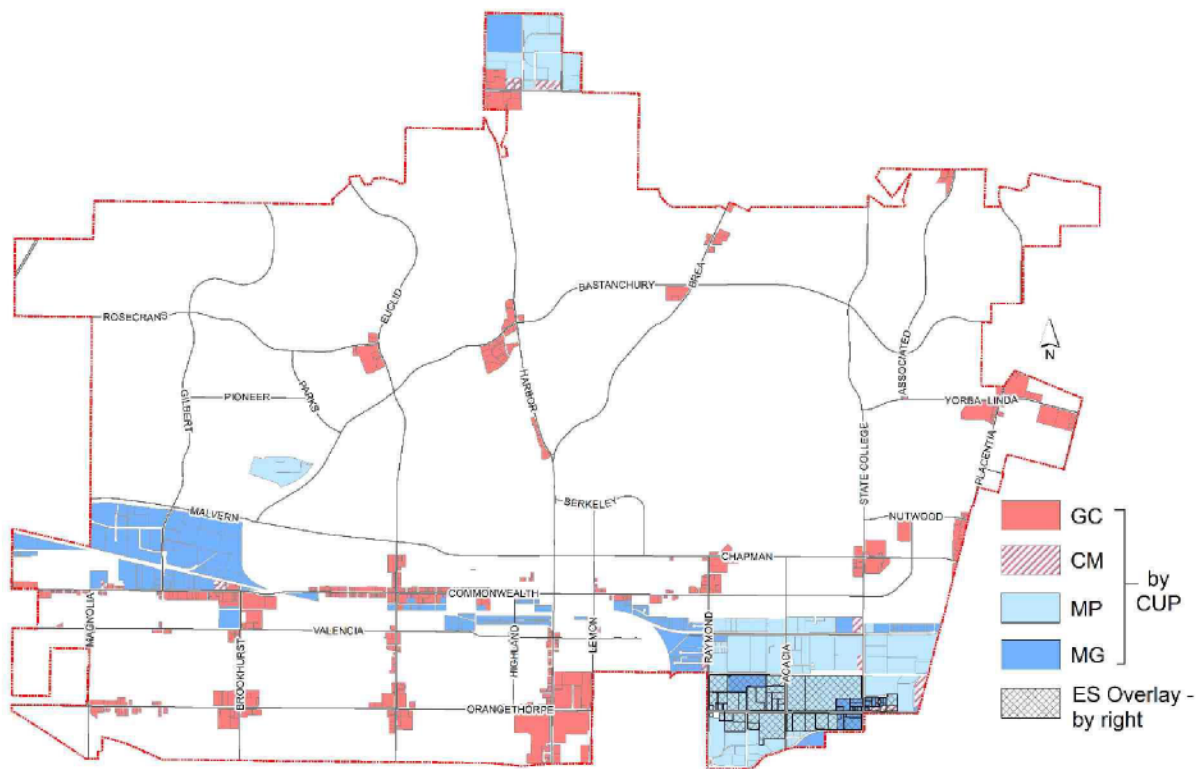
Emergency shelters and multi-service centers that are approved subject to a multi-jurisdictional agreement are permitted by-right even if they do not strictly comply with applicable development standards. Other emergency shelters and multi-service centers that do not comply with applicable standards may be approved subject to a CUP. Emergency shelters with up to 12 beds are also permitted as an accessory use to religious institutions.

AB 139, which went into effect on January 1, 2020, mandates that emergency shelters may only be subject to those standards which apply to residential and commercial development within the same zone, except that a city can apply standards regulating the number of beds, parking for staff provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone, length of stay, and other minor standards. To ensure that City development standards and



procedures continue to provide adequate sites for emergency shelters, the City will revise the emergency shelter provisions in the Zoning Code to permit emergency shelters by-right in the CM zone and address identified constraints. This will subject emergency shelters only to the same objective standards that apply to residential and commercial development within the same zone (e.g., setbacks, height, lot coverage, and FAR), except for objective standards related to location, management, and intake area, as described in Policy Action 3.15. Additionally, the current separation requirements listed in the City's Zoning Code for emergency shelters such as the required 1,320-foot distance from parks and residential properties are a constraint to their development as residential and commercial developments within the same zones are not subject to this requirement. As directed by Policy Action 3.15, the City will ensure compliance with AB 2339 and AB 139 and eliminate identified constraints, including amending the definition of emergency shelters, clarifying that emergency shelters will be permitted without discretionary action, amending the parking requirements to be limited to the number of spaces sufficient for employees and removing the requirement that emergency shelters must be 1,320 feet from parks and residential properties to ensure the city may accommodate the number of people experiencing homelessness.

**Figure 3-1 Emergency Shelter Overlay Zone**



**Low barrier navigation centers.** In 2019 the State Legislature adopted AB 101 establishing requirements related to local regulation of low barrier navigation centers, which are defined as “Housing first, low-barrier, service-enriched shelters focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.” *Low barrier* means best practices to reduce barriers to entry, and may include, but is not limited to:



- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth
- (2) Accommodation of residents' pets
- (3) The storage of possessions
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms"

Low barrier navigation centers meeting specified standards must be allowed by-right in areas zoned for mixed use and in nonresidential zones permitting multi-family uses. Policy Action 3.15 includes a component to process a Zoning Code amendment to establish regulations for low barrier navigation centers consistent with current law.

### **Transitional and Supportive Housing**

*Transitional Housing* is defined as rental housing operated under program requirements that call for the termination of assistance and recirculation of assisted units to other eligible program recipients at some predetermined future point in time, which shall be no less than a six-month period.

*Supportive Housing* is defined as housing with no limit on length of stay, that is occupied by the target population and that provides a significant level of onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. *Target population* means adults with low income, having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4. 5 (commencing with §4500) of the *California Welfare and Institutions Code*) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.

The Municipal Code permits transitional and supportive housing in all residential zones subject to the same standards and procedures as applied to other residential uses of the same type in the same zone, in conformance with State law. In addition, transitional and supportive housing facilities that do not comply with all development standards may be permitted subject to a CUP.

In 2018 AB 2162 amended State law to require that supportive housing be allowed by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed housing development meets specified criteria. Policy Action 3.15 in the Housing Plan includes a component to process a Municipal Code amendment to ensure that the City's transitional and supportive housing regulations are consistent with State law.

### **Single Room Occupancy Units**

Single Room Occupancy (SRO) units provide an opportunity to meet the needs of very-low-income persons and households. The City of Fullerton defines a SRO Unit as a living unit within an SRO residential hotel consistent with §17958.1 of the *California Health and Safety Code*, which is rented to the same person for a period of more than 30 consecutive days at a rate at or below 30% of the monthly median income adjusted



for a household size of one, as defined by the U.S. Department of Housing and Urban Development for Orange County. SRO residential hotels may be located in General Commercial (C2), Central Business District Commercial (C-3), and Commercial, Highway (C-H) zones, subject to a CUP.

The Director of Community Development must approve a management plan for SRO residential hotels and they must meet development standards, including minimum unit size, a minimum five-foot setback to any window, minimum interior common area, access to public transportation, parking requirements, provision of shower/bath and laundry facilities, and safety features.

### **Employee Housing and Farmworker Housing**

As required by California Health and Safety Code Section 17021.5, any employee housing providing accommodation for six or fewer employees must be considered a single-family structure within a residential land use designation. California Health and Safety Code Sections 17021.5 and 17021.6 generally require agricultural employee housing to be permitted by-right, without a CUP, in single-family zones for six or fewer persons and in agricultural zones with no more than 12 units or 36 beds.

Chapter 2, *Housing Needs Assessment*, indicates that 197 workers in Fullerton are farmworkers and 158 are employed in the agricultural industry. However, there are over 100,000 farmworkers in the SCAG region. The City of Fullerton's Zoning Code only permits employee or farmworker housing through a CUP for equine operations. It does not permit employee or farmworker housing for other uses. The lack of inclusion of employee and farmworker housing in the City of Fullerton Zoning Code is a constraint to the development of affordable housing for farmworkers. The City of Fullerton will implement Policy Action 3.17-b to add a definition for employee and farmworker housing and allow these uses by-right in certain zones in accordance with California Health and Safety Code Sections 17021.5 and 17021.6.

### **Housing for Persons with Disabilities**

Pursuant to State law, cities are required to analyze potential and actual constraints to the development, maintenance and improvement of housing for persons with disabilities and demonstrate local efforts to remove governmental constraints that hinder meeting the need for housing for persons with disabilities within the city. The US Census Bureau defines persons with disabilities as those with a long-lasting physical, mental or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition may also impede a person from being able to work at a job or business or to go outside the home unaccompanied.

The City addresses two types of housing for persons with disabilities in its Zoning code: small group homes and large group homes. "Small group home" means any family home, group care facility or similar facility as determined by the Director of the State Department of Social Services that is licensed to shelter and care for six or fewer persons in a dwelling, providing 24-hour non-medical services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual. "Large group home" means any family home, group housing arrangement or similar residential care facility as determined by the Director of the State Department of Social Services that is licensed to shelter and care for more than six persons, providing 24-hour non-medical services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual. Small and large group homes are similar to small and large residential care facilities, but they are not exclusive to care for the elderly.



The Federal Fair Housing Act requires that local jurisdictions do not discriminate against persons based on familial status. Familial status is defined as one or more individuals under the age of 18 living with a parent/legal guardian, or the designee of such parent. Local jurisdictions may restrict access to housing for households that do not meet the jurisdiction’s respective definition for “family.” A restrictive definition of “family” that limits the number of individuals living together may illegally limit the development and siting of group homes for persons with disabilities, but not for housing families that are similarly sized or situated. The City defines a *Family* as an individual or two or more persons living together as a relatively permanent bona fide housekeeping unit in a domestic relationship based upon birth, marriage or other domestic bond of social, economic and psychological commitments to each other as distinguished from a group occupying a boarding house, lodging house, club, dormitory, fraternity, sorority, hotel, motel, retirement complex or rehabilitation facility. The definition of family is limiting and may constrain the development of housing for persons with disabilities in residential zones. The City will implement Policy Action 3.17-g to revise the definition of family to “A person or a group of persons living together and maintaining a common household”.

Small group homes are permitted by-right and without discretionary approvals in all of the residential zones except for the R-MH zone. These projects are reviewed administratively by City staff through the building permit plan check process. Large group homes are permitted, subject to a CUP, in all residential zones except for the R-MH zone. Large group homes can also be located in the O-P and C-1 zones with a CUP.

Large group homes must comply with specific standards and requirements outlined in the Zoning Code. These standards and requirements are:

- Lot coverage shall not exceed 50 percent in zones R-1 through R-3R. For all other zones, coverage shall not exceed 60 percent.
- The allowable number of units shall vary depending on the particular zone in which the proposed use will be located. Two beds are equivalent to one room, which is equivalent to one unit. The allowable density is shown in Table 3-11.

**Table 3-11 Allowable Density for Large Group Homes**

Zone	DU per Acre
R-1-20,000 and above	5.6
R-1-10,000 through R-1-15,000	7.6
R-1-6,000 through R-1-9,000	10.2
R-2/R-2P	14.0
R-G	15.2
R-3R	24.8
R-3/R-3P	33.8
R-4	46.2
R-5	Unlimited
PRD	Established by general or specific plan designation of the site
Any Commercial Zone	33.8

Source: City of Fullerton Municipal Code, Ch. 15



- Usable open space must be provided on a per unit basis. Two beds are equivalent to one room which is equivalent to one unit. The usable open space requirements are shown in Table 3-12. Indoor common recreational areas may contribute up to one third of the useable open space requirements.

**Table 3-12 Usable Open Space Requirements for Large Group Homes**

Zone	Usable Open Space per Unit
R-1-20,000 and above	800 sq. ft.
R-1-10,000 through R-1-15,000	700 sq. ft.
R-1-6,000 through R-1-9,000	600 sq. ft.
R-2/R-2P/R-G/R-3R	400 sq. ft.
R-3/R-3P/R-4	300 sq. ft.
R-5	200 sq. ft.
PRD	Established by general or specific plan designation of the site
Any Commercial Zone	300 sq. ft.

Source: City of Fullerton Municipal Code, Ch. 15

- The demand for parking will vary depending on the clientele and type of operation of the facility. The parking requirement shall be determined on a case-by-case basis as part of the review of the CUP.

The City allows for flexibility in location and design of the group homes. The City’s standards and requirements for density and open space are generally consistent with what is required of other development within the same zones. Large group homes require less usable open space than other residential developments within the same zone. For example, a four-bedroom development in the R-1 zone would require 1,000 square feet of open space while a large group home with four bedrooms would require 600-800 square feet. Additionally, indoor common recreation areas may also contribute to the open space requirements, which further assists meeting this requirement. The open space requirements for large group homes are not a constraint to development. There are no maximum concentration requirements or siting requirements for large group homes. The City also provides flexible parking requirements by only requiring what is needed to accommodate the facility on a case-by-case basis. Small group homes are permitted by-right and the requirements are not a constraint to development.

However, the requirement for a CUP for licensed large group homes in every residential zone constrains the development of housing for people with disabilities. The requirement for a CUP for large group home permits extends the permitting process and raises the cost of development due to the CUP fees and process. The City will implement Policy Action 3.17-e to remove the conditional use permit for large group homes to allow for group homes for seven or more persons in all zones allowing residential uses similar to other residential uses of the same type in the same zone, regardless of licensing. The City will specify in the Zoning Code that unlicensed group homes of any size are subject only to the generally applicable, nondiscriminatory health, safety, and zoning laws that apply to all residential developments permitted in the same zone.

**Reasonable accommodation.** Municipal Code Chapter 15.65 establishes procedures for reviewing requests for reasonable accommodation from persons with disabilities in order to provide relief from land use, zoning and building regulations, policies, practices, and procedures that may interfere with the use and



enjoyment of the home of a person with a disability. The intent of this ordinance is to allow persons with physical or mental disabilities an equal opportunity to use and enjoy a dwelling. Review and approval of the reasonable accommodation request is not contingent upon the findings of other discretionary decisions (for example, review of a CUP). The applicant must pay the fee for a Zoning Adjustment (Minor Exception) which is \$1,976.95 and provide applicable environmental information, forms, plans and the following:

1. Documentation that the applicant is disabled person, is representing a disabled person, or is a developer or provider of housing for one or more disabled persons;
2. Authorization by the legal owner of the real property subject to the request;
3. Identification of the specific code sections from which exception or modification is requested;
4. Explanation of the necessity for the requested exception or modification; and
5. Plans which illustrate the manner in which the exception or modification is/are intended to be carried out.

Requests for reasonable accommodation are reviewed by the Zoning Administrator (Community Development Director or their designee) and shall be granted or conditionally granted when the Zoning Administrator finds, consistent with fair housing laws, all of the following:

1. The dwelling subject to the request for a reasonable accommodation will be used by a disabled person protected under fair housing laws;
2. The requested accommodation is necessary to provide the disabled resident(s) an equal opportunity to use and enjoy a dwelling;
3. The requested accommodation will not impose an undue financial or administrative burden on the City;
4. The requested accommodation will not result in a fundamental alteration in the nature of the City's land use and zoning or building program or on the character of the neighborhood affected by the request; and
5. The requested accommodation will not impact the health, safety or general welfare of other individuals and will not result in physical damage to the properties of others.

The decision to grant or deny a reasonable accommodation request must be consistent with the Federal Fair Housing Act and the California Fair Employment and Housing Act. Any person dissatisfied with the decision may appeal the Zoning Administrator's decision to the planning commission within 10 days of the final decision, and the planning commission's decision to the city council within 10 days.

The finding to ensure that the accommodation does not alter the character of the neighborhood is subjective and may constrain the applicant from receiving approval. Additionally, the City does not provide information regarding reasonable accommodation or ADA assistance on the City website, which may constrain the development of housing for people with disabilities. The City will implement Policy Action 3.17-f to remove the fee for applicants, revise the findings to be objective in nature, and provide additional information regarding reasonable accommodation for the development of housing for people with disabilities.



## Inclusionary Housing Requirements

The City of Fullerton, in accordance with California Community Redevelopment Law, previously required the production of affordable housing based on activities in the redevelopment areas. With the dissolution of the Redevelopment Agency, those inclusionary requirements are no longer in effect. Affordable housing units produced in the past under the inclusionary requirements are subject to deed restrictions that require continued affordability throughout the term of the restriction. Short-Term Rentals

The City allows short-term rental (STR) of residential property subject to issuance of a Short Term Rental Permit pursuant to Municipal Code Sec. 15.55.020 (F). A minimum separation of 300 feet between whole-house STRs is required. No separation distance is required for STRs that are less than whole-house or for units in a multi-family development. Additionally, the whole-house STR permits are capped at 100, whereby no additional permits will be issued once this threshold has been reached.

## 2. Building Codes and Enforcement

Building and safety codes are adopted to preserve public health and safety and ensure the construction of safe and decent housing. These codes and standards also have the potential to increase the cost of housing construction or maintenance.

The City of Fullerton adopted the 2022 California Building Code (Code) in January 2023, which establishes construction standards for all residential buildings. The City amends the Code as needed to further define requirements based on the unique local conditions. Utilizing the prior 2019 California Building Code amendment, this version implemented the inclusion of fire sprinkler systems in one and two-family dwellings with certain exceptions (FMC Section 14.04.110). The Code is designed to protect the public health, safety, and welfare of Fullerton's residents. While the incorporation of the Code and the amendment to include fire sprinkler systems may increase the cost of construction, the standards are necessary to prevent more costly damage related to potential seismic or fire activity.

The City does not have the local ability to waive the provisions of the California Building Code. The City must implement all California Building Code requirements; however, the City has an appeal process to challenge interpretations of Building Code requirements. The Building Official presents the appeal to the Planning Commission (sitting as the Board of Appeals) through a public hearing. The Board of Appeals then makes the final decision. Code enforcement in the city is performed both proactively and on a complaint basis. The City's building and safety codes are not a constraint to the development of housing.

The federal Fair Housing Act of 1998 (FHA) and the Americans with Disabilities Act (ADA) are federal laws intended to assist in providing safe and accessible housing. ADA provisions include requirements for a minimum percentage of units in new developments to be fully accessible for persons with physical disabilities. Compliance with these regulations may increase the cost of housing construction as well as the cost of rehabilitating older units, which may be required to comply with current codes. However, the enforcement of ADA requirements is not at the discretion of the City but is mandated under federal law.

## 3. Development Fees

Various development and permit fees are charged by the City and other agencies to cover administrative processing costs associated with development. These fees ensure quality development and the provision of



adequate services. Often times, development fees are passed through to renters and homeowners in the price/rent of housing; thus, affecting the affordability of housing.

Table 3-13 summarizes the total typical fees for single-family and multi-family projects. The fees for the typical single-family project are based on a 2,000-square-foot, 4-bedroom single-family detached dwelling unit. The fees for the typical multi-family project are based on a 1,000-square-foot, 2-bedroom unit in a 4-unit apartment project. Due to economies of scale, the fees per unit in a multi-family project typically are reduced as the number of units increases. The City of Fullerton provides transparency in the development process by publishing resources such as the planning calendar, handouts, forms, and development processing fees on the City’s Planning and Zoning Division website. The fee schedule is updated yearly and is posted on the website accordingly.

**Table 3-13 Total Typical Fees**

Single-Family Dwelling <sup>1</sup>	Estimated Fee (per unit)
Building Permit	\$3,316 (includes plan check fee of \$1,378)
Plumbing	Varies based on fixtures
Electrical	Varies based on fixtures
Mechanical	Varies based on fixtures
Sanitation	\$5,918
Park Facilities	\$12,020
School Facilities	\$8,160
Traffic Impact Mitigation	\$325.50
<b>Total</b>	<b>\$29,739</b>
Multi-Family Dwelling <sup>2</sup>	Estimated Fee (per unit)
Building Permit	\$1,922 (includes plan check fee of \$805)
Plumbing	Varies based on fixtures
Electrical	Varies based on fixtures
Mechanical	Varies based on fixtures
Sanitation	\$1,728
Park Facilities	\$12,020
School Facilities <sup>3</sup>	\$4,080
Traffic Impact Mitigation	\$195.30
<b>Total</b>	<b>\$19,945</b>

Notes:

- 1 Based on a 4-bedroom single-family house with 2,000 square feet.
- 2 Based on a 4-unit apartment project.
- 3 Based on 2-bedroom units with an average of 1,000 square feet per unit, 4,000 square feet total.

Source: City of Fullerton, 2021

Table 3-14 shows the fees charged for various development applications for the City of Fullerton as well as fees imposed by the Cities of Orange and Garden Grove. Both Orange and Garden Grove are within close proximity to Fullerton, are within the same county, and have similar population sizes. Additionally, Orange



has a college campus (Chapman University) within its jurisdiction like Fullerton (California State University, Fullerton). When comparing the development processing fees between the three jurisdictions, the City of Fullerton generally has the highest fees amongst the three cities. The higher development fees may be seen as a constraint to development. Fullerton will implement Policy Action 3.2-f to review development fees to be more comparable to nearby cities and adjust them accordingly.

**Table 3-14 Local Development Processing Fee Comparison**

Item	City of Fullerton Fees	City of Orange	City of Garden Grove
Conditional Use Permit-Minor	\$6,521.67	\$3,000+ billed at actual cost	\$3,150
Conditional Use Permit-Major	\$9,600	\$3,000+ billed at actual cost	N/A
Site Plan Review – Minor	Class 1- \$1,215.36, Class 2-\$2,660.16, Class 3- \$6,306.23	\$1,000+ billed at actual cost	\$3,375
Parcel Map	\$12,383.98	\$2,000+ billed at actual cost	\$2,138 + \$17 per lot
Tentative Tract Map	\$12,383.98 +\$177.89 per lot	\$2,000+ billed at actual cost	\$3,788 + \$17 per lot
Variance	\$3,11.71	\$3,000+ billed at actual cost	\$2,525
Zoning Amendment	\$4,646.88	\$3,000+ billed at actual cost	\$2,625
General Plan Amendment	\$4,646.88	\$10,000+ billed at actual cost	\$2,925
CEQA review – Negative Declaration or Mitigated Negative Declaration	Deposit for actual time and materials plus 10% consultant cost	\$6,000 (Negative Declaration) + \$3,000 Mitigation Monitoring	\$775 (Negative Declaration) \$1,050 (Mitigated Negative Declaration)
CEQA review - EIR	Deposit for actual time and materials plus 10% consultant cost	\$10,000 deposit + billed at actual cost	Total consultant contract plus 15%

Source: City of Fullerton, Development Processing Fees, 2022.

<https://www.cityoffullerton.com/home/showpublisheddocument/6278/637934098602870000>

City of Orange, Development Case Application Fees, 2022.

<https://www.cityoforange.org/home/showpublisheddocument/3611/637927850256567545>

City of Garden Grove, Planning Fees, <https://ggcity.org/sites/default/files/2019-08/planningfees.pdf>

#### 4. Local Processing and Permit Procedures

Delays in development and building permit processing can lead to considerable holding costs that may affect the price of housing. The City of Fullerton’s requirements and process for development review are based on the complexity of the project and the type of entitlement. Residential projects in the R-1 (single-family) and R-2 (two-family) zones are exempt from discretionary review, so long as the project is not proposing deviations from the Zoning Code and is not within a historic neighborhood.



## 5. State Streamlining

In the 5<sup>th</sup> cycle Housing Element reporting period (2013-2021), the City of Fullerton made insufficient progress toward its lower income RHNA and is subject to SB 35 streamlining provisions for projects that include at least 50 percent affordability. SB 35 requires that eligible projects be reviewed for compliance and consistency with the City's objective standards and are not subject to discretionary processes, such as CEQA environmental review and public hearings. Eligible projects with 150 units or fewer must be approved within 90 days and projects with more than 150 units must be approved within 180 days.

Eligible developments must include a specified level of affordability, be on an infill site, comply with existing residential and mixed-use general plan or zoning provisions, and comply with other requirements such as locational and demolition restrictions. A local government that has been designated as subject to the Streamlined Ministerial Approval Process shall provide information, in a manner readily accessible to the public, about the locality's process for applying and receiving ministerial approval, materials required for an application and relevant objective standards to be used to evaluate the application. A local government cannot impose application requirements that are more stringent than required for a final multi-family entitlement or standard design review in its jurisdiction.

Since 2018, no projects have been applied for or approved through SB 35 ministerial approval. Currently the City of Fullerton does not have written procedures for SB 35 Streamlined Ministerial Approval Process. In addition, AB 1397 requires that 5<sup>th</sup> cycle opportunity sites re-used in the 6<sup>th</sup> cycle and identified to accommodate lower income units (very low income and low income) be subject to by-right approval if projects include 20% affordable units for low-income households on-site. Fullerton will amend its Zoning Code to address updates to State law through Policy Action 3.1-d.

## 6. Ability to Develop at Density Potential

Recent residential projects that are pending approval or were approved between 2020 and 2023 are located within various zoning districts including low density and higher density zoning districts. Of the 28 recent projects, 12 are located in the Specific Plan District (SPD), seven are in residential zoning districts, six are in commercial districts, one is in an industrial district, and one is in the OP zoning district. The General Plan designations of the sites vary, including 11 sites that are designated as residential and 17 sites that are designated as mixed-use, commercial, industrial or another designation. Though most of the sites are not designated as strictly residential (some are mixed-use or commercial), developers chose to develop residential projects. On average, the 28 developments obtained a density of 37 units per acre. The SPD zoned properties have an average density of 42 units per acre, the residential zoned properties have an average density of 27 units per acre, the commercial zone properties have an average density of 49 units per acre, the industrial zoned property had a density of 26 units per acre and the remaining properties had an average density of 12 units per acre.

Table B-7 in Appendix H-B Land Resources shows the development trends based on the project type and site acreage size. When reviewing the potential density of the recent residential projects, it was important to consider certain development standards such as height restrictions for sites that are near R-1 zones. This is because sites closer to R-1 zones are limited to one or two stories and may not be able to accommodate as many units. The density assumptions for the site inventory are 20 dwelling units per acre for sites within 100 feet of an R-1 zone, 35 dwelling units per acre for sites that are less than an acre and within 100 feet of an R-1 zone, and 55 dwelling units per acre for sites larger than an acre and that are more than 100 feet from an R-1 zone.



The height limit for developments adjacent to R-1 zones does not significantly impact the achievable density or housing supply (number of units). The realistic capacity for developments are within 100 feet of the R-1 zone and have a height limit of 30 feet is 20 units per acre. Of the 290 parcels that are within the proposed HIOZ, 131 parcels are at least partially affected by this height requirement. However, general development trends (2015- 2023) in Fullerton show that projects that are 2-3 stories (20-30 feet) in height can achieve a density of at least 20 units per acre. For example, 117 W. Valencia is three stories and has a density of 20.59 units per acre, and Brookdale Apartments is two stories and has a density of 30 units per acre.

As discussed in the examples above, the limitation of the maximum height limit for developments near the R-1 zone does not significantly constrain developments from achieving a minimum density of 20 units per acre.

### **Multi-family Projects and Site Plan Review**

Multi-family projects require Site Plan Review by either the Zoning Administrator (ZA) or Planning Commission (PC). The Zoning Administrator is the approving body for Minor Site Plan applications while Major Site Plans require approval by the Planning Commission. Chapter 15.47 of the Zoning Code specifies whether a project requires a Minor Site Plan review or Major Site Plan review. No discretionary approval is required if the development involves only the conversion of existing building area and the number of units is less than seven. A residential project with 6 or fewer units is typically considered a Minor Site Plan. A residential project on a parcel within the HIOZ would also require Minor Site Plan approval. Approval of a Major Site Plan or Major Development Project is required if the proposal involves the creation by new construction or conversion of existing building area of seven or more dwelling units on the property. Site Plan Review is required to ensure compliance with the development standards found in the City's Municipal Code. The Municipal Code outlines the following criteria by which as project proposal is reviewed during Site Plan Review:

#### **General**

1. Creating a development that is pleasant in character and is harmonious with the past development of Fullerton.
2. Minimizing the disruption of existing natural features such as trees and other vegetation and natural ground forms.
3. Illustrating a design compatibility with the desired developing character of the surrounding area.
4. Recognizing views, climate and the nature of outside activities in the design of exterior spaces.
5. Preserving public views and scenic vistas from unreasonable encroachment.

The Site Plan Review's general criteria are subjective and do not provide the applicant with certainty that all requirements have been met and the development will be approved. Subjective criteria such as "pleasant in character," "harmonious with the past developments" and "desired developing character of the surrounding area" do not provide the applicant with clear objective standards. However, all reviews of plans fall into a set schedule of between two and three weeks, therefore written responses are provided in a set and timely manner.



The decision on whether these standards are met is decided by the Zoning Administrator for Minor Site Plan Reviews or the Planning Commission for Major Site Plan Reviews. The subjective nature of the review criteria does not necessarily result in a longer review period than necessary; however, the review process does not provide certainty on whether development standards have been met (see “Development Processing Time” discussion below). The City will implement Policy Action 3.2-g to revise the review criteria to be based on clear objective standards.

### **Buffering**

1. Screening exterior trash and storage areas and service yards from view of nearby streets and adjacent structures in a manner that is compatible with building site design.
2. Minimizing noise within the project as well as noise created by the proposed project (traffic, air conditioning, use, etc.) that may negatively impact the surrounding area.

### **Grading**

1. Blending any proposed grading with the contours of adjacent properties.
2. Ensuring that all on-site drainage patterns will occur on or through areas designed to serve this function.

### **Circulation**

1. Creating traffic patterns that minimize impacts on surrounding properties and streets and accommodate emergency vehicles.
2. Creating circulation systems that avoid conflicts between vehicular, bicycle and pedestrian traffic.
3. Ensuring that the proposed project accommodates individuals with physical disabilities, via the provision of conveniently located handicapped parking stalls, ramps and the like.

### **Building/Site Planning Relationships**

1. Siting buildings so as to avoid crowding and to allow for functional use of the space between buildings.
2. Siting buildings so as to consider shadows, changing climatic conditions, noise impacts as well as respecting the terrain and other circumstances favorable to the use of passive solar devices.
3. Designing and/or screening all rooftop mechanical and electrical equipment as an integral part of the building design.

### **Landscaping**

1. Designing landscaping to create a pleasing appearance from both within and off the site.
2. Ensuring that landscaping accommodates adequate sight distances for motorists and pedestrians entering and exiting the site and does not interfere with circulation effectiveness.
3. Providing landscaping adjacent to and within parking areas in order to screen vehicles from view and minimize the expansive appearance of parking areas.
4. Ensuring that all landscaping and its corresponding irrigation systems will conform to Section 15.56.140 of the Municipal Code.



## Design Guidelines and Review

Fullerton has developed design guidelines for three areas within the city: the Central Business District, the Pico-Carhart Rural Street Overlay, and the Residential Preservation Zones (R-1P, R-2P, and R-3P). The City has found these areas to have specific design and aesthetic concerns due to their unique character. Residential projects in these areas are reviewed for compliance with the design guidelines, which were developed to ensure consistent review for design and aesthetic compatibility within these established neighborhoods.

Projects within the Pico-Carhart Rural Street Overlay are reviewed for compliance with the established design guidelines by Community Development staff during plan check. Projects which do not meet the design guidelines may be referred to the Planning Commission.

Projects with the Central Business District and the Preservation Zones are reviewed by the Zoning Administrator or Planning Commission (as Landmarks Commission), as applicable.

## Review Bodies

The City has three discretionary review bodies: Zoning Administrator, Planning Commission (PC), and City Council. In addition, a Development Coordinating Review Committee (DCRC) made up of City Staff from Engineering, Community Development, Fire, Police and other departments with interests in development, works to streamline the development review and approval process by coordinating the technical review of development projects.

## Zoning Administrator

The Zoning Administrator is the Community Development Director or designee authorized to review and decide on Minor Exception applications for minor code deviations as defined by the Zoning Code, and also on Minor Site Plans. This process allows for discretionary review of smaller projects while providing for a faster turnaround due to fewer steps in the process.

## Planning Commission

The Planning Commission is the approving body for Major Site Plans, Variances, Conditional Use Permits, and Parcel Maps. Planning Commission reviews and makes recommendations on all projects where the City Council is the approving body. The Planning Commission also hears any appeals to Zoning Administrator decisions.

## City Council

The City Council is the approving body for amendments, tract maps, and general plan revisions. The City Council also hears any appeals to Planning Commission decisions.

## 7. Development Processing Time

Table 3-15 summarizes the local development processing time for the City. Projects not requiring discretionary review can be submitted directly for plan check and building permit issuance. For example, ADUs are ministerially reviewed and approved by planning staff. A review of the ADUs that have been submitted since 2019 shows that the permitting process for ADUs takes a total average of



415 days from application submittal to permit issuance. ADUs take an average of 94 days to be approved, about 68 days between the planning approval and building plan check submittal, and an additional 253 days between the first plan check submittal and permit issuance. The review process for ADUs may take over a year for permit issuance. The length of the process may constrain the development of ADUs.

Single-family residences are also typically reviewed ministerially and take an average of 211 days to receive planning approval, 140 days between planning approval and the first submittal to building plan check, and about 408 days between the first building plan check submittal and building permit issuance.

Multi-family developments with more than six units require a Site Plan Review and a public hearing which takes an average of 430 days from the application submittal to the entitlement approval. On average, multi-family developments require two to three public hearings. Based on the average of five recent projects, multi-family developments take approximately 169 days between City Council entitlement approval and the first submittal to building plan check, and average 281 days between the first building plan check submittal to the building permit issuance. Multiple public hearings and long processing times can be costly to the development of multi-family housing. The City will implement Policy Action 3.2-f to assess the processing procedures and times for all residential developments and implement strategies to streamline and expedite the review procedure.

**Table 3-15 Local Development Processing Time, City of Fullerton**

Item	Approximate Length of Time from Submittal to Public Hearing (City review time only)
Conditional Use Permit	90 days, assumes 2 submittals for completeness determination
Site Plan Review – Minor	80 days, assumes 2 submittals
Site Plan Review – Major	120 days, assumes 3 submittals
Parcel Map	120 days, assumes 3 submittals
Tentative Tract Map	120 days, assumes 3 submittals
Variance	60 days if standalone application
Zoning Amendment	Varies
General Plan Amendment	Varies
CEQA review – Negative Declaration or Mitigated Negative Declaration	6-8 months
CEQA review - EIR	Minimum 4 months, due to State-mandated notification procedures

Source: City of Fullerton, 2021

### 3.1.5 Environmental Constraints

#### 1. Seismic Hazards

Similar to most southern California cities, Fullerton is located within an area considered to be seismically active. There are several smaller fault lines that pass through or lie underneath Fullerton. The Puente Hills Blind Thrust System runs north-south through Fullerton. Sections of the Elysian Park and Yorba Linda fault



lines pass through Fullerton's southwestern and southeastern areas respectively. The Coyote Hills faults, a series of smaller, shorter faults, run through norther sections of Fullerton. The 2020 Local Hazard Mitigation Plan identifies the fault lines.

## **2. Landslides**

Landslides often occur during or after strong earthquakes. Areas subject to seismically induced landslides are limited to the steeper portions of the East and West Coyote Hills. The probability of seismically induced bedrock landslides occurring elsewhere is low. Additionally, small soil slips can occur throughout the Coyote Hills. Adequate plans for the prevention of the landslides in the Coyote Hills have been made in the Grading and Development Guidelines sections of the Specific Plans.

## **3. Flooding**

Floodplain studies have been performed for Fullerton as part of the National Flood Insurance Program. There are areas in the 100-year flood zone that can create a hazardous condition in the city. The 100-year flood zone areas are generally adjacent to creeks and channels within the city; however, there are some small, scattered areas in the southern portion of the city subject to flooding hazards. The 2020 Local Hazard Mitigation Plan identifies the areas subject to 100-year and 500-year flood risks.

Several major watercourses and dam facilities provide protection against major flood flows from runoff generated in watershed north and east of the city. Smaller drainage facilities that drain into the major channels and reservoirs are the responsibility of the City for construction, operation and maintenance. The 2020 Local Hazard Mitigation Plan identifies relevant dams and reservoirs.

## **4. Toxic and Hazardous Wastes**

There are a number of land uses within the city that handle hazardous materials. The Fire Department is responsible for safety inspections of commercial buildings as well as environmental protection responsibilities. The Fire Department has actively collected hazardous materials information from approximately 300 businesses that meet the threshold disclosure requirements. This program also includes the administration of underground storage tank regulations.

## **5. Fire Hazards**

All of Fullerton is potentially at risk for some type of fire hazard. However, the City continues to address the need to defend persons and property from urban and wildland fires. Because Fullerton's climate includes long periods of hot-dry weather combined with high-velocity desert winds, the potential exists for large, spreading fires. The 2020 Local Hazard Mitigation Plan identifies the areas in the city identified as Moderate, High and Very High wildfire risks.

## **6. Noise**

Residential land uses are generally considered to be the most sensitive to loud noises. Noise within the city originates from either stationary or mobile sources. Stationary sources include noise generators such as the airport, industrial and construction activities, air conditioning/refrigeration units, and home appliances. Many stationary noise sources are typically accepted as part of the ambient or background noise level. Mobile noise sources are typically transportation-related and include aircrafts, trains, automobiles, trucks, buses, motorcycles, and off-road vehicles.



Motor vehicles are the single largest source of continuous noise in the city. Major roadways carry appreciable volumes of both truck and commuter traffic. Residential zones adjacent to these roadways in the City are affected by motor vehicle noise. Other transportation sources in the city that contribute to noise levels include the Metrolink, Burlington Northern & Santa Fe (BNSF) and Union Pacific (UP) railroad trains and aircraft accessing the Fullerton Municipal Airport.

### 3.1.6 Infrastructure Constraints

#### 1. Water

Water for Fullerton's service area is derived from both underground and imported sources, with a larger usage of underground resources during the planning period. Underground supply comes from wells located in the Orange County Groundwater Basin. Fullerton is a member agency of the Metropolitan Water District of Southern California (MWD), which delivers imported water to the service area. According to the City's 2020 Urban Water Management Plan, total water use is expected to increase 7.8% over the next 5 years and 8.5% from 2025 through 2045. The 2020 Urban Water Management utilized the 6<sup>th</sup> Cycle RHNA as part of its projections. Considering normal, single-dry, and multiple-dry year scenarios, Fullerton will continue to meet its future demands with groundwater supplies and imported water.

#### 2. Sewer

The City of Fullerton's sewer system consists of trunk lines, main lines, and laterals. The larger trunk lines are owned and maintained by the Sanitation District of Orange County (SDOC); the remaining trunk lines and main lines are the responsibility of the City's Engineering Department. Developers are required to install lateral lines (the lines that go between structures and the main line), and in some cases, the main lines, in conjunction with new construction. The City's 2009 Sewer Master Plan identifies ultimate capacity requirements and potential deficiencies to be corrected. The report has identified eleven high priority areas with sewer deficiencies. The City continues the development of site plan standards that require developers to install sewer facilities as well as the issuance of sewer permits and inspection of completed sewer hookups. This is supported by periodic review of the sewer relief facility priority list and construction of relief sewers in a logical, priority-oriented sequence. Discretionary applications are reviewed through the preparation of a Limited Sewer Study which is compared to the existing and projected flows of the Master Plan with projects responsible for addressing nexus-based impacts as applicable.

The Orange County Sanitation District (OC San) is responsible for collecting, treating and disposing the wastewater generated by 2.6 million people living in a 479-square-mile area of central and northwest Orange County, including the city of Fullerton. OC San has planned for sufficient treatment capacity to accommodate projected housing development within the city of Fullerton and regionally.

#### 3. Dry Utilities

Dry utilities such as electricity, telephone and cable are provided by private companies and are currently available in the areas where future residential development is planned. When new development is proposed the applicant coordinates with utility companies to arrange for the extension of service. There are no known service limitations that would restrict housing development during the planning period.



#### 4. On- and Off-Site Improvements

On and off-site improvements may be required in conjunction with development based on the location of the project and existing infrastructure. Dedication and construction of streets, alleys and other public easements and improvements may be required to maintain public safety and convenience.

The City's standards and requirements for streets, sidewalks, parkway trees and other site improvements are found in the Municipal Code. Table 3-16 summarizes the City's standards for roadway and right-of-way widths.

**Table 3-16 Roadway and Right-of-Way Widths**

Street Type	Right-of-Way Width	Roadway Width
Local residential (without sidewalks)	50' minimum	36' minimum
Local	54'-60'	36'-40'
Local collector	60'-84'	40' minimum
Secondary and primary arterials (without parking)	80'-100'	64'-84'
Primary and major arterials (without parking)	100' minimum	84'

Source: City of Fullerton, 2013

Concrete sidewalks must be installed on both sides of all arterial highways and through streets, except where special conditions, such as hillside development, slopes, single-loaded streets or a rural neighborhood atmosphere makes such sidewalk construction impractical or undesirable. Widths shall be designated by the City Engineer, but shall not be less than four feet wide, clear of obstructions, in single-family residential areas and five feet wide in multiple-residential zones.

Streetlights are required on all streets. The lighting system shall be constructed to City standards and shall be City-owned and operated. Private streets and common areas within planned residential and planned unit developments and within condominium projects shall be improved with street and area lighting systems, which shall be privately-owned and operated systems designed to City standards or Edison-owned systems, as approved by the City Engineer.

Parkway trees are required along all streets and highways. The trees shall be installed in the manner and shall conform to the size and species specified by the City Engineer. In full-width sidewalks, tree wells shall be provided. On streets adjacent to industrial, manufacturing or planned residential zones, parkway trees may not be required, provided they are replaced by trees or other suitable landscaping planted on adjacent properties in conjunction with on-site landscaping.

Construction, modification or upgrading of traffic signals and appurtenances may be required as a condition of the approval of any subdivision, land division, use or building permit, if the additional traffic generated by the tract or development, the safety of the traveling public, the increased use of the streets or other circumstances require the construction.

New subdivisions may be required to dedicate land for public facilities such as schools, parks, libraries, fire stations or other public uses based on the land requirements for such facilities in the adopted Specific Plan or General Plan.



The on- and off-site improvements required by the City are necessary to adequately provide the infrastructure and public facilities that support housing development. These requirements ensure public safety and health is not jeopardized by increased development and do not unduly hinder housing development.

### 3.1.7 Financial Constraints

#### 1. Land Prices

Land costs influence the cost of housing. Land prices are determined by a number of factors, most important of which are land availability and permitted development density. As land becomes less available, the price of land increases. The price of land also increases as the number of units permitted on each lot increases. In Orange County, undeveloped land is limited, and combined with a rapidly growing population, land prices have in turn increased.

Throughout the City, the land values fluctuate significantly based on site and neighborhood characteristics. Because there is virtually no vacant land suitable for residential development, there is no “typical” residential land cost. All significant residential development will occur on non-vacant sites, the value of which will depend on many factors including the existing improvements. Recent economic analysis identified relevant sales data in the range of \$60 to \$110 per square foot.

#### 2. Construction Costs

Construction cost is affected by the price of materials, labor, development standards and general market conditions. The City has no influence over materials and labor costs, and the building codes and development standards in Fullerton are not substantially different than most other cities in Orange County. Construction costs for materials and labor normally increase at a slightly higher pace than the general rate of inflation according to the Construction Industry Research Board, however the COVID-19 pandemic has caused market volatility. Typical residential construction cost is estimated to be \$150 to \$250 per square foot for standard quality development, before adjusting for cost uncertainty going forward and where rates may ultimately stabilize.

#### 3. Financing

Mortgage interest rates have a large influence over the affordability of housing. Higher interest rates increase a homebuyer’s monthly payment and decrease the range of housing that a household can afford. Fullerton is typical of Southern California communities with regard to private sector home financing programs and interest rates. In recent years, mortgage interest rates have been very low by historic standards, resulting in increased affordability for home purchasers with good credit.



City of Fullerton  
Housing Element

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# Chapter 4:

## Housing Policy Plan

This section describes the City of Fullerton’s Housing Policy Plan for the 2021-2029 planning period. The Policy Plan describes the specific policies and program actions necessary to address present and future housing needs, meet the specific requirements of State law, and consider the input by residents and stakeholders. In developing this Policy Plan, the City assessed its housing needs, evaluated the performance of existing programs, and received input from the community through participation in housing workshops.

While the plan covers a broad array of housing issues that are applicable citywide, the emphasis is on actions enabling the City to maintain and increase housing opportunities affordable to extremely-low-, very-low-, low-, and moderate-income households.

### 4.1 Key Policy Theme Areas

As the basis for a comprehensive City strategy aimed at preserving and expanding housing opportunities for Fullerton’s extremely-low-, very-low-, low- and moderate-income households, the City has conducted a thorough review of existing policy and consulted with residents and interested stakeholders. Based on this review and consultation, a number of Policy Theme Areas have been identified to provide policy guidance for the 2021-2029 planning period.

#### **Policy Theme Area A: Housing Availability and Affordability**

As in many areas of California, demand for housing in Fullerton exceeds supply and housing costs are higher than what is affordable to many households, especially the lower-income segments of the population. The needs of groups such as seniors, service workers and persons with disabilities are also not being adequately met by current housing options. The policies and programs set forth in this chapter are intended to expand the supply of housing for all segments of the population to help ensure that Fullerton’s current residents and workforce will have the opportunity to live in the City.

#### **Policy Theme Area B: Land Use, Location, and Linkages**

Creating connections between residential and commercial uses can promote the livability of Fullerton’s neighborhoods. Policies and programs that provide opportunities for the development of job centers and key amenities adjacent to residential communities can have a positive effect on the quality of life of Fullerton’s residents.



### **Policy Theme Area C: Revitalization and Infill**

There are very few areas of vacant land within the City of Fullerton. Revitalization and infill opportunities must be utilized as key alternatives to providing housing, particularly in consideration of much higher housing needs assigned by the State through the Regional Housing Needs Assessment (RHNA) process. Policies should maximize the potential of underutilized areas in Fullerton while ensuring compatibility and connections with surrounding uses.

### **Policy Theme Area D: Special Needs Groups**

Although the City's land use regulations are designed to facilitate the provision of suitable housing for persons with special needs, these groups continue to be under-served. Policies and programs that target universal design concepts, homelessness issues, supportive housing for persons with disabilities, and mixed-income housing will continue to expand housing options for those with special needs.

### **Policy Theme Area E: Governmental Constraints and Incentives**

Development fees and regulatory requirements are necessary to ensure public safety and adequate infrastructure but can have a negative effect on the development of housing. Through incentives and concessions, particularly when affordable housing is provided, the City can reduce constraints on housing development and provide more opportunities to increase housing options for all segments of the population.

### **Policy Theme Area F: Resource Efficient Design**

The preservation and improvement of the quality of life of Fullerton residents can be accomplished through resource-efficient design. These design considerations will promote environmental and energy efficiency in both existing and future housing.

### **Policy Theme Area G: Existing Housing Conditions**

Fullerton is a mature community with some neighborhoods that are more than 100 years old. Establishing policies and programs that target rehabilitation and proactive code enforcement can safeguard and enhance neighborhood quality and preserve the existing "naturally occurring" affordable housing stock, such as older homes and apartments.

### **Policy Theme Area H: Funding and Partnership Opportunities**

The City has limited funding to address the current and projected needs of the population, particularly since the State's elimination of redevelopment agencies in 2012. Therefore, the City must seek alternative sources of funding by maximizing partnerships with public, private, and non-profit entities.

### **Policy Theme Area I: Civic Engagement**

The City of Fullerton has a history of civic participation. Through the involvement of all segments of the community on housing and housing-related topics, the City can ensure that City policies and programs reflect the desires of community members and participation in housing programs is maximized.



## 4.2 Policy Action Areas

The Policy Action Plan for the 2021-2029 Housing Element is organized into four core policy action areas:

- **Housing Production** – Establishes policy actions to encourage production of a range of rental and for-sale housing opportunities in the City.
- **Conservation and Rehabilitation** – Establishes policy actions for conserving and rehabilitating the existing housing resources in the City.
- **Design and Livability** – Establishes policy actions to enhance the quality and livability of the built environment.
- **Access to Housing Opportunities**– Establishes policy actions that improve access to housing opportunities for persons with limited resources or disabilities.

### 4.2.1 Policy Action Area #1 – Housing Production

#### Policy Action 3.1: Provision of Adequate Sites for Housing Development

An important component of meeting the housing needs of all segments of the community is promoting and supporting the development of adequate sites to facilitate the development of all types, sizes, and affordability of housing. Providing an adequate supply and diversity of housing accommodates the changing housing needs and desires of residents, based on household size and living arrangements, incomes, and physical accessibility. As described in Chapter 2, Fullerton’s assigned housing need for the 2021-2029 period is 13,209 units. The City’s existing land use plans and regulations do not identify sufficient sites with appropriate zoning to accommodate the City’s assigned share of regional housing need for the 6<sup>th</sup> planning period (see Appendix H-B). The City is committed to ensuring adequate capacity to meet the City’s RHNA, pursuant to Government Code section 65583.2 through rezoning sites and amendments to the Zoning Code. Rezoning of the sites is anticipated in 2024 January 2025 and other zoning amendments will be adopted concurrently with the Housing Element or as described in the actions below.

Actions	Objective and Timeframe
<p>Policy Action 3.1-a: Amend the Zoning Code to establish the Housing Incentive Overlay Zone (HIOZ), an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units in accordance with Government Code section 65583.2 (h). Establishment of the HIOZ will accommodate the development of 3,330 very low-income units, 1,852 low-income units, 3,434 moderate income units, and 3,568 above moderate-income units. The City will also adopt development standards for the HIOZ as outlined in Chapter 3, Constraints.</p>	<p>The City will adopt the HIOZ in C-G, C-H, C-M, G-C, M-G, M-P, and O-P zoning districts to allow for the development of multi-family housing in non-residential zones, and development standards, by January 2025.</p>
<p>Policy Action 3.1-b: To ensure that the City monitors its compliance with SB 166 (No Net Loss), the City will develop a procedure to track: Unit count and income/affordability assumed on parcels included in the site inventory.</p>	<p>Completion of No Net Loss procedures by July December 2025. Beginning in August 2024 2025, semi-annually review the list of Planned, Approved, and Pending projects and, if projects are not proceeding as anticipated (e.g.,</p>



Actions	Objective and Timeframe
<p>Actual units constructed and income/affordability when parcels are entitled and developed.</p> <p>Net change in capacity and summary of remaining capacity in meeting remaining RHNA.</p> <p>If Planned, Approved, and Pending projects are not proceeding as anticipated, the City shall identify sites appropriate for development that can accommodate the specified number of units appropriate for low-income, moderate-income, or above-moderate income households.</p>	<p>entitlements are set to expire, permit applications are not submitted or withdrawn, and/or construction is delayed such that certificates of occupancy will not foreseeably be granted by the end of the planning period), identify sites appropriate for development that can accommodate the specified number of units appropriate for low-income, moderate-income, or above-moderate income households. Annually report on progress of Planned, Approved, and Pending projects and any substituted sites in Annual Progress Report throughout the planning period.</p>
<p>Policy Action 3.1-c: Annually monitor the City’s remaining housing capacity to ensure compliance with the City’s obligation to affirmatively further fair housing. Maintain a Site Inventory, make it available to developers, and actively promote available parcels appropriate for development that can accommodate low-income and/or moderate-income households to private or non-profit housing providers to support future residential development.</p>	<p>Draft an annual memo on the city’s remaining housing capacity and present <del>it</del> the first memo at City Council <del>beginning</del> no later than April 2025 At least once every six months, consult with housing developers to promote the development of sites that can accommodate low- or moderate-income units. Ensure sufficient capacity for the development of 3,198 very low-income units, 1,989 low-income units, 2,271 moderate income units, and 5,751 above moderate-income units during the planning period.</p>
<p>Policy Action 3.1-d: Pursuant to AB 1397, amend the Zoning Code to require by-right approval for housing developments that include at least 20 percent of units as affordable to lower-income households on non-vacant sites included in one previous housing element inventory and vacant sites included in two previous housing element inventories and on sites that are being rezoned to accommodate the lower-income RHNA.</p>	<p>Amend Zoning Code by January 2025<del>December 31, 2024</del>.</p>
<p>Policy Action 3.1-e Maintain a list of publicly owned properties with potential for residential development. In compliance with updates to the Surplus Land Act (AB1255, 2019-Rivas; AB 1486, 2019-Ting), identify three parcels of City-owned land for the development of affordable housing. Use City-ownership as an incentive for affordable housing development, especially on parcels: 032-232-13, 032-232-29, 032-234-28, included in the inventory. To the extent feasible, the City will pursue projects that include housing for extremely low-income households and those with special needs such as seniors and persons with disabilities. The City will take necessary actions to support and promote housing on these sites.</p>	<p>Publish list of publicly owned sites on the City’s website by July 2026.</p> <p>The City will issue a request for proposal by December 2026 on three publicly owned parcels (APNs 032-232-13, 032-232-29, 032-234-28), aligning with economic development goals and prioritizing incentives for low-income households pursuant to the Surplus Land Act. These parcels offer potential for transit-oriented development, situated near the Fullerton Transportation Center. The City will collaborate with developers on mixed-use residential/commercial projects in the Downtown area, including Amerige Court, as part of revitalization efforts outlined in agency objectives. The City will discuss opportunities for</p>



Actions	Objective and Timeframe
	<p>Amerige Court with at least three potential developers by March <del>2026</del>2027.</p> <p>If by <del>January</del> July 2027 residential development is unlikely to provide 129 units of very low-, low-, and above moderate-income to meet the RHNA, identify alternative sites and if necessary, complete rezoning of identified sites by January 2028.</p>
Implements the Following Policy Themes	A, B
Responsible Agency	Community and Economic Development Department
Funding Sources	General Fund, grant funds

### Policy Action 3.2: Review and Update the Development Review Process

The City must regularly evaluate and update its development review and permitting policies, standards, and practices in response to State and federal laws intended to facilitate residential development. The City also takes into consideration the needs and desires of the community as it undertakes such policy updates.

The City also continues to improve the efficiency of the development review process. As a response to the state housing crisis, Senate Bill 35 (SB 35; 2017-Wiener) made changes to Housing Element law to limit local discretion for qualified housing projects. Amendments to Government Code Section 81560 changed the Permit Streamlining Act by creating a more ministerial, rather than discretionary, two-step application process. The City will continue to identify efficiencies for the development process in line with Government Code Section 81560 and further streamline the permit process. The City will also coordinate with developers to ensure a timely application and development process.

Actions	Objective and Timeframe
<p><b>Policy Action 3.2-a:</b> Monitor average processing times for new housing projects and use data on processing times and applications to track review times and trends in citywide development and affordable housing developments. Assess the existing permit application and review process to streamline development projects where possible, prioritizing multi-family and affordable housing development.</p>	<p>The City will review processing times, and if necessary, develop recommendations to streamline the process, and implement by January 2025.</p>
<p><b>Policy Action 3.2-b:</b> Offer free Pre-Application Review process for development applicants.</p>	<p>The City will develop and implement a standard Pre-Application Review process by January 2025.</p>
<p><b>Policy Action 3.2-c:</b> Review the City's permit process to ensure compliance with AB 2011 which allows for ministerial, by-right approval for affordable housing on commercially zoned lands, and allows such approvals for mixed-income housing along commercial corridors, as long as the projects meet specified affordability, labor, and environmental criteria.</p>	<p>The City will review the permit process for compliance with AB 2011 by July 2024, and will complete and release AB 2011 project checklist by July 2025.</p>



Actions	Objective and Timeframe
<p><b>Policy Action 3.2-d:</b> Amend Zoning Code to address updates to SB 35 and create written procedures for the Streamlined Ministerial Approval Process.</p>	<p>The City will amend the Zoning Code to be compliant with SB 35 by January 2024-2025.</p>
<p><b>Policy Action 3.2-e:</b> Seek opportunities to streamline the CEQA review process by utilizing exemptions or tiering, particularly for infill development, consistent with State law.</p>	<p>The City will review CEQA streamlining standards and develop recommendations on how to codify streamlining standards by December 2024, and implement recommendations by June 2025.</p>
<p><b>Policy Action 3.2-f:</b> Monitor regulations, ordinances, processing procedures, and residential development impact and permit fees to assess impacts on housing development.</p>	<p>At least every two years starting in 2025, review regulations, ordinances, processing procedures, and residential development fees. Make recommended changes within one year of initiation of review.</p>
<p><b>Policy Action 3.2-g:</b> Review the Site Plan Review criteria and remove subjective standards pursuant to SB 330 to expedite and increase certainty in the development process. Develop objective standards for all development review processes</p>	<p>Amend the municipal code and revise with objective standards for all development review processes by January 2025.</p>
<p>Implements the Following Policy Themes</p>	<p>E</p>
<p>Responsible Agency</p>	<p>Community and Economic Development Department</p>
<p>Funding Sources</p>	<p>General Fund</p>

### Policy Action 3.3: Facilitate Infill Development

The built-out nature of the City requires infill development. Infill development facilitates residential development in proximity to goods, services, and transit. This increases transit ridership, supports local businesses, and provides opportunities for affordable housing development. It also benefits seniors, persons with disabilities, and less mobile residents.

Actions	Objective and Timeframe
<p><b>Policy Action 3.3-a:</b> Maximize the density potential of limited land resources by revising the development standards for multi-family residential and mixed use development.</p> <p>Specifically, the City will revise minimum building setbacks, maximum building heights, and parking requirements for multi-family residential zones and mixed use zones as specified in Chapter 3, Constraints.</p> <p>The City will conduct an annual review of the Zoning Code to remove potential constraints to achieving the highest possible densities.</p>	<p>Adopt revised development standards for multi-family residential zones and mixed use zones by January 2025.</p> <p>Beginning in 2025, the City will annually review the Zoning Code to remove potential constraints to achieving highest possible densities. if necessary, implement amendments within six months of review.</p>
<p><b>Policy Action 3.3-b:</b> Monitor lot splits and two-unit developments under SB 9, provide technical assistance to homeowners, and develop or adjust development standards as needed. Provide easily accessible information and resources about SB 9 on the City</p>	<p>The City will update the website with information on SB 9 by December 2024.</p> <p>Beginning in 2025, meet with at least one homeowners’ association annually in the areas of</p>



Actions	Objective and Timeframe
<p>website. Conduct outreach to homeowners’ associations in the neighborhoods of E Las Palmas Dr/N Sunnywood Dr, Craig Park, Sunny Hills, Bastanchury Rd/Fairway Isles Dr, Acacia Park, and Byerrum Park, and the neighborhoods in northwest Fullerton, and provide information on SB 9.</p> <p>Amend the Zoning Code in compliance with SB 9 (2021, Atkins) to address objective standards and lot split criteria to facilitate lot splits in the single-family residential areas.</p>	<p>northwest Fullerton and the neighborhoods of E Las Palmas Dr/N Sunnywood Dr, Craig Park, Sunny Hills, Bastanchury Rd/Fairway Isles Dr, Acacia Park, and Byerrum Park to provide education on SB 9 implementation.</p> <p>Amend the Zoning Code to comply with SB 9 by December 2025.</p>
<p><b>Policy Action 3.3-c:</b> Review development standards for Building Types and Frontage Types in Planned Residential - Infill (PRD-I) zones to determine effectiveness, update as necessary and promote to developers to utilize to further small lot subdivisions, where appropriate.</p>	<p>Review PRD-I development standards and if necessary, implement amendments by January 2025.</p>
<p><b>Policy Action 3.3-d:</b> Provide technical assistance to applicants receptive to lot consolidation to encourage housing development, with priority for developments that support low- and moderate-income housing.</p> <p>Examples of appropriate incentives include:</p> <ul style="list-style-type: none"> <li>• Increased Floor Area</li> <li>• Increased Building Height</li> <li>• Reduced Setbacks</li> <li>• Parking Reduction: Required parking may be reduced subject to finding that due to lot consolidation adequate parking will be available to serve the subject project</li> <li>• Signage Bonus: Area of permitted signs in mixed use zones may be increased, subject to finding that the increased size of signs on one consolidated parcel will not adversely affect the visibility of signs on adjacent parcels.</li> </ul>	<p>Offer interdepartmental pre-development consultation for multifamily housing developments with lot consolidation and annually report on applications throughout the 2021-2029 planning period.</p> <p>By January 2026, implement lot consolidation incentives to facilitate residential or mixed-use development. Review by December 2027 and if necessary, modify the program to provide additional incentives to encourage lot consolidation.</p> <p>Develop promotional brochures for display at the planning counter by July 2026 and publish information on City website by July 2026.</p>
<p><b>Policy Action 3.3-e:</b> Evaluate commercial parking standards to increase flexibility for redeveloping commercial properties with residential uses in zoning districts that allow residential development. Provide technical assistance for owners of commercial centers to redevelop properties for residential uses. Prioritize technical assistance such as parking analysis for sites identified in the Sites Inventory as opportunities for units affordable to lower and moderate-income households.</p>	<p>Conduct outreach to property owners of opportunity sites that include parking lots to promote lower and moderate-income unit development.</p> <p>Provide technical assistance to at least 10 property owners of commercial developments with parking lots that desire to develop residential uses by January 2029.</p> <p>By January 2027, hold discussions with at least three commercial property owners or managers of shopping centers to identify changes to the City’s development standards that would increase flexibility for residential development. If any changes are identified, amend the City’s Municipal Code and/or Zoning Code by January 2028.</p>
<p><b>Policy Action 3.3-f:</b> Conduct outreach to religious institutions and provide technical assistance for interested parties to develop affordable housing on sites zoned religious institution.</p>	<p>Starting in 2025, annually mail or email resources on developing affordable housing to all religious institutions in the city with underutilized land. Conduct</p>



Actions	Objective and Timeframe
	<p>follow up calls with institutions with sites that hold the most potential based on location and size, prioritizing potential sites in the neighborhoods of E Las Palmas Dr/N Sunnywood Dr, Craig Park, Sunny Hills, Bastanchury Rd/Fairway Isles Dr, Acacia Park, and Byerrum Park since they are Racially Concentrated Areas of Affluence.</p> <p>By December 2026, present information during at least one meeting with the board and/or members of OC United. By the end of 2027, provide technical assistance for the potential development of at least one affordable housing development on a religious institution site.</p>
<p><b>Policy Action 3.3-g:</b> The City will amend the Zoning Code to revise the definition of lot coverage to exclude areas used for parking or vehicular access to parking.</p>	<p>Amend the Zoning Code by July 2025.</p>
<p><b>Policy Action 3.3-h:</b> The City will amend the Zoning Code to reduce the front yard setback of R-1 (10,000 – 20,000 feet) and R-1 (20,000+ feet) to a maximum of 20 feet.</p>	<p>Amend the Zoning Code by July 2025.</p>
<p>Implements the Following Policy Themes</p>	<p>B, C</p>
<p>Responsible Agency</p>	<p>Community and Economic Development Department</p>
<p>Funding Sources</p>	<p>HUD, County/State bonds, low-income housing tax credits, General Fund</p>

### Policy Action 3.4: Support the Development of a Variety of Housing Types

Although the City does not build housing, the City can ensure that there is sufficient capacity for development through its zoning framework. Cities also do not control local market realities but can provide greater access to information that developers need, remove barriers, and increase incentives for housing development. Providing development opportunities for a variety of housing types promotes diversity in housing price, style, and size, and contributes to neighborhood stability by offering more affordable and move-up homes and accommodating a diverse income mix. The City will also support housing for the “missing middle”—households that earn too much annual income to qualify for traditional affordable housing, but not enough to afford market-rate rents. The City will review applicable plans and the City’s Zoning Code to support the development of housing types at higher densities in lower-density neighborhoods, utilizing such methods as light-touch density (LTD) housing, which includes detached single-family housing with ADU, duplexes, triplexes, and fourplexes.

To provide connections with jobs, housing, and transportation, the City shall continue to encourage mixed-use development, which could be either “vertical” (i.e., residential on upper floors above non-residential uses) or “horizontal” (i.e., adjacent residential and non-residential uses in the same development area). Key focus areas shall include the City’s primary activity centers, including the downtown area. The Fullerton Plan, adopted in 2012, identifies 12 focus areas in which development character is either in transition or desired. Within 11 of these areas, residential development is established as an appropriate use. The Fullerton Plan further includes density parameters for each focus area, establishing maximums ranging



from 30 to 80 units per acre, and creates two additional land use designations for mixed-use developments. Other locations in addition to General Plan focus areas may also be appropriate for vertical or horizontal mixed-use development. The City will pursue a community-based planning process to implement these general plan policies on parcels, including pursuing City-initiated general plan and zoning amendments as required.

Actions	Objective and Timeframe
<p><b>Policy Action 3.4-a:</b> Evaluate the City website to ensure compliance with the new transparency requirements per Government Code Section 65940.1(a)(1).</p>	<p>By December 2024, update City website for compliance with transparency requirements.</p>
<p><b>Policy Action 3.4-b:</b> Create a page on the City’s website with an easily accessible, map-based inventory and dashboard that identifies vacant and nonvacant housing development opportunity sites, including multi-family residential and mixed-use sites on City-owned land.</p>	<p>By January 2025, display housing site information on City-owned land via digital map on the City’s website.</p>
<p><b>Policy Action 3.4-c:</b> Maintain a current inventory of major residential housing developments on the City’s website that have been submitted, approved, and denied. Promote new housing developments through City’s social media platforms upon approval of planning entitlements.</p>	<p>Create and post inventory to City website by January 2025. Update inventory annually.</p>
<p><b>Policy Action 3.4-d:</b> Develop a web-based Housing Development Toolkit that outlines a step-by-step process for residential development, including identifying steps in the entitlement and building permit process, detailed information on development incentives, and funding programs and resources for affordable housing development.</p>	<p>Develop and publish Housing Development Toolkit on City’s website by December 2026.</p>
<p><b>Policy Action 3.4-e:</b> Reduce minimum unit sizes and update the Zoning Code, as necessary, to accommodate alternative housing types such as housing co-operatives, Single-Room Occupancy (SROs), dormitories, tiny homes, and collective home ownership models in more areas of the city, including religious sites and publicly owned land. Stakeholder outreach shall include discussions with for-profit and non-profit housing developers.</p>	<p>Amend the Zoning Code by <del>January</del> July 2025. Conduct stakeholder outreach with developers and community groups and service providers on alternative housing at least once by January 2026, with the goal of achieving 30 units of alternative housing types by the end of 2029, with at least half of those units in the neighborhoods of E Las Palmas Dr/N Sunnywood Dr, Craig park, Sunny Hills, Bastanchury Rd/Fairway Isles Dr, Acacia Park, and Byerrum Park since they are Racially Concentrated Areas of Affluence.</p>
<p><b>Policy Action 3.4-f:</b> Encourage the development of both smaller rental and owner units (studio and one-bedroom) and larger rental units (3 to 4- bedroom units) in residential and mixed-use development. In consultation with developers, identify and provide incentives and reduction of constraints to encourage the construction of these housing types and develop a work plan to implement any proposed changes to development standards, City programs, and so forth.</p>	<p>Develop incentives and mitigations to constraints by July 2025. Starting in 2025, hold an annual workshop with developers and provide education about technical assistance and incentives for larger and smaller rental units, with a goal of supporting the development of 50 large (3-4-bedroom) units and 100 studio/1-bedroom units by December 2029. At least 50 percent of large and small rental units should be in neighborhoods of greater degrees of overcrowding, including</p>



Actions	Objective and Timeframe
	Woodcrest Park, Artesia Blvd/N Gilbert St, Valencia Park, W Oak Ave/Lambert Dr, E Wilshire Ave/N Raymond Ave, Rancho La Paz.
<p><b>Policy Action 3.4-g:</b> Review the General Plan, applicable Specific Plans, and Zoning Code and Zoning Map to evaluate opportunities for removing barriers to housing production such as adding housing capacity and accommodating a greater mix of dwelling types and sizes in High and Highest Resource areas identified by the California Tax Credit Allocation Committee (TCAC), focusing efforts in northeastern and northwestern Fullerton. Recommend amendments, as necessary, to accommodate added housing capacity in these areas. Additionally, review the Zoning Code to identify opportunities to increase and encourage a greater mix of dwelling types and sizes, specifically housing types that may accommodate moderate-income households (e.g., duplexes, triplexes, fourplexes, townhouses, courtyard buildings), in lower-density residential areas and mixed-use zones citywide and amend the Zoning Code as needed (i.e., implementation of LTD).</p>	<p>Review the General Plan, applicable Specific Plan, and Zoning Code and Zoning Map by June 2025 and implement any changes by January 2026. Following adoption of zoning code changes, monitor at least 1,801 moderate-income units and 2,238 lower-income units to be constructed annually in High and Highest Resource areas as designated by TCAC. Permit the development of at least 150 moderate-income dwelling types in the neighborhoods of E Las Palmas Dr/N Sunnywood Dr, Craig park, Sunny Hills, Bastanchury Rd/Fairway Isles Dr, Acacia Park, and Byerrum Park (Racially Concentrated Areas of Affluence) by the end of 2029.</p>
<p><b>Policy Action 3.4-h:</b> Prepare a market feasibility report on financing tools, such as Enhanced Infrastructure Financing District, Housing Opportunity Zone, Housing Sustainability District, Neighborhood Infill Finance, and/or Transit Improvement District, as allowed through Government Code Sections 65620 – 65625 that encourage the production of moderate-income housing units.</p>	<p>Prepare report on feasibility of financing mechanisms and potential for moderate-income housing production and make recommendation to City Council by January 2026. Complete identified actions as recommended in the report by December 2027.</p>
<p><b>Policy Action 3.4-i:</b> Remove single-family residences as a permitted use in the multi-family zoning districts (R-G, R-3R, R-3, R-4, and R-5). Monitor multi-family residential development activity, especially in mixed-use zones, and make recommendations, as appropriate, to provide additional incentives and/or updated development standards to facilitate housing development, particularly for lower-income households. Ensure that existing multifamily units are conserved in multifamily districts.</p>	<p>Amend the Zoning Code to remove single-family development as a permitted use in multi-family zoning districts by January 2025. <del>Conduct stakeholder outreach with developers and community groups and service providers on alternative housing at least once by January 2025.</del> Conserve five units in multifamily buildings from being converted to single-family units during the planning period.</p>
<p><b>Policy Action 3.4-j:</b> Reduce parking minimums and garage requirements to reduce constraints to residential development in multi-family residential zones (R-G, R-3R, R-3, R-4, and R-5) and adopt parking requirements for the HIOZ. <del>Prepare parking feasibility study to assess requirements, including consultation with housing developers.</del> Revise requirements as described in Table 3-8 in Chapter 3, Constraints.</p>	<p><del>Prepare parking feasibility study by January 2025. Based on the outcomes of the study, amend the Zoning Code by January 2026.</del> Adopt zoning code amendments by January 2025.</p>
<p><b>Policy Action 3.4-k:</b> Amend the zoning code to permit manufactured housing by-right in zoning districts where single-family housing is permitted by right.</p>	<p>Amend the Zoning Code by January 2025.</p>
<p><b>Policy Action 3.4-l:</b> Encourage developers to build a range of multifamily homeownership opportunities by providing flexible development standards.</p>	<p>Discuss potential locations for condominium or townhome projects with developers by January 2025. Review development standards to provide flexibility for condominium or townhome</p>



Actions	Objective and Timeframe
	development in multifamily zones and implement recommended changes by December 2025. Support the development of at least 100 townhomes or condominiums during the planning period.
<b>Policy Action 3.4-m:</b> Partner with Cal State Fullerton and Fullerton College to develop a plan to address the need for off-campus affordable housing for students.	Develop a city-wide student housing plan by December 2029.
Implements the Following Policies	A, B, C
Responsible Agency	Community and Economic Development Department
Funding Sources	General Fund/grants/HUD/HOME

### Policy Action 3.5: Comprehensive Community Outreach Strategy for Housing

One of the most effective tools to inform and educate the community about the City’s housing programs, policies, and resources is through direct outreach. To ensure the Fullerton community is provided the highest level of access to information, the City has established a comprehensive community outreach strategy and multi-faceted plan called the Housing Game Plan. The one-stop shop online portal helps to inform the community on housing fundamentals through Speaker Series videos, interactive demographic categories and maps, community participation opportunities and will include links to development opportunities, and links to affordable housing opportunities and resources. The City will continue to utilize this tool and various methods of delivery including print media, mailers, speaker's bureaus, social media, and other methods that consider economic and cultural considerations unique to the City of Fullerton. The City will ensure all outreach materials are multilingual to account for language barriers.

Actions	Objective and Timeframe
<p><b>Policy Action 3.5-a:</b> To ensure the community is aware of available resources, such as community assistance programs, student and senior housing resources, fair housing, landlord-tenant relations, and reasonable accommodations processes, the City will collaborate with service providers, non-profit organizations, employment-related organizations such as teachers; associations, and other agencies to promote Fullerton’s Housing Game Plan and disseminate this information to the general public, with an emphasis on underrepresented communities and special needs population groups. A list of available housing assistance and community assistance programs and services will be made accessible to the public, both online and in hardcopy format at City Hall and other appropriate public facilities such as libraries, community centers, and at Fullerton College and CSU Fullerton. The City will develop multilingual materials and outreach methods, including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Fair housing and housing program brochures</li> </ul>	<p>Prepare a list of assistance programs and services by December 2024. Disseminate information online through email and social media and in hardcopy format at least once every two years at all public centers. Update the City’s website with housing program information by January 2025. Hold at least five workshops or pop-up events that inform residents about fair housing resources and housing programs during the planning period, with at least three workshops in Artesia Blvd/N Gilbert, Valencia Park, Woodcrest Park, Rancho La Paz, and California State University Fullerton.</p>



Actions	Objective and Timeframe
<ul style="list-style-type: none"> <li>Directed outreach to historically underrepresented communities through workshops or pop-up events</li> <li>Development of online materials for use on the City’s website and with community partners and use of social media</li> <li>Partnerships with local and regional service agencies for information dissemination</li> </ul>	
<p><b>Policy Action 3.5-b:</b> Implement a citywide policy to provide services to persons with limited English proficiency, particularly Spanish speakers, with the goal of providing such persons with better access to verbal and written information provided by the City, specifically related to affordable housing resources and programs for low-and moderate-income households. Analyze the demographic composition of the community to determine if additional languages should be accommodated.</p>	<p>Develop a Language Access Plan by July 2025. Maintain multilingual staff capacity at City Hall to respond to the needs of Limited English Proficiency households and ensure that all residents may participate fully and equally in the housing market.</p>
<p><b>Policy Action 3.5-c:</b> Review the City’s outreach methods annually, using feedback from resident surveys and focused discussions with community organizations to inform online, mail, and in-person outreach methods. Increase participation of historically underrepresented residents in all City housing programs and community planning activities by collaborating with local religious organizations, community-based organizations, and public agencies that serve the underrepresented groups. Collaborate with existing and new community stakeholders from all sectors and geographic areas to engage in the public participation process.</p>	<p>Conduct at least one citywide resident survey every three years to obtain feedback about City outreach methods, prioritizing feedback from underrepresented residents. Implement recommendations as needed within six months of data collection.</p>
<p>Implements the Following Policy Themes</p>	<p>I</p>
<p>Responsible Agency</p>	<p>Community and Economic Development Department</p>
<p>Funding Sources</p>	<p>General Fund/grants funds</p>

### Policy Action 3.6: Accessory Dwelling Units

Accessory dwelling units (ADUs) provide affordable housing options for singles and small households including the elderly, young adults and caregivers. The City of Fullerton prioritizes and encourages the development of ADUs as opportunities for infill housing and in support of various state laws encouraging their construction (AB 68, 2019-Ting; AB 670, 2019-Friedman; AB 881, 2019-Bloom; SB 13, 2019-Wieckowski). ADUs are an innovative approach to adding more housing, particularly in single-family residential neighborhoods. ADUs can also offer a reliable source of income for moderate to lower income homeowners. The City aims to reduce barriers to the development of ADUs and will explore options including fee waivers and expediting the process for ADU permitting. The City has seen an increase in ADU production in recent years. In recent years, multiple bills have added requirements for local governments related to ADU permitting and requirements. The City’s ADU ordinance was last updated in 2022 to incorporate regulations for urban lot splits. The City will continue to monitor the extent of ADU production to ensure that ADU-related policies and procedures are successful and that the Housing Element goals and RHNA production can be met.



Actions	Objective and Timeframe
<p><b>Policy Action 3.6-a:</b> Monitor ADU production and affordability levels on an annual basis to ensure that they are satisfying the construction targets adopted to meet RHNA obligations. Encourage equitable distribution of ADU development throughout the city through targeted outreach. Monitor review times for ADU and JADU permit applications and streamline permit review.</p> <p>If ADU production assumptions are significantly unmet by January 2027, the City will implement at least one of the following actions:</p> <ul style="list-style-type: none"> <li>• Implement incentives such as a no-interest loan program for ADU owners to rent to low or moderate-income residents.</li> <li>• Establish relationships with and promote availability of area ADU technical assistance to loan providers.</li> <li>• Work with organizations, such as community development corporations, to identify gap funding for lower-income homeowners to build ADUs, or to develop or preserve ADUs for income-qualified tenants.</li> <li>• Partner with an organization involved in affordable housing or community development activities to provide informational workshops to property owners about the ADU permitting and building process. Target outreach to property owners in low- and moderate-resource areas and provide workshops and materials appropriate for residents with limited English proficiency.</li> </ul>	<p>Promote the development of ADUs with a goal of issuing building permits to 226 ADUs during the planning period (an average of 45 ADUs permitted per year).</p> <p>The City will review the number of permits issued for ADUs, production, and affordability levels twice during the planning period, with the first review in January 2025 and implementation of additional actions by July 2025. The second review will take place by January 2027, and implementation of additional actions by July 2027.</p> <p>If the City is not trending to meet its target by January 2026, modify or develop new incentives to promote ADU development and identify sites for rezone as necessary to meet RHNA by July 2026.</p> <ul style="list-style-type: none"> <li>• Amend Zoning Code by January 2025.</li> <li>• Annually identify potential funding sources and, where eligible, pursue funding beginning in January 2025.</li> <li>• Facilitate one workshop annually with the objective of facilitating at least 50 ADUs in low- and moderate-resource areas.</li> </ul> <p>Facilitate the development of at least 50 ADUs in high-resource areas.</p>
<p><b>Policy Action 3.6-b:</b> Develop a virtual 15-minute ADU permit meeting for applicants to streamline the permit process. Monitor ADU processing times and implement strategies to streamline permit applications.</p>	<p>Implement ADU permit meeting process by December 2024.</p> <p>Monitor ADU processing times on an annual basis. Implement streamlining actions as needed.</p>
<p><b>Policy Action 3.6-c:</b> Assist and educate homeowners by posting pre-approved ADU/JADU Standard Plans in English and Spanish on the City’s website by January 2025.</p> <p>Update City website by January 2025 to provide link to California Housing Finance Agency (CHFA) ADU program that provides \$40,000 in grant for predevelopment costs to income-eligible property owners.</p>	<p>Update website by January 2025 with resources and post ADU/Junior ADU Standard Plans.</p>
<p><b>Policy Action 3.6-d:</b> Monitor updates to state ADU law and ensure Zoning Code compliance.</p>	<p>Beginning in 2024, the City will annually review the ADU ordinance to be in compliance with state ADU law. If necessary, implement amendments on an annual basis.</p>
<p><b>Policy Action 3.6-e:</b> Promote the development of ADUs in high-resource areas (mostly in northern Fullerton). Adopt an ordinance for new</p>	<p>Develop materials to send out to homeowner’s associations and property owners in northern</p>



Actions	Objective and Timeframe
development standards to allow additional ADUs that meet basic setbacks and square footage requirements on properties exceeding one acre in the R-1 and R-2 zoning districts (see Policy Action 3.14-g).	Fullerton on an annual basis to provide information on the ADU permitting and building process, beginning in 2025. Facilitate the development of at least 50 ADUs in high-resource areas (see Policy Action 3.6-a).  Adopt an ordinance to allow additional ADUs in R-1 and R-2 zoning districts by July 2025.
Implements the Following Policy Themes	A, C
Responsible Agency	Community and Economic Development Department
Funding Sources	General Fund/grants/HUD/HOME

### Policy Action 3.7: Support Production of Regulated Affordable Housing for All Income Levels

The City is committed to maintaining, developing, and monitoring affordable housing and will continue to prioritize housing for very low- and low-income households in the development of additional housing stock. The City will continue to support the development of housing appropriate for extremely low-income households and seek new funding opportunities and partnerships.

High construction and land costs and inadequacy of public affordable housing subsidies and burdensome regulations have created challenges to building new affordable housing. In addition to Zoning Code changes, the City will work with developers to facilitate affordable housing development and seek to provide gap financing as a local match to State, federal, and other public funding sources. When possible, the City will utilize State, federal, and local funds to write down the cost of land for the development of affordable housing. The City will also provide greater permit streamlining, fee reductions, and other possible measures and incentives to support affordable housing development.

Where feasible, the City shall support the development of affordable housing units and provide first right of refusal to Community Housing Development Organizations (CHDOs) and other affordable housing developers in accordance with Government Code Section 54222. Additionally, the City will provide in-kind assistance and funding for qualified CHDOs to develop affordable housing.

Actions	Objective and Timeframe
<b>Policy Action 3.7-a:</b> The City will review a potential Congregational Overlay Zone amendment to the Fullerton Municipal Code to allow permanent supportive housing and/or deed restricted affordable housing subject to ministerial approval on underutilized or surplus land zoned for or owned by religious congregations.	Create a report on the feasibility and need for a potential Congregational Overlay Zone amendment by July 2025. If adopted, amend the Zoning Ordinance to implement an overlay zone by January 2026, with the goal of permitting development for at least 30 units of affordable housing on sites zoned for or owned by religious congregations by the end of the planning period. Prioritize outreach to Racially Concentrated Areas of Affluence (see Policy Action 3.3-f).
<b>Policy Action 3.7-b:</b> Actively promote sites available for affordable housing development to potential developers, private and nonprofit organizations, and other interested persons and	The City will hold a focus group session with local CHDOs at least once annually beginning in 2024 to identify existing and potential incentives, sites,



Actions	Objective and Timeframe
<p>organizations through meetings with developers regarding development opportunities. Provide incentives and technical assistance to CHDOs to acquire and construct affordable infill residential projects. Monitor incentives and the development potential achieved for each project. Monitor potential sites and promote them to CHDOs. Prioritize sites proximate to retail, services, and employment, and projects that provide connections to those uses.</p> <p>Proactively work with non-profit and community-based housing development organizations to provide assistance with application paperwork, pro formas, coordination with outside agencies, and other activities to aid housing developers in the funding process.</p>	<p>development needs (e.g. infrastructure, funding) and opportunities for affordable housing development. Maintain current information on the development process, potential fee reductions, and density bonus on the City’s website and publish informational bulletin by <del>August 2024</del> December 2024 and communicate available incentives to developers during development opportunity meetings.</p>
<p><b>Policy Action 3.7-c:</b> Acquire funds from local, state, and federal grant opportunities, including the HCD Infill Infrastructure Grant Program, to support the development of affordable housing, housing for special needs, and support service projects. When a critical mass of state (various HCD programs) and/or federal (CDBG, HOME) funding is available, the City will issue a competitive Notice of Funding Availability with objective criteria to transparently identify the best non-profit affordable housing developer to partner with on new affordable housing developments in the city.</p> <p>Partner with Orange County Housing Finance Trust to secure funding for affordable housing in Fullerton.</p>	<p>Partner with at least one nonprofit housing developer biennially throughout the planning period and support the entitlement of at least 400 subsidized housing units affordable to extremely low-, very low-, and low-income households in the city during the planning period.</p> <p>Conduct feasibility study for an affordable housing trust fund by January 2027.</p>
<p><b>Policy Action 3.7-d:</b> In compliance with recent updates to the Surplus Land Act (AB1255, 2019-Rivas; AB 1486, 2019-Ting), identify City-owned land for the development of affordable housing. If surplus properties are identified, pursue development via a competitive Request for Proposals or other processes.</p>	<p>Report on identified surplus land in Housing Element Annual Progress reports. Annually, assess the list of surplus sites and solicit development via a competitive RFP process or other forms of partnership such as land lease agreements.</p>
<p><b>Policy Action 3.7-e:</b> Adopt written policies and procedures for the City of Fullerton Utilities Services Department that grants priority to proposed developments that include housing affordable to lower-income households pursuant to Government Code Section 65589.7.</p>	<p>Adopt written policies and procedures for the Utilities Department pursuant to Government Code Section 65589.7 by February 2025.</p>
<p>Implements the Following Policy Themes</p>	<p>A, C</p>
<p>Responsible Agency</p>	<p>Community and Economic Development Department</p>
<p>Funding Sources</p>	<p>HUD</p>

#### 4.2.2 Policy Action Area #2 – Conservation and Rehabilitation

##### Policy Action 3.8: Preservation of Historic Residential Resources

The City values its historic residential resources. To ensure the continued preservation of historic residential structures, the City shall encourage the conservation, preservation and enhancement of the City’s historic residential neighborhoods while accommodating additional residential units consistent with



State law and City policy. The City shall consult with organizations, such as Fullerton Heritage, and investigate the appropriateness and feasibility of additional General Plan policies that further encourage the preservation and enhancement of historic residential resources in the City. Additionally, the City shall periodically update the City’s Historic Building Survey.

Actions	Objective and Timeframe
<b>Policy Action 3.8-a:</b> Support the preservation of historic, archaeological, and tribal cultural resources and their incorporation into project site planning.	Amend the General Plan to include policies to encourage the preservation and enhancement of historic residential resources in the city by January 2026.
<b>Policy Action 3.8-b:</b> Assist and educate owners of historic residential properties. Develop a maintenance toolkit and provide resources for homeowners on the City’s website to preserve and maintain the historic character of their homes.	Update the City’s website by January 2026.
<b>Policy Action 3.8-c:</b> Partner with Fullerton Heritage to adequately document the City’s historic residential neighborhoods and structures.	Develop a list of structures and neighborhoods to be preserved by January 2026.
Implements the Following Policy Themes	G
Responsible Agency	Community and Economic Development Department
Funding Sources	General Fund

### Policy Action 3.9: Housing Rehabilitation

Deferred maintenance of existing housing plays a primary role in the incidence of substandard housing. To address the issues of deferred maintenance, the City shall continue to proactively identify areas in the City that exhibit a prevalence of substandard conditions. Based upon this identification, the City shall prioritize the allocation of rehabilitation funding resources to address those areas with the highest level of identified need. The City shall conduct ongoing review and identify specific neighborhood focus areas to establish strategies, programs, and improvements to address deferred maintenance, overcrowding, infrastructure deficiencies, and other issues that affect neighborhood quality. The City shall aggressively pursue local, State, and federal funding to assist in the improvement of identified neighborhoods.

Actions	Objective and Timeframe
<b>Policy Action 3.9-a:</b> Assess the need for rehabilitation needs in the city and prioritize resources. Priority areas for study include Independence Park, S Woods Avenue/W Orangethorpe Avenue, W Valencia Drive/Courtney Avenue, W Oak Ave/Lambert Drive, Byerrum Park, E Wilshire Avenue/N Raymond Avenue, Gilbert Park, and W Commonwealth Ave/N Basque Ave. Apply for local, State, and federal funding for the City’s Home Improvement Program.	<p>Assess rehabilitation needs in the identified priority areas in the city by December 2025. Apply for capital funding to address needs by June 2026.</p> <p>Provide grants for minor home repairs of 10 households per year during the 2021-2029 planning period for a total of 80 households during the planning period.</p> <p>Provide home repair program information with notice of code enforcement violations. By January 2025, provide information on the City’s home repair program in all community centers and libraries and at City booths at public events, prioritizing areas of identified need. Starting in 2025, hold at least one</p>



Actions	Objective and Timeframe
<p><b>Policy Action 3.9-b:</b> Provide annual trainings during the 6<sup>th</sup> Cycle Housing Element planning period to improve capacity of Building and Code Enforcement staff to work with diverse communities, in a culturally competent manner with a focus on problem solving and with connections to social and economic support services.</p>	<p>workshop or pop-up booth annually in identified neighborhoods of need, for a total of four events during the planning period.</p> <p>Beginning 2025, hold at least one training annually during the planning period (at least five trainings). By the end of the planning period, increase code enforcement services in neighborhoods with a higher percentage of non-white residents (Emery Park, Amerige Heights, La Habra South, Sunny Hills, E Imperial Hwy/N Harbor Blvd, and Acacia Park) over the 2025 baseline.</p>
<p><b>Policy Action 3.9-c:</b> Partner with Orange County Health Care Agency Environmental Health Division and community-based organizations to disseminate housing and public health information and resources such as rehabilitation standards, preventative maintenance, and energy conservation measures in various community locations such as City Hall, libraries, and community centers. Concentrate outreach efforts in areas with high concentration of units in in need of rehabilitation, including Independence Park, Artesia Blvd/N, Gilbert Park, W Commonwealth Ave/N Basque Ave; Valencia Park, as well as the neighborhoods south of Commonwealth Ave, and areas near downtown and the train station. Conduct community workshops and post information onto the City’s website.</p>	<p>Work with Orange County Health Care Agency Environmental to produce educational materials and resources to distribute and post information to the City’s website by December 2024.</p> <p>By January 2025, provide information on the City’s home repair program in all community centers and libraries, and at City booths at public events, prioritizing areas of identified need (see Policy Action 3.9-a).</p>
<p><b>Policy Action 3.9-d:</b> Act to reduce Lead Based Paint Hazards and incorporate the appropriate actions (pursuant to the Lead-Based Paint Hazard Reduction Act of 1992) into all housing programs under the jurisdiction of the City. On a case-by-case basis, provide funds for the testing and mitigation of housing units for lead-based paint.</p> <p>Due to age of housing stock, priority areas include Independence Park, S Woods Avenue/W Orangethorpe Avenue, W Valencia Drive/Courtney Avenue, W Oak Ave/Lambert Drive, Byerrum Park, and E Wilshire Avenue/N Raymond Avenue.</p>	<p>Assist in the reduction of lead-based paint hazards in five units during the 2021-2029 planning period.</p> <p>Set aside CDBG funds to abate Lead Based Paint Hazards.</p>
<p><b>Policy Action 3.9-e:</b> Increase resident participation in programs designed to reduce household energy costs, particularly home weatherization programs and utility tax exemptions or discounts geared toward lower-income households.</p> <p>Due to age of housing stock, priority areas include Independence Park, S Woods Avenue/W Orangethorpe Avenue, W Valencia Drive/Courtney Avenue, W Oak Ave/Lambert Drive, Byerrum Park, and E Wilshire Avenue/N Raymond Avenue.</p>	<p>Beginning in 2025, hold at least four outreach events (workshops or pop-up events) during the planning period in identified priority neighborhoods (see Policy Action 3.9-a).</p> <p>Mail information on resources for energy and water efficiency programs to all households at least once per year.</p>
<p><b>Policy Action 3.9-f:</b> Provide annual financial support for minor home repairs for owner-occupied mobile homes through the City’s CDGB funding for income-qualifying mobile home residents through</p>	<p>Provide financial support for minor home repairs for at least one mobile home annually for a total of eight mobile homes during the planning period.</p>



Actions	Objective and Timeframe
HOME entitlement funds. Prioritize program outreach to southern Fullerton neighborhoods where mobile homes are concentrated.	
Implements the Following Policy Themes	C, G
Responsible Agency	Community and Economic Development Department
Funding Sources	General Funds/HUD/Grant

### Policy Action 3.10: Affordable Housing Acquisition and Rehabilitation

The City shall assist affordable housing developers in the acquisition of existing market-rate units for rehabilitation and conversion to affordable units.

Actions	Objective and Timeframe
<b>Policy Action 3.10-a:</b> Make funds available to community-based organizations to acquire and rehabilitate units which may have been abandoned or otherwise lost from the city’s housing stock and sell them to very low and low-income first-time homebuyers. Continue to set aside 15 percent of HOME entitlements funds for Community Housing Development Organization (CHDO) acquisition and rehabilitation. Prioritize funding acquisition of units in areas with high concentration of units in need of rehabilitation, including Independence Park, Artesia Blvd/N, Gilbert Park, W Commonwealth Ave/N Basque Ave, Valencia Park, as well as the neighborhoods south of Commonwealth Ave, and areas near downtown and the train station.	Provide rehabilitation funding to one community organization every two years, for a total of four grants during the planning period. Through this program, assist at least 10 very low- and low-income households to secure housing during the planning period with at least seven in areas with units in need of rehabilitation.
<b>Policy Action 3.10-b:</b> Proactively engage private and non-profit affordable housing developers to solicit interest in acquiring and converting existing and unregulated naturally occurring housing to long-term regulated affordable housing for low- and moderate-income households.	Hold at least one stakeholder forum with private and non-profit housing developers to solicit input on program elements, available sites, and funding opportunities by January 2026. Prioritize sites in high and moderate resource areas as designated by TCAC.
Implements the Following Policies	G
Responsible Agency	Community and Economic Development Department
Funding Sources	General Funds/HUD

### 4.2.3 Policy Action Area #3 - Design and Livability

#### Policy Action 3.11: Support Climate Change Resiliency in Buildings and Neighborhoods

An energy-efficient buildings program is necessary to keep providing resources and support to developers engaging with sustainable design and energy-efficient building construction methods. The City shall continue to encourage housing developers to maximize energy conservation through proactive site, building and building systems design, materials, and equipment. The City’s goal is to provide the development community the opportunity to exceed the provisions of Title 24 of the *California Building*



*Code.* The City shall continue to support energy conservation through encouraging the use of Energy Star®-rated appliances, other energy-saving technologies and conservation. To enhance the efficient use of energy resources, the City shall review the potential of offering incentives or other strategies that encourage energy conservation.

Additionally, the City aims to build community resilience to prepare for and adapt to the impacts of climate change, including the reduction of greenhouse gas (GHG) emissions, by investing in infrastructure to support active and public transportation. The City developed a Climate Action Plan (CAP) in 2012, which provides a framework for reducing GHG emissions and is included in the Fullerton Plan. In 2015 and again in 2023, the City adopted a simplified procedure for certain types of residential solar systems to increase access to this technology. This streamline permitting process benefits homeowners with shorter wait times between contract signing, installation, inspection, and saving on their electricity bill. The City will expand and prioritize resources for property owners to implement environmentally friendly improvements and will prioritize active and public transportation infrastructure for historically underfunded neighborhoods and neighborhoods with higher percentages of low-income households.

Actions	Objective and Timeframe
<p><b>Policy Action 3.11-a:</b> Assess financial incentives for property owners to implement environmentally friendly building improvements in existing and new construction, such as solar panel installation and energy and water efficiency upgrades, induction cooking, and outdoor water conservation techniques, with priority given to units affordable to lower and moderate-income households.</p>	<p>Create report on the feasibility of local program to provide financial incentives for property owners, including multi-family property owners, to support energy and water efficiency upgrades by January 2026 and present to City Council. If adopted, implement program and conduct outreach to at least 20 property owners annually beginning January 2027.</p>
<p><b>Policy Action 3.11-b:</b> Support infrastructure for public transit and active transportation such as walking and biking in areas designated for housing opportunities, prioritizing areas designated by TCAC as low resource areas. The infrastructure project priority checklist will designate funds for public transit and active transportation projects that prioritize communities and corridors in E Imperial Highway/S Harbor Boulevard, Artesia Boulevard/ N Gilbert Street, Gilbert Park, Rancho La Paz, Woodcrest Park, and areas listed in the Site Inventory that are designated for housing opportunity sites that can accommodate at least 30 units of affordable/low-income housing.</p>	<p>By January 2025, create an infrastructure project priority checklist and apply to updates of all transportation and infrastructure plans. Secure funding for at least eight total projects related to public transit and active transportation for FY 2025-6, 2026-7, and 2027-08. Complete at least three projects by the end of 2029.</p>
<p>Implements the Following Policy Themes</p>	<p>F</p>
<p>Responsible Agency</p>	<p>Community and Economic Development Department</p>
<p>Funding Sources</p>	<p>General Funds</p>

#### 4.2.4 Policy Action Area #4 - Access To Housing Opportunities

##### Policy Action 3.12: Continued Monitoring and Preservation of Housing Units At-Risk of Converting to Market Rate

The City shall monitor existing deed-restricted units that will have expiring affordability covenants during the planning period (see Appendix H-C). To encourage the preservation of these deed-restricted affordable



units, the City shall conduct targeted outreach to owners of these units to encourage the extension and/or renewal of deed restrictions and/or covenants. There are 101 units at risk of conversion in Amerige Villas Apartments, which are the only units at risk of having expiring affordability covenants during the planning period. Amerige Villas Apartments Property Management staff informed the City that it is extending the existing project-based contract with the Department of Housing and Urban Development (HUD) beyond the expiration date of January 2025. The City shall develop a preservation strategy that is ready for implementation should owners of these units do not extend affordability. The preservation strategy shall identify non-profit agencies that the City can partner with to preserve the units and available funding sources. As part of this strategy, the City shall ensure compliance with noticing requirements and conduct tenant education.

Actions	Objective and Timeframe
<p><b>Policy Action 3.12-a:</b> Monitor the status of the 101 units at risk of conversion to market-rate units set to expire in 2025 and seek to preserve these affordable units for extremely low-income households and very low-income households.</p> <p>Work with the owners of existing affordable housing with expiring affordability covenants that are scheduled for conversion to discuss the City’s desire to preserve affordable housing. Inform property owners of their obligation to comply with noticing requirements stipulated under state law to ensure that qualified non-profit entities from the state’s qualified entities list are informed of the opportunity to acquire the affordable property and that tenants are informed about their rights and potential resources.</p>	<p>By <del>March</del> September 2024, meet with existing property owner/management to discuss the status of the at-risk units. If the property management is unable to confirm extension of affordability of the units by November 2024, inform the property management of the required actions under California law and seek solutions that allow for the preservation of the 101 at-risk regulated affordable housing units set to expire.</p>
<p><b>Policy Action 3.12:</b> If the property management of Amerige Villas is unable to extend the affordability covenant, proactively engage and provide technical assistance to potential purchasers of at-risk units, including nonprofits, developers, and tenants of potentially converting affordable properties. Assist with funding as feasible and/or support funding application for acquisition and/or rehabilitation of units.</p>	<p>Establish a list of established and potential housing purchasers by January 2025. Contact potential purchasers of at-risk units to discuss affordability preservation at least one month prior to the expiration of at-risk units. Hold at least one stakeholder forum with private and non-profit housing developers to solicit input on available units and funding opportunities by June 2025.</p>
<p><b>Policy Action 3.12-c:</b> If the property management of Amerige Villas is unable to extend the affordability covenant, work with owners/property management of the 101 at-risk units to provide information to the tenants of these units regarding tenant’s rights and conversion procedures pursuant to California AB 1521 (2017, Bloom) or other legal remedies. Provide tenants with tenant relocation assistance, free legal assistance, and other applicable services.</p> <p>Evaluate existing State and federal “just cause for eviction” and other similar legislation with provisions to determine if additional protections through a local ordinance is warranted.</p>	<p>Prior to the expiration of the regulatory agreement for at-risk units, ensure that tenants understand their rights to remain in the units and that they receive information and referrals to resources.</p> <p>Annually collect reporting by consultant(s) and review data. If warranted, recommend adoption of a local ordinance by December 2026.</p>
<p>Implements the Following Policy Themes</p>	<p>A, E, G, H</p>
<p>Responsible Agency</p>	<p>Community and Economic Development Department</p>



Actions	Objective and Timeframe
Funding Sources	HUD HOME and CDBG, and other federal and state housing funds

### Policy Action 3.13: Fair Housing Services

The City currently contracts with the Fair Housing Foundation, which provides community education, individual counseling, mediation, and low-cost advocacy with the expressed goal of eliminating housing discrimination and guaranteeing the rights of all people to freely choose the housing for which they qualify in the area they desire. The City refers all inquiries for these services to the Fair Housing Foundation and similar agencies and maintains literature and informational brochures at City Hall available for public distribution. The City will continue the provision of fair housing assistance including landlord/tenant counseling, homebuyer assistance, and amelioration or removal of identified impediments through a partnership with the Fair Housing Foundation or a similar agency for these services and facilitate fair housing outreach, including educational workshops or presentations.

Actions	Objective and Timeframe
<p><b>Policy Action 3.13-a:</b> Partner with the Fair Housing Foundation to provide fair housing services and education.</p> <ul style="list-style-type: none"> <li>• Provide informational seminars to area residential real estate agents and brokers on fair housing laws and regulations.</li> <li>• Work with tenants and tenant advocates to identify violations of fair housing federal and State fair housing laws and support prospective and existing tenants who are experiencing discrimination.</li> <li>• Provide trainings for property owners/managers on the requirements of federal and state fair housing laws to prevent discrimination.</li> </ul>	<p>Beginning in 2025, provide trainings to at least 15 real estate agents and brokers annually and at least 15 property owners annually.</p> <p>Assist at least 50 residents and landlords with fair housing services annually.</p> <p>Report the number of complaint-based testing efforts and number of resulting complaints filed with HUD or California Civil Rights Department (CRD) annually.</p>
<p><b>Policy Action 3.13-b:</b> Expand information and referral services that direct families and individuals to financial resources for housing rental or purchase, locating suitable housing, and obtaining housing with special needs facilities such as disabled-accessible units.</p>	<p>Beginning in 2025, hold at least four informational events during the planning period to disseminate informational materials or provide trainings to residents, prioritizing communities sensitive to displacement (Artesia Blvd/N Gilbert, Valencia Park, Woodcrest Park, Rancho La Paz, and California State University Fullerton).</p>
<p><b>Policy Action 3.13-c:</b> Ensure that local housing programs respond to the needs of a culturally diverse community that includes multi-generational families, a variety of living arrangements, and Limited English Proficiency households. Plans should ensure collaboration with community groups, including faith-based and nonprofit organizations, to provide outreach on housing resources to all types of households and those households with Limited English Proficiency.</p>	<p>For the City’s affordable housing programs (e.g., Home Improvement Program) review the existing Fair Housing Marketing Plan every two years to ensure compliance with current City policy to Affirmatively Further Fair Housing and make necessary changes within six months.</p>



Actions	Objective and Timeframe
<p><b>Policy Action 3.13-d:</b> Promote fair lending practices throughout the city. Ensure that low-income residents have fair access to capital resources needed to acquire and maintain housing. Prevent predatory lending through information and referrals.</p>	<p>Annually conduct and publish third party review of city or regional HMDA data to identify areas of need regarding fair access to lending.</p>
<p><b>Policy Action 3.13-e:</b> With the Fair Housing Foundation, support an annual Fair Housing Audit Report that assesses typical or timely market-based suspected areas of discrimination.</p>	<p>Consult with the Fair Housing Foundation to review methodology for a Fair Housing Audit by January 2025.</p>
<p><b>Policy Action 3.13-f:</b> Fair Lending: Work to promote fair lending practices throughout the city: Ensure that low-income and minority residents have fair access to capital resources needed to acquire and maintain housing. Prevent predatory lending through information and referrals to the Fair Housing Foundation.</p>	<p>Annually conduct and publish third party review of City or regional HMDA data to identify areas of need regarding fair access to lending.</p>
<p><b>Policy Action 3.13-g:</b> Add information on fair housing laws and resources on the City’s website regarding housing programs in several languages.</p>	<p>Update website content with updated information on fair housing services and programs by January 2025.</p>
<p><b>Policy Action 3.13-h:</b> Seek opportunities to expand outreach and public education strategies on available tenant protection, and fair housing services to reach vulnerable households by offering information in multiple languages, targeted social media efforts, combining information with other assistance programs, distributing resources through local schools and colleges, and partnering with community-based organizations.</p>	<p>Partner with three new schools or community-based organizations during the planning period to disseminate materials and provide trainings to residents, prioritizing services in communities sensitive to displacement within southern Fullerton, including Artesia Blvd/N Gilbert St, Valencia Park, Woodcrest Park, Rancho La Paz, California State University Fullerton, and Bradford Park.</p>
<p>Implements the Following Policy Themes</p>	<p>I</p>
<p>Responsible Agency</p>	<p>Community and Economic Development Department</p>
<p>Funding Sources</p>	<p>HUD</p>

### Policy Action 3.14: Affirmatively Furthering Fair Housing

AB 686 requires each city to administer its programs and activities related to housing in a manner that affirmatively furthers fair housing. The City will take actions to overcome patterns of segregation, address disparities in housing needs and access to opportunity, and foster inclusive communities. Appendix E, Affirmatively Furthering Fair Housing (AFFH), summarizes the fair housing issues and concerns in Fullerton based on findings of the Regional Analysis of Impediments (AI) to Fair Housing Choice for FY 2020-25 for Orange County (AI) and additional research conducted as part of this Housing Element update. Programs under this goal are designed to affirmatively reduce barriers to housing and increase equitable conditions across neighborhoods, addressing issues such as historic and existing racial and economic inequities, housing mobility and access, community investment and engagement, and environmental health. The findings of the AFFH analysis were used to develop meaningful actions and metrics and milestones that promote inclusive communities, increase housing opportunities, and address racial/ethnic and economic



disparities in the city. The actions for this program are separated under the headers of each AFFH identified housing issue.

Actions	Objective and Timeframe
<p><b>Policy Action 3.14-a:</b> Develop an outreach strategy in multiple languages for property owners who own fewer than 10 residential units (either in single-family or multi-family rental housing) to assess needs and connect them with resources, such as housing unit rehabilitation and financing programs. The intent of this program is to preserve Naturally Occurring Affordable Housing (i.e., not currently regulated with affordability restrictions), particularly in the neighborhoods of Woodcrest Park and Rancho La Paz. The program will seek to prioritize communities vulnerable to displacement, generally in the southern areas of the city, with a focus on neighborhoods with lower median income.</p>	<p>Develop an outreach strategy for “mom and pop” property owners by January 2026. After the strategy is adopted, conduct outreach to at least 15 property owners with less than 10 units and assist at least 5 property owners with a combined total of 20 units or more by December 2029.</p>
<p><b>Policy Action 3.14-b:</b> Implement changes to the in-lieu fee structure and the desire and ability of developers to contribute to an affordable housing trust fund. Adopt incentives such as increased densities, increased height limits, reduced parking standards, and ministerial review for projects that incorporate increased affordable units or deeper levels of affordability.</p>	<p>Complete a feasibility study on in-lieu payments to a Housing Trust Fund by January 2026. If feasible, amend the municipal code to allow for an in-lieu fee structure by December 2027 and implement an Inclusionary Housing Ordinance by December 2029.</p>
<p><b>Policy Action 3.14-c:</b> Review the City’s Tenant-Based Rental Assistance program with input from tenants and property owners/managers, ensuring representation across the economic spectrum, and update as appropriate. Outreach to be conducted to all vulnerable communities during the update process and after final adoption in 2027.</p> <p>Fill any gaps between Section 8 assistance and rent, or to aid those who may not qualify for Section 8 but need one-time emergency assistance, to provide relief to tenants to avoid the displacement in vulnerable communities.</p>	<p>Update the City’s Tenant-Based Rental Assistance program by January 2027.</p> <p>Prepare and present a report on recommendations for programs that would provide relief to tenants and landlords to avoid the displacement in vulnerable communities by December 2026. If a rental assistance program is approved and implemented as a result, the program will assist at least 10 lower income renter households annually.</p>
<p><b>Policy Action 3.14-d:</b> Identify and advertise housing opportunity sites within one-quarter mile of public transit stops in northern Fullerton. Educate developers on the Transit Oriented Development (TOD) Housing Program, and/or pursue funding to increase transit infrastructure in northern Fullerton.</p>	<p>On an ongoing basis, consult with interested developers on the TOD Housing Program. Conduct a study with OCTA to identify capital projects to increase transit infrastructure by 2026. Apply for TOD Housing Program funds as NOFA becomes available.</p>
<p><b>Policy Action 3.14-e:</b> Prioritize public health, education, economic, and safety programs in lower resource areas as defined by TCAC in coordination with area public health entities, school districts, workforce development groups, and the police department. Identify addresses and compile mailing list and email addresses to focus outreach to neighborhoods with higher concentrations of low-income and minority residents to prioritize services in these areas.</p>	<p>Increase participation in the City’s first-time homebuyer seminars and owner-occupied housing rehabilitation grant program 5 percent annually from lower income and minority concentration areas through the planning period (data collection via surveys conducted at the seminars).</p>
<p><b>Policy Action 3.14-f:</b> Assess potential preference policy for affordable housing opportunities, land use, transportation, urban design, public facilities and services, and economic development</p>	<p>Establish a community working group that meets annually to prioritize funding for community investments.</p>



Actions	Objective and Timeframe
strategies. The City will seek involvement from community organizations and advocates, business councils, and residents to further refine program scope.	
<b>Policy Action 3.14-g:</b> Adopt an ordinance for new development standards to allow additional ADUs that meet basic setbacks and square footage requirements on properties exceeding one acre in the R-1 and R-2 zoning districts. The ordinance shall allow at least two ADUs on qualifying properties if such properties can safely accommodate two ADUs (e.g., that the properties have adequate sewer/septic and water capacity, can construct the ADUs in compliance with all building code and fire prevention requirements, and can meet parking requirements).	Adopt the ADU ordinance by July 2025.
Implements the Following Policy Themes	I
Responsible Agency	Community and Economic Development Department
Funding Sources	HUD

### Policy Action 3.15: Homelessness Prevention and Housing

The 2022 Point-in-Time count identified 272 people experiencing homelessness in the city. The City is committed to preserving existing initiatives, while continuing to explore new opportunities to identify new housing resources and expand services. The City partners with the nonprofit organization City Net to provide street outreach and case management to those experiencing homelessness in Fullerton. The City also partners with the OC Health Care Agency, which serves individuals who are homeless or on the verge of becoming homeless. Pursuant to the provisions of State law, the City will continue to facilitate the establishment of emergency shelters, low barrier navigation centers, transitional housing and supportive housing. To ensure that development standards and procedures continue to encourage these uses, a Code amendment will be processed to revise emergency shelters and transitional housing development standards.

Actions	Objective and Timeframe
<b>Policy Action 3.15-a:</b> Pursue federal, state, and regional funds for homeless service providers that operate temporary, permanent, and emergency shelters in the city that assist persons experiencing homelessness and at risk of becoming homeless. Consult with local community-based organizations and stakeholders to inform the design and development of homeless services, programming and needs assessments.	Serve at least 272 persons who experience homelessness with housing and other needs by December 2029.
<b>Policy Action 3.15-b:</b> Annually assess the capacity to accommodate individuals experiencing homelessness by comparing the most recent homeless point-in-time count to the number of shelter beds available on a year-round and seasonal basis, the number of beds that go unused on an average monthly basis, and the percentage of those in emergency shelters that move to permanent housing (AB 362, 2021-Quirk-Silva).	Annually provide summary information on objectives and outcomes of City-funded services. Assess level of service and funding availability and coordinate with service providers to identify actions to address needs of residents experiencing homelessness. Create new or revised metrics and timelines.



Actions	Objective and Timeframe
<p>Annually provide summary information to City Council on objectives and outcomes of the City’s funded services. Monitor data and metrics to improve the efficacy of homeless services, programs, and investments on an annual basis. Reporting shall include, at minimum:</p> <ul style="list-style-type: none"> <li>Existing shelter beds</li> <li>New shelter beds</li> <li>Identify if those shelter beds are available on a year-round or seasonal basis</li> <li>Average number of shelter beds that are unused on a monthly basis</li> <li>Number of those exiting shelter to permanent housing</li> <li>Ability to provide health and human services for unhoused residents with special needs (seniors, people with physical or mental impairments, victims of domestic violence, unsheltered youth, people with substance addictions, etc.)</li> </ul>	
<p><b>Policy Action 3.15-c:</b> Provide financial and technical support to non-profit organizations to rehabilitate or develop affordable housing for extremely low-income households and persons at risk of experiencing homelessness. Expedite permit processing for the development of such units.</p>	<p>Support the rehabilitation or the development of at least 100 units of housing affordable to extremely low- income households and persons at risk of becoming homeless (including, SRO units, co-housing units, or other alternative housing types) during the planning period.</p> <p>Make information on permit processing incentives available on the City’s website by January 2025.</p>
<p><b>Policy Action 3.15-d:</b> Develop a program with the Illumination Foundation or other organization that incentivizes property owners/managers with available units to rent to formerly homeless individuals and families.</p>	<p>Develop program by January 2026. Reach out to at least 10 property owners or managers by January 2027 with the goal of coordinating housing for at least 20 formerly homeless individuals and households during the planning period.</p>
<p><b>Policy Action 3.15-e:</b> Seek resources for the acquisition/rehabilitation and operations of Permanent Supportive Housing that offers appropriate services so that people experiencing chronic homelessness can maintain permanent housing, including finding opportunity sites and dedicating City affordable housing funds.</p> <p>Permanent Supportive Housing should include either on- or off-site case management for mental and physical health, addiction treatment, social services, and jobs skills development.</p>	<p>Support the acquisition or rehabilitation for the purposes of Permanent Supportive Housing with wraparound services for persons experiencing chronic homelessness, serving at least 50 extremely low-income residents during the planning period.</p>
<p><b>Policy Action 3.15-f:</b> Provide financial support to organizations that provide supportive housing for emancipated foster youth (ages 18-21) who are homeless or at immediate risk of becoming homeless.</p>	<p>Assist at least 10 foster youth with supportive housing during the planning period by December 2029.</p>
<p><b>Policy Action 3.15-g:</b> Amend the Zoning Code to comply with the following legislation:</p> <ul style="list-style-type: none"> <li>AB 2162 (2018-Chiu) to ensure that supportive housing with up to 50 units be a use by-right in zones where multi-family</li> </ul>	<p>Amend Zoning Code by July 2025.</p>



Actions	Objective and Timeframe
<p>and mixed use is permitted, including nonresidential zones permitting multi-family uses, and ensure that there are no minimum parking requirements for units occupied by supportive housing residents if the development is located within 0.5-mile of a public transit stop.</p> <ul style="list-style-type: none"> <li>• AB 139 (2019-Quirk-Silva) to only subject emergency shelters to those standards which apply to residential and commercial development within the same zone, except that a city can apply standards regulating the number of beds, parking for staff provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone, length of stay, and remove other standards including the requirement that emergency shelters must be 1,320 feet from parks and residential properties. Permit emergency shelters by-right in the CM zone.</li> <li>• AB 2339 (2022-Bloom) to ensure that the zoning designations and standards do not constrain emergency shelters and can accommodate the number of people experiencing homelessness, including amending the definition of emergency shelters, clarifying that emergency shelters will be permitted without discretionary action, amending the parking requirements to be limited to the number of spaces sufficient for employees and removing the requirement that emergency shelters must be 1,320 feet from parks and residential properties to ensure the city may accommodate the number of people experiencing homelessness.</li> <li>• AB 101 (2019) to establish regulations for low barrier navigation centers by-right in areas zoned for mixed uses and in nonresidential zones permitting multifamily uses and conditioned on if the center meets specified requirements</li> </ul>	
<p><b>Policy Action 3.15-h:</b> Seek funds to reestablish the safe parking program.</p>	<p>By January 2026, conduct feasibility analysis to reopen the safe parking program. Coordinate with community-based and religious organizations to apply for funds by January 2027.</p>
<p><b>Policy Action 3.15-i:</b> Conduct outreach to people experiencing homelessness with the Illumination Foundation and the OC Health Care Agency, focusing efforts in areas where there is a high concentration of homeless individuals in the neighborhoods of Independence Park, Santa Fe District/SoCo, and Gilbert Park, and along arterial boulevards and commercial centers. Provide resources to connect individuals with shelter space in Fullerton and as needed, to services in surrounding cities.</p>	<p>Annually allocate funding and City resources to support outreach efforts in coordination with the Illumination Foundation and the OC Health Care Agency to provide information and resources to those experiencing homelessness. Annually fund the Fullerton Police Department’s Homeless Liaison Officer Unit, and as funding is available and based on need, increase the number of officers to provide services for residents experiencing homelessness.</p>
<p>Implements the Following Policy Themes</p>	<p>E</p>
<p>Responsible Agency</p>	<p>Community and Economic Development Department</p>



Actions	Objective and Timeframe
Funding Sources	General Fund

### Policy Action 3.16: Tenant Protections and Support

As the cost of housing increases, low-income renters and other vulnerable populations are disproportionately at risk of displacement. Displacement risk is highest in neighborhoods of Artesia Blvd/N Gilbert, Valencia Park, Woodcrest Park, Rancho La Paz, and California State University Fullerton. Areas vulnerable to displacement have higher rates of low- and moderate-income households and overcrowded households. Displacement could result directly from development (and removal of lower cost housing) or indirectly from rising rents, evictions, Notices to Vacate, condominium conversions, and other activities which result in tenants losing their homes.

The Orange County Housing Authority (OCHA) currently administers the Section 8 Rental Assistance program on behalf of the City. Based on future congressional appropriations, the OCHA will apply for additional funding, which will enable it to administer additional certificates for families, elderly, and persons with disabilities over the Housing Element Planning Period. The City will continue to provide referral services and information to the City’s residents.

Actions	Objective and Timeframe
<p><b>Policy Action 3.16-a:</b> Collaborate with OCHA and promote the Section 8 voucher program to landlords to reduce income discrimination. Connect affordable housing developers to Project-Based Section 8 vouchers when they are available to their developments in Fullerton.</p>	<p>Establish a list of housing developments supportive of utilizing Section 8 vouchers and coordinate with OCHA for placement of tenants.</p>
<p><b>Policy Action 3.16-b:</b> In collaboration with OCHA, provide education to property owners and managers to expand awareness of the Housing Choice Voucher program to increase acceptance of tenant-based Housing Choice Vouchers and to facilitate mobility and provide choices for lower-income households throughout the city. Identify and address challenges that property owners/managers have with existing or prospective Section 8 voucher holders.</p>	<p>Beginning in 2025, annually conduct one workshop for tenants and one workshop for landlords in multiple languages, for a total of four workshops during the planning period, to be held virtually and/or in City Council chambers and/or in person. Target citywide property owners to assist in the opportunity for families to live in school districts near schools or near employment opportunities, prioritizing the neighborhoods of Artesia Blvd/N Gilbert, Valencia Park, Woodcrest Park, Rancho La Paz, and California State University Fullerton.</p>
<p><b>Policy Action 3.16-c:</b> Evaluate existing state and federal “just cause for eviction” (AB 1482; 2019-Chiu) and other similar legislation to determine if additional protections through a local ordinance is warranted.</p>	<p>In consultation with fair housing service providers and community-based organizations, assess if additional protections are needed, by January 2026. If warranted, recommend adoption of a local tenant protection ordinance to City Council by December 2026.</p>
<p><b>Policy Action 3.16-d:</b> Prepare needs assessment report on the development of a rental assistance program to fill any gaps between Section 8 assistance and rent, or to aid those who may not qualify for Section 8 but need one-time emergency assistance, to provide relief to tenants to avoid the displacement in vulnerable communities.</p>	<p>Prepare and present a report on development of a rental assistance program to the City Council by January 2026, including recommendations for policy actions that would provide relief to tenants and landlords to avoid the displacement in vulnerable communities. If a rental assistance</p>



Actions	Objective and Timeframe
Report should compare similar programs in other cities and feasibility of funding sources, including HOME and CDBG.	program is approved and implemented as a result, the program will assist at least 15 lower income renter households annually.
Implements the Following Policy Themes	A, D, H
Responsible Agency	Community and Economic Development Department
Funding Sources	HUD

### Policy Action 3.17: Housing for Persons with Special Needs

The City of Fullerton is a diverse community with many residents who have special housing needs. Government Code Sections 65583 and 65583.2 require the housing element to address the needs of specific groups with special housing needs, including extremely low-income residents, seniors, persons with disabilities, large families, female-headed households with children, and persons experiencing homelessness. Persons with special needs may require special housing facilities and services to meet their daily housing needs. The City shall consider the specialized needs of persons with physical and mental disabilities as well as large family households (including multi-generational households), single parent households, the elderly, and other groups requiring specialized services or facilities when developing housing within Fullerton. The City shall continue to encourage private and non-profit housing developers to incorporate specialized housing in new construction and substantial rehabilitation of existing housing and evaluate current needs and investigate regulatory incentives and other concessions to further encourage the production of housing for special needs groups.

Actions	Objective and Timeframe
<b>Policy Action 3.17-a:</b> Facilitate the development of housing for persons with disabilities (including developmental disabilities) through incentives including streamlined processing, scoring priorities in future Notices of Funding Availability, and/or direct subsidies drawing from City affordable housing funding such as CDBG, HOME, and other State/federal funding sources for affordable housing development with services, resources, and assistance.	Develop 25 housing units for special needs households during the planning period.
<b>Policy Action 3.17-b</b> Amend the Zoning Code to adjust definitions and allowances of uses for farmworker employee housing to be consistent with California Law, including but not limited to Health and Safety Code Section 17021.6, and allow farmworker employee housing for six or fewer persons by right in zoning districts that allow single-family dwellings, subject to the same regulations as a single-family dwelling.	Amend the Zoning Code by July 2025.
<b>Policy Action 3.17-c:</b> Work with the Orange County Housing Authority to implement an outreach program informing residents of the housing and services available for persons with developmental disabilities. The City shall make information available on the City website. (SB 812; Ashburn, 2010)	Implement outreach program by January 2026



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Actions	Objective and Timeframe
<p><b>Policy Action 3.17-d:</b> Implement Handicap Modification Grants program to provide up to \$6,000 to qualified households to offset the cost remodeling existing homes to accommodate household members with disabilities.</p>	<p>Provide at least 25 households with Handicap Modification Grants during the planning period by December 2029.</p>



Actions	Objective and Timeframe
<p><b>Policy Action 3.17-e:</b> Revise development standards to remove the conditional use permit for large group homes to allow for group homes for seven or more persons in all zones allowing residential uses similar to other residential uses of the same type in the same zone, regardless of licensing. Specify in the Zoning Code that unlicensed group homes of any size are subject only to the generally applicable, nondiscriminatory health, safety, and zoning laws that apply to all residential developments permitted in the same zone.</p>	<p>Amend the Zoning Code by July 2025.</p>
<p><b>Policy Action 3.17-f:</b> Review the Reasonable Accommodations Ordinance and revise findings to be based on objective standards rather than impacts on surrounding uses and provide a link to its Reasonable Accommodations policy on the Housing page of the City website. Remove the application fee for reasonable accommodation requests.</p>	<p>Amend the Reasonable Accommodations Ordinance to be based on objective findings and provide link on the Housing page of the City website by January 2025.</p>
<p><b>Policy Action 3.17-g:</b> Update the definition of “family” to “A person or a group of persons living together and maintaining a common household.”</p>	<p>Amend the Zoning Code by July 2025</p>
<p>Implements the Following Policy Themes</p>	<p>D, H</p>
<p>Responsible Agency</p>	<p>Community and Economic Development Department</p>
<p>Funding Sources</p>	<p>Grant Funds/HUD</p>

### Policy Action 3.18: Support Homeownership Opportunities

The City recognizes that homeownership allows households to gain housing security and build wealth through equity and can serve to strengthen and stabilize neighborhoods. There are several organizations that offer homebuyer counseling and host homebuyer education workshops. The City will support participation in these programs by Fullerton residents, prioritizing outreach to residents in vulnerable communities.

Actions	Objective and Timeframe
<p><b>Policy Action 3.18-a:</b> Increase participation in homeownership education and assistance programs for historically underrepresented residents in the homeownership market.</p>	<p>Partner with the County and/or community-based organizations to facilitate homeownership workshops, counseling, and/or education campaigns by January 2025. Organizations may include teachers’ associations, school districts, and community-based service providers to increase awareness of, and access to, housing resources and financial planning services during the planning period.</p> <p>By October 31, 2029, connect at least 30 residents to education on homeownership-related topics in the neighborhoods of Artesia Blvd/N Gilbert, Valencia Park, Woodcrest Park, Rancho La Paz, and California State University Fullerton.</p>
<p>Implements the Following Policy Themes</p>	<p>H, I</p>



Actions	Objective and Timeframe
Responsible Agency	Community and Economic Development Department
Funding Sources	Grant Funds/HUD

### 4.3 Quantified Objectives Summary

Table 4-1 summarizes the quantified objectives for programs resulting in new construction, rehabilitation, and conservation and preservation of housing during the 2021-2029 Planning Period.

**Table 4-1 Quantified Objectives Summary, 2021-2029 Planning Period**

Program	Quantified Objective
<b>New Construction</b>	
<i>Extremely-Low Income (subset of very-low income units)</i>	1,599
Very-Low Income	3,198
Low Income	1,989
Moderate Income	2,271
Above Moderate Income	5,751
<b>Total</b>	<b>13,209</b>
<b>Rehabilitation</b>	
Extremely-Low Income	0
Very-Low Income	5
Low Income	93
Moderate Income	0
Above Moderate Income	0
<b>Total</b>	<b>100</b>
<b>Conservation/Preservation</b>	
Extremely-Low Income	--
Very-Low Income	111
Low Income	15
Moderate Income	10
Above Moderate Income	10
<b>Total</b>	<b>146</b>



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