

CHAPTER 3

HOUSING CONSTRAINTS

Providing adequate and affordable housing opportunities is an important goal for Porterville. However, many factors can limit the development, maintenance, and improvement of housing. These constraints include market mechanisms, government regulations, environmental conditions, and the availability of urban infrastructure. This chapter addresses the potential constraints affecting the development and improvement of housing in Porterville.

A. MARKET CONSTRAINTS

Market constraints significantly affect the cost of housing in Porterville, and can pose barriers to housing production and affordability. Land and construction costs are key factors determining housing price. The availability of financing also influences access to housing. All of these market-related factors have the potential to act as constraints on the production of new housing. Although such constraints are largely market-driven, jurisdictions have some ability to institute programs and policies to address the constraints. The discussion below analyzes these market constraints and where feasible, introduces the activities the City can undertake to mitigate their impacts.

1. CONSTRUCTION COSTS

Construction costs are the largest component of total costs for a single-family detached unit, accounting for 30 to 40 percent of the finished sale price. According to RS Means Residential Square Foot Costs (2008)¹, construction costs for an average two-story single-family home (2,000 square feet of living area) built of stucco on wood frame total \$92.01 per square foot in the Porterville area. For multi-family attached units, construction costs are slightly lower as developers can usually benefit from economies of scale with discounts for materials and diffusion of equipment mobilization costs. Density bonuses for senior and affordable housing can enhance this per-unit cost reduction for multi-family developments. A reduction in amenities and quality of building materials could result in lower costs and sale prices; however, high quality design and sufficient tenant amenities are necessary to maintain minimum health and safety standards.

Construction costs are usually consistent throughout the region and fluctuate in response to costs of construction materials and labor market trends. The City has little ability in influencing such cost factors. However, to the extent feasible, the City provides gap financing for affordable

¹ RSMMeans is an online resource for construction books and other related products.

housing projects either as on-/off-site improvements, construction subsidies, or site acquisition using local, state and federal funds.

2. LAND COSTS

Land costs vary depending on whether the site is vacant or has an existing use that must be cleared. Land costs are also affected by the presence of site constraints like slopes, rocky soils, and seismic/flood hazards. Easy connections to urban infrastructure, including roads and municipal utilities, typically increase land value.

The City faces increasing development pressure with a limited supply of vacant, unconstrained land. In December 2008, 98 undeveloped residential land parcels were listed for sale, ranging in price from \$45,000 (for ½ acre) to \$4.9 million (for 93 acres).² In recent years, a majority of the growth and development in Porterville has occurred in the northwest portions of the City. Porterville’s new 2030 General Plan hopes to redirect future growth into the eastern sections of the City thereby promoting redevelopment in the downtown area.

Land costs in the City have increased in recent years, but remain relatively low compared to most other urban areas in California. According to land appraisals conducted by Simpson Housing Solutions in 2007, vacant parcels in the City zoned for mixed use cost an average of \$12.52 per square foot, up from \$11.91 per square foot in November 2005.

The cost differences among properties with similar zonings are due primarily to two factors: location and availability of infrastructure. Areas toward the edge of the City where infrastructure is not yet available command lower land costs than in the central City areas, but require more infrastructure improvements to make the land “developable”, ultimately increasing the cost of development. Similar to construction costs, the City has little ability to influence the costs of land. However, to the extent feasible, the City assists with site acquisition and infrastructure improvements using local, State and federal funds.

3. AVAILABILITY OF FINANCING

The availability of financing affects a person’s ability to purchase or improve a home. Under the Home Mortgage Disclosure Act (HMDA), lending institutions must disclose information on the disposition of loan applications by the income, gender, and race of the applicants. This applies to all loan applications for home purchases and improvements, whether financed at market rate or through government-backed programs. Government-backed loans include those insured or guaranteed by the Federal Housing Administration (FHA), the Veterans’ Administration (VA), the Farm Service Administration (FSA), or the Rural Housing Service (RHS).

The primary concern in a review of lending activity is to determine whether home financing is available to a City’s residents. The data presented in this section include the disposition of loan

² www.realtor.com, accessed December, 2008.

applications submitted to financial institutions for home purchase and home improvement loans in Porterville. Included is information on the percentage of loan applications that were approved or denied by lenders or withdrawn by applicants.

Home Purchase Loans

In 2007, a total of 1,156 Porterville³ households applied for conventional loans to purchase homes (Table 1). The overall loan approval rate was 59 percent and 28 percent of the applications were denied. Typically the reasons for denial are related to credit history, employment history, and debt-to-income ratio. Only 74 applications were submitted for the purchase of homes in Porterville through government-backed loans (e.g. FHA, VA) in 2007. To be eligible for such loans, residents must be lower and moderate income and purchase a home not exceeding an established cap. Few homes available for sale in 2007 met the cap limit and therefore government-backed financing was not widely utilized. Among applications for government-backed home purchase loans in 2007, 54 were approved (73 percent) and eight were denied (11 percent). Overall, mortgage financing is available to Porterville residents.

Table 1: Disposition of Home Purchase Loan Applications (2007)

| | Total Applicants | Approved | Denied | Other |
|-------------------------|-------------------------|-----------------|---------------|--------------|
| Government-Backed Loans | 74 | 54 (73%) | 8 (11%) | 12 (16%) |
| Conventional | 1,156 | 687 (59%) | 319 (28%) | 150 (13%) |
| Home Improvement | 646 | 282 (44%) | 258 (40%) | 106 (16%) |
| Refinance | 3,922 | 1,642 (42%) | 1,392 (35%) | 888 (23%) |

Source: Home Mortgage Disclosure Act (HMDA), 2007.

Note: "Other" includes applications approved but not accepted, files closed for incompleteness, and applications withdrawn.

Home Improvement Loans

Homeowners typically seek home improvement loans to help them remain in their current dwellings or to rehabilitate a recently purchased home. Loans are used for a wide range of improvements, including major rehabilitation (roof or foundation repair), abatement of problems (termite infestation), and additions to existing dwellings. In general, home improvement loans are more difficult to secure than home purchase loans, often because home owners have existing mortgages. As such, many homeowners have high debt-to-income ratios that make it difficult to qualify for additional loans, particularly at lower income levels.

Porterville applicants were more likely to be denied for home improvement loans than for any other type of loan. In 2007, 646 households applied for a home improvement loan. About 40 percent of applicants were denied and 44 percent were approved by lending institutions.

³ HMDA data do not provide information by city. To compile applications for the City of Porterville, the census tracts that generally comprise the City are used.

To address potential private market lending constraints and expand homeownership and home improvement opportunities, the City of Porterville offers a First Time Low Income Home Buyers Loan Program and a owner-occupied Housing Rehabilitation Loan Program (see Programs 9 and 2, respectively, in Section V of this document). Such programs assist lower and moderate income residents by increasing access to favorable loan terms to purchase or improve their homes.

Refinance Loans

Relatively low interest rates and a high prevalence of interest-only, adjustable-rate, and balloon-payment mortgages led Porterville residents to file 3,922 applications for home refinance loans in 2007. Less than one-half (42 percent) of these applications were approved, while 36 percent were denied. With the recent credit crisis, refinancing activities are expected to fall further.

Foreclosures

With low interest rates, “creative” financing (e.g., zero down, interest only, adjustable loans), and predatory lending practices (e.g. aggressive marketing, hidden fees, negative amortization), many households nationwide purchased homes that were beyond their financial means. Under the false assumptions that refinancing to lower interest rates would always be an option and home prices would continue to rise at double digit rates, many households were (and still are) unprepared for the hikes in interest rates, expiration of short-term fixed rates, and decline in sales prices that set off in 2006. Suddenly faced with significantly inflated mortgage payments, and mortgage loans that are larger than the worth of the homes, foreclosure was the only option available to many households.

In December 2008, 469 homes in Porterville were listed as foreclosures.⁴ These homes were listed at various stages of foreclosure (from pre-foreclosures to auctions) and at prices up to \$2,000,000. The high prices of the homes facing foreclosure indicate that the impact of foreclosure extends not only to lower and moderate income households, but also to households with higher incomes. DataQuick reports that of the homeowners who default, approximately 20 percent are able to avoid foreclosure by bringing their payments current, refinancing, or selling the home and paying off what they owe.⁵ The implosion of the mortgage lending market, however, may mean that many households, even above moderate income households, will have difficulty obtaining new mortgage loans or refinancing.

4 <http://www.all-foreclosure.com/quicksearch.htm>, accessed December 4, 2008.

5 <http://www.dqnews.com/News/California/CA-Foreclosures/RRFor081023.aspx>, accessed December 4, 2008.

B. GOVERNMENTAL CONSTRAINTS

Local land use policies and regulations can exert significant influence on housing prices and availability. Land use controls, site improvement requirements, fees and exactions, permit processing procedures, and other related factors can individually and collectively act as constraints upon the development, maintenance, and improvement of housing. This section analyzes Porterville's land use policies and regulations as potential constraints.

1. LAND USE CONTROLS

Overview of General Plan Land Use Policy

In July 2005, the City of Porterville initiated a comprehensive update of its General Plan. The Land Use Element of the General Plan (adopted in March 2008) establishes density/intensity standards for each land use classification. To expand housing opportunities in the City, the updated Land Use element provides the following residential land use classifications:

- Rural Residential – 0.2 du/acre
- Resort Residential – 5.0 du/acre
- Very Low Density Residential – 2.5 du/acre
- Low Density Residential – 6.0 du/acre
- Low-Medium Density Residential – 9.0 du/acre
- Medium Density Residential – 12.0 du/acre
- High Density Residential – 24.0 du/acre
- Downtown Mixed Use – 30.0 du/acre
- Commercial Mixed Use – 18.0 du/acre

In addition, the City's Zoning Ordinance will be amended to include use regulations, development standards, and minimum performance requirements for zoning districts as needed to implement the new residential land use categories (Resort Residential, Very Low Density Residential, Low-Medium Density Residential, Downtown Mixed Use, and Commercial Mixed Use) established in the updated General Plan. The existing Porterville Zoning Ordinance identifies eight zoning districts where residential development is allowed:

- R-A (Suburban Residential)
- R-E (One-Family Estate)
- R-1-8 (One-Family 8,000-Square-Foot)
- R-1 (One-Family)
- R-2 (Four-Family)
- R-3 (Multiple Family)
- R-4 (Multiple Family)
- P-O (Professional Office)

Table 2 below shows the rough correlation between the land use categories identified in the General Plan and the City's Zoning Ordinance.

Table 2: Relationship Between General Plan and Zoning

| General Plan Designation | Density | Zoning District |
|---------------------------------|----------------|------------------------|
| Rural Residential | 0.2 du/acre | R-A, R-E |
| Resort Residential | 5.0 du/acre | To be created |
| Very Low Density Residential | 2.5 du/acre | To be created |
| Low Density Residential | 6.0 du/acre | R-1-8, R-1 |
| Low-Medium Density Residential | 9.0 du/acre | To be created |
| Medium Density Residential | 12.0 du/acre | R-2, R-3 |
| High Density Residential | 24.0 du/acre | R-3, R-4, P-O |
| Downtown Mixed Use | 30.0 du/acre | To be created |
| Commercial Mixed Use | 18.0 du/acre | To be created |

Planned Development Zone

The Porterville Zoning Ordinance includes a Planned Development (PD) zone to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety, creative design, and a better environment. This zone is also intended to facilitate diverse uses and different intensities than would otherwise be permitted within a particular zoning district. Planned Development districts can be established through an amendment to the official zoning map. Permitted deviations in the PD zone include:

- Reductions or increases in the minimum areas required
- Reductions in setbacks
- Higher densities

All of these deviations are intended to lower housing costs. The Garden Court Villas is a project approved in 2008 under the PD designation. The project was granted modifications to several regulations in the underlying R-2 zone, including minimum yard setbacks, maximum lot coverage, minimum lot area, and minimum lot width. Additionally, the project provides higher density housing with several amenities such as a meditation area, pool, and recreation area. Each of the 49 units include a two car garage with indoor laundry facilities. The shared amenities allow young families and individuals the opportunity to purchase a new home with great amenities at market rates.

Urban Development Boundary

Clearly defined urban edges reflect a commitment to focus future growth within the City in order to prevent urban sprawl and protect environmentally sensitive areas. The Urban Development Boundary (UDB) is one of the best strategies to achieve this within Porterville. The UDB protects the health, safety, welfare, and quality of life for residents by concentrating future residential, commercial, and industrial growth in areas already served by urban services or areas where such services are to be provided consistent with the General Plan. Since the early 1970s, all incorporated cities in Tulare County have enacted urban development boundaries, beyond which urban services and development should not occur. While such boundaries can have beneficial land use impacts by focusing development within or adjacent to already urbanized

areas, they can also act as a housing constraint, particularly in areas with scarce land resources.

The City's UDB was most recently amended in 2006. It currently encompasses 12,757 acres, including 1,580 acres of vacant land. Tulare County Local Agency Formation Commission (LAFCO) allows the UDB to be reviewed and amended every five years to ensure an adequate land supply is provided to accommodate 10 years of residential land demand and 20 years of non-residential land demand. With the adoption of the Porterville 2030 General Plan, the City will begin reviewing and updating the UDB.

Infill Development

The UDB complements the City's policy of emphasizing infill development. There are more than 700 acres of underutilized land with redevelopment potential in the 2006 UDB boundary. Although infill development is encouraged throughout the City, the Economic Development and Land Use Elements of the General Plan provide strategies for fostering a strong Downtown that is the center of the community and a source of positive identity for the City of Porterville. These strategies include:

- The addition of the Downtown Mixed-Use and Downtown Retail land use categories
- The creation of the Downtown Planning Area overlay
- The development of a Downtown Plan

2. RESIDENTIAL DEVELOPMENT STANDARDS

The City regulates the type, location, density, and scale of residential development primarily through the Zoning Ordinance. Development standards specific to each zone district are designed to protect and promote the health, safety, and general welfare of residents as well as implement the policies of the General Plan. These standards also serve to preserve the character and integrity of existing neighborhoods. Generally, development standards can limit the number of units that may be constructed on a particular piece of property. These include density, minimum lot and unit sizes, height, and open space requirements. By limiting the number of units that could be constructed, the per-unit land costs would be higher and result in higher development costs that could impact housing affordability. Specific residential development standards are summarized in Table 3.

The Porterville 2030 General Plan created several land use designations: Resort Residential, Very Low Density Residential, Low-Medium Density Residential, Downtown Mixed Use, and Commercial Mixed Use. The Zoning Ordinance will be updated to establish appropriate development standards to implement these new land use designations. The City will ensure that such standards serve to facilitate and encourage the development of housing types, densities, and characters envisioned in these areas.

Table 3: Residential Development Standards

| Zoning | Max. Height | Setbacks | | | Max. Lot Cover | Min. Lot Area | Min. Lot Width | | |
|-----------|-------------|---------------------|---------------------|---------------------|----------------|----------------|----------------|---------------|--------|
| | | Front | Side | Rear | | | | | |
| R-A | 35 ft. | 20 ft. | 10 ft. ¹ | 20 ft. | 20% | 20,000 sq. ft. | 120 ft. | | |
| R-E | | | | | 30% | 12,500 sq. ft. | 100 ft. | | |
| R-1-8 | | 25 ft. | 5 ft. ² | 5 ft. ³ | 40% | 8,000 sq. ft. | 75 ft. | | |
| R-1 (LDR) | | 20 ft. | | | 45% | | | | |
| R-2 (MDR) | | | | | 5 ft. | | | 40% | |
| R-3 (HDR) | 50 ft. | 15 ft. ⁴ | 5 ft. ⁵ | 5 ft. ³ | 50% | | | 6,000 sq. ft. | 60 ft. |
| R-4* | | 15 ft. | | 5 ft. ⁶ | 60% | | | | |
| P-O | 50 ft. | 10 ft. ⁷ | 5 ft. ⁸ | 10 ft. ⁹ | | | | | |

1. If a lot is less than 100 feet in width, each side yard shall be a minimum of ten percent of the lot, or five feet, whichever is greater.

2. If a lot is less than 50 feet in width, each side yard shall be a minimum of ten percent of the width of the lot, or three feet, whichever is greater.

3. For a one-story structure. If a structure has more than one story, the minimum rear setback is 10 ft.

4. Or 25 percent of the depth of the lot, whichever is less.

5. If a lot is less than 50 feet in width, each side yard shall be a minimum of ten percent of the width of the lot, or three feet, whichever is greater. If the main building is over 35 feet in height, each side yard shall be increased one foot in width for each additional ten feet, above thirty five feet.

6. For a one-story structure. If a structure has more than one story, the minimum rear setback is 10 ft. If the building is over 35 feet in height, the rear yard shall be increased one foot in depth for each additional ten feet, above thirty five feet (35').

7. Must be fully landscaped.

8. If the building is over 25 feet in height and adjacent to any R-1 or R-2, the side yard shall increase one foot in width for each additional ten feet, above 25 feet.

9. If the building is over 35 feet in height the rear yard shall increase one foot in depth for each additional ten feet, above 35 feet.

* - R-4 Zone proposed to be removed in the Zoning Ordinance update.

Single-Family Residential Development Standards

The R-1 district is the largest in the City and contains by far the greatest number of single-family residential units of all the districts. Single-family residences can go up to a height of 35 feet, which can accommodate two stories.

Minimum lot sizes in these four districts range from 6,000 to 20,000 square feet, with most lots in the City between 6,000 and 8,000 square feet. Smaller lot sizes (as small as 3,200 square feet) have been allowed within Planned Development zones and overlay areas. City staff has observed that Porterville's housing market tends to favor the 6,000- to 8,000-square-foot lot sizes. Allowable lot coverage is 40 percent in the R-1-8 district and 45 percent in the R-1 district. This limit, however, may vary within a Planned Development.

As a means of maintaining compatible development and design through adaptive zoning, the City allows reduced front yards in certain neighborhoods where a clear majority of existing lots in the vicinity have smaller than required front yards.

Multi-Family Residential Development Standards

Multi-family dwellings can be constructed in the R-2, R-3, and R-4 zones. Multi-family development is also permitted in the Professional-Office Zone (P-O), with a conditional use permit, under the same intensities and regulations as in the R-4 zone. Multi-family housing development is required to have a minimum lot area of 6,000 square feet, with a minimum lot area per family unit of 3,000 square feet in the R-2 zone, 1,500 square feet in the R-3 zone, and 1,000 square feet in the R-4 zone. In some cases, a conditional use permit may allow the number of proposed units to exceed the permitted thresholds.

Parking Standards

Porterville's residential parking requirements are relatively simple and similar to parking regulations in other Central Valley jurisdictions. These requirements are summarized in Table 4. All single-family dwellings, mobile homes, and condominiums must have two covered parking spaces. Garages are preferred, but open carports are allowed. Porterville's relatively large lot size accommodates such parking requirements without constraining housing development. Multiple-family developments must provide one covered space (garage or carport) and one-half open space per unit, regardless of number of bedrooms. This is a relatively low requirement, as many jurisdictions typically require two or more spaces per unit with three or more bedrooms. This requirement is lower than the parking standards established in the State density bonus law.

Table 4: Parking Requirements

| Type of Residential Development | Required Spaces |
|---|---|
| Single-Family Condominiums Mobile Homes | 2 covered spaces per unit |
| Duplex Apartments | 1 covered space plus 0.5 open spaces per unit |

Source: Porterville Zoning Ordinance, 2008.

Overall, the parking requirements in Porterville are lenient. Allowing the construction of carports in lieu of garages can further reduce overall housing cost, as open carport construction is usually much less expensive than enclosed garage construction.

Zoning Overlays

In addition to the development standards established for the residential and mixed use zone districts, overlay districts of the Zoning Ordinance provide additional regulations for residential development. The following zoning overlays apply to residential development in portions of the City:

Hillside Development Zone - All development within the Hillside Development Zone is subject to hillside development and design standards. Review criteria and limitations on maximum density are based on slope.

Downtown Planning Area - This overlay is intended to emphasize the Downtown area where the City wants to promote mixed-use development. Pedestrian-oriented design standards will apply.

Transition Landscape Buffers - This designation is intended to provide a variable-width landscaped buffer between industrial and industrial park uses, or heavily traveled highways and residential land uses. The recommended buffer widths are between 150 to 200 feet. Frontage roads, orchards, and recreational uses are allowed in these areas.

Density Bonus

Density bonuses and financial incentives or regulatory concessions are granted when a developer proposes to construct affordable housing. Under the City's current Zoning Ordinance, developers of affordable and senior housing can apply for a density bonus from the project review committee. The amount of density bonus that can be granted is not specified in the Zoning Ordinance.

Current state law requires jurisdictions to provide density bonuses and development incentives on a sliding scale, where the amount of density bonus and number of incentives vary according to the amount of affordable housing units provided. The City's Zoning Ordinance allows for this and meets this requirement. In accordance with California Government Code Section 65915, and shall require a conditional use permit in accordance with Article 21.

3. PROVISIONS FOR A VARIETY OF HOUSING TYPES

Housing element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of a variety of types of housing for all income levels, including multi-family rental housing, factory-built housing, mobile homes, emergency shelters, transitional housing, supportive housing, and farmworker housing. Table 5 summarizes the City's zoning provisions for various types of housing.

Besides single-family homes, the City provides for various other housing types to meet the special needs of the community, including persons earning lower income, seniors, persons with disabilities, the homeless, and agricultural workers, among others.

Additionally, the City will rezone land when necessary to meet housing needs per the Regional Housing Needs Assessment (RHNA). Chapter 4 will further discuss the "Focused Rezone Program" and implementation plan.

Table 5: Housing Types Permitted by Zoning District

| Housing Type | Zoning Districts | | | | | | | | | | |
|------------------------------|------------------|-----|-------|-----|-----|-----|-----|-----|-----|-----|------|
| | R-A | R-E | R-1-8 | R-1 | R-2 | R-3 | R-4 | P-O | C-2 | C-3 | D-GC |
| <i>Residential Uses</i> | | | | | | | | | | | |
| Single Family Dwelling | P | P | P | P | P | P | P | | | | |
| Condominiums | | | | | C | C | C | C | | | |
| Two-Family Dwelling | | | | | P | P | P | | | | |
| Multi-Family Dwelling | | | | | P* | P | P | C | | | |
| Second Units | P | P | P | P | P | | | | | | |
| Mobile/Manufactured Homes | P | P | P | P | P | P | P | | | | |
| Mobilehome Park | | | | C | C | C | C | | | | |
| <i>Special Needs Housing</i> | | | | | | | | | | | |
| Housing Type | R-A | R-E | R-1-8 | R-1 | R-2 | R-3 | R-4 | P-O | C-2 | C-3 | D-GC |
| Residential Care Facilities | | | | | | P | P | P | | | |
| Emergency Shelters | | | | | C | | | | P | P | |
| Transitional Housing | | | P | P | P | | | | | | |
| Supportive Housing | | | | | | | | | | | |
| Single Room Occupancy (SRO) | | | | | | | | | | | C |

P = Permitted by right

C = Conditionally permitted

* = Maximum of 4 units per lot unless a CUP is approved and a maximum of one family per 3,000 SF lot area.

The Zoning Ordinance allows for "transitional residential uses" where a lower density zone abuts a higher density zone

Single-Family Dwellings

A “single-family dwelling” is defined in the Zoning Ordinance as “any detached building used exclusively for occupancy by one family.” This definition does not include bungalows in a bungalow court, residential condominium units, and mobile homes. Single-family uses are permitted in all districts, but new single-family units are primarily concentrated in the R-A, R-E, R-1-8, and R-1 districts, with additional single-family uses in the R-2 district.

Multiple-Family Units

Twenty percent of Porterville’s housing stock in 2008 consisted of multiple-family units. Multiple-family units are permitted in the R-2, R-3, R-4, and P-O districts. The Porterville Zoning Ordinance requires conditional use permit for condominium developments in any residential zone. The CUP process is concurrent with the subdivision map process required for condominium developments and therefore does not result in delays.

Second Units

A “second unit” is defined as a second permanent dwelling that is accessory to a primary dwelling on the same site. A second unit or carriage house provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, sanitation, and parking, and if attached to the primary dwelling, is provided exterior access separate from the primary dwelling. Second units may be an alternative source of affordable housing to lower income households and seniors.

Second units can be constructed with a ministerial permit within the R-A, R-E, R-1-8, and R-1 zones, subject to the following standards:

- The total area of floor space of a detached second unit shall not exceed 1,200 square feet
- If an increase in FAR is involved, said increase shall not exceed 30 percent of the existing living area or the minimum area of an efficiency unit
- Second units shall conform to the height, setbacks, lot coverage and other zoning requirements of the zoning district in which the site is located
- In addition to parking required for the existing residence, an additional one covered space for efficiency units and one bedroom units, two covered parking spaces for two, three, and four bedroom units, and one parking space per bedroom thereafter
- Owner must occupy either primary or second unit

Since 2007, the City has issued building permits for 3 second dwelling units.

Mobile/Manufactured Homes

According to the California Department of Finance, four percent of Porterville's housing stock in 2008 was comprised of mobile homes, including trailer-style homes and manufactured homes set on foundations. Manufactured housing and mobile homes can be an affordable housing option for low and moderate income households.

A mobile home built after June 15, 1976, certified under the National Manufactured Home Construction and Safety Act of 1974, and built on a permanent foundation may be located in any residential zone where a conventional single-family detached dwelling is permitted subject to the same restrictions on density and to the same property development regulations, provided that the mobile home has received approval of all necessary plan check, site inspections, and receives a Certificate of Compatibility. Criteria for issuing a Certificate of Compatibility are established in the Zoning Ordinance to protect neighborhood integrity, provide for harmonious relationship between mobile homes and surrounding uses, and minimize problems that could occur as a result of locating mobile homes on residential lots.

Mobile and manufactured homes are permitted in all of the City's residential zoning districts, except the P-O zone. Mobile home parks are permitted in the R-1, R-2, R-3, and R-4 Zones, with a conditional use permit, on a minimum lot size of 10 acres. Currently, ten mobile home parks are located in Porterville.

Residential Care Facilities

Residential care facilities licensed or supervised by a Federal, State, or local health/welfare agency provide 24-hour non-medical care of unrelated persons who are handicapped and in need

of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment. Pursuant to State law, licensed residential care facilities serving six or fewer persons are considered a regular residential use.

According to the State Department of Social Services, Community Care Licensing Division, three licensed group homes and 45 licensed adult residential facilities are located in Porterville. The Porterville Zoning Ordinance permits residential care facilities in the R-3, R-4, and P-O zoning districts. The Zoning Ordinance will be amended to expressly permit residential care facilities serving six or fewer persons in all residential zones.

Emergency Shelters

Section 50801(e) of the California Health and Safety Code defines emergency shelters as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or fewer by a homeless person. The Porterville Zoning Ordinance does not address the provision of emergency shelters. Senate Bill 2, enacted in October 2007, requires local governments to identify one or more zoning categories that allow emergency shelters without discretionary review. The statute permits the City to apply limited conditions to the approval of ministerial permits for emergency shelters. The identified zone must have sufficient capacity to accommodate at least one year-round shelter and accommodate the City's share of the regional unsheltered homeless population. According to a 2008 study conducted by Kings United Way, Porterville has an estimated homeless population of 256 individuals.

There is currently one emergency shelter, with thirty-six beds available for the homeless, in the City of Porterville. The shelter is operated by the CCFCC. The City is in the process of a comprehensive Zoning Ordinance update which will include and permit by right the development of homeless shelters within the C-2 and C-3 Zones, consistent with State law. Properties in these zones are located along public transportation routes and therefore have access to services located in Porterville and in surrounding communities (such as Visalia). Additionally, these zones contain properties that are developed with existing low-scale commercial/industrial development that can be redeveloped or retrofitted for emergency shelter use. A total of 18 parcels (47.39 acres) are zoned Downtown Mixed Use and Commercial Mixed Use and therefore may provide adequate capacity exists to accommodate the City's unsheltered homeless.

In updating the Zoning Ordinance, the City will establish objective performance standards in the following areas to regulate emergency shelters:

- The maximum number of beds/persons permitted to be served nightly;
- Off-street parking based on demonstrated need, but not to exceed parking requirements for other residential or commercial uses in the same zone;
- The size/location of exterior and interior onsite waiting and client intake areas;
- The provision of onsite management;
- The proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart;
- The length of stay;

- Lighting; and
- Security during hours that the emergency shelter is in operation.

Supportive/Transitional Housing Zoning

The Zoning Ordinance will be amended to permit transitional and supportive housing facilities serving six or fewer clients by right in all residential zones. The City will also amend the Zoning Ordinance to differentiate transitional/supportive housing in the form of group quarters versus as regular housing developments. For transitional/supportive housing facilities that operate as regular housing developments, such uses will be permitted by right where housing is permitted. For transitional/supportive housing facilities that operate as group quarters, such facilities will be permitted as community care residential facilities.

Single Room Occupancy (SRO)

SRO units are one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other. The Porterville Zoning Ordinance does not contain specific provisions for SRO units. The Zoning Ordinance will be amended to specifically address the provision of SRO units in the Downtown General Mixed Use zone(s) via a *Conditional Use Permit*. The City will also establish objective and appropriate development standards in the Zoning Ordinance for SRO units.

Farmworker Housing

In 2005, 1,184 Porterville residents were employed in the agriculture sector, constituting six percent of all jobs in the City. Little land within the City limits is designated for agricultural uses, but the areas surrounding Porterville are some of the most productive agricultural land in the country.

The new Porterville General Plan includes an Agriculture/Rural/Conservation land use designation that preserves agricultural and resource conservation areas. Incidental residential uses are allowed in these areas. Clustered housing, in particular, is strongly encouraged because it makes the provision of other infrastructure, such as roads and electricity, more cost-effective and limits the impact on natural resources.

No zoning district is established in the Zoning Ordinance to implement large-scale commercial agricultural uses. The R-A (Suburban Residential) zoning district allows small scale agricultural pursuits and includes some properties with “hobby farms,” mostly on five- to ten-acre parcels. A few larger parcels (ranging from 10 to 33 acres in size) are also zoned R-A. Two of the larger agricultural operations within the City limits, a sheep ranch and a citrus orchard, which are relatively small compared to agricultural operations elsewhere in Tulare County, were annexed to the City under R-1 zoning. These uses have been “grandfathered” as non-conforming uses and are thus unlikely to expand.

California law requires that farmworker housing for 12 units or 36 beds be considered equivalent to an agricultural use or, in other words, permitted by right in agricultural zones.⁶ As the City has created a new Agricultural/Rural/Conservation land use, the Zoning Ordinance will be amended to permit farmworker housing in the implementing zoning district(s).

Furthermore, the Zoning Ordinance allows for a single-family unit in the R-A district for agricultural employees as an additional use on an otherwise occupied site of at least 10 acres in area, provided that the unit is located on a minimum 6,000-square-foot site area. This provision of the code presents confusion with regard to the intent of the district as a suburban residential district.

Housing for Persons with Disabilities

The City conducted an analysis of the zoning ordinance, permitting procedures, development standards, and building codes to identify potential constraints for housing for persons with disabilities. The City's policies and regulations regarding housing for persons with disabilities are described below.

Zoning and Land Use: Under State Lanterman Developmental Disabilities Services Act (aka Lanterman Act), small licensed residential care facilities for six or fewer persons must be treated as regular residential uses and permitted by right in all residential districts. The City of Porterville will need to amend its Zoning Ordinance to be in compliance with the Lanterman Act. Currently, state licensed residential care facilities are only permitted in the R-3, R-4, and P-O residential zones. The City has not adopted a spacing requirement for residential care facilities.

Definition of Family: Local governments may restrict access to housing for households failing to qualify as a "family" by the definition specified in the Zoning Ordinance. Specifically, a restrictive definition of "family" that limits the number of and differentiates between related and unrelated 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.⁷ The Porterville Zoning Ordinance does not include a definition of family.

Building Codes: The City enforces Title 24 of the California Code of Regulations that regulates the access and adaptability of buildings to accommodate persons with disabilities. Furthermore, Government Code Section 12955.1 requires that 10 percent of the total dwelling units in multi-

⁶ Health and Safety Code, §17021.6

⁷ California court cases (City of Santa Barbara v. Adamson, 1980 and City of Chula Vista v. Pagard, 1981, etc.) have ruled an ordinance as invalid if it defines a "family" as (a) an individual; (b) two or more persons related by blood, marriage, or adoption; or (c) a group of not more than a specific number of unrelated persons as a single housekeeping unit. These cases have explained that defining a family in a manner that distinguishes between blood-related and non-blood related individuals does not serve any legitimate or useful objective or purpose recognized under the zoning and land use planning powers of a municipality, and therefore violates rights of privacy under the California Constitution.

family buildings without elevators consisting of three or more rental units or four or more condominium units are subject to the following building standards for persons with disabilities:

- The primary entry to the dwelling unit shall be on an accessible route unless exempted by site impracticality test.
- At least one powder room or bathroom shall be located on the primary entry level served by an accessible route.
- All rooms or spaces located on the primary entry level shall be served by an accessible route. Rooms and spaces located on the primary entry level and subject to this chapter may include but are not limited to kitchens, powder rooms, bathrooms, living rooms, bedrooms, or hallways.
- Common use areas shall be accessible.
- If common tenant parking is provided, accessible parking is required.

The City has not adopted unique restrictions that would constrain the development of housing for persons with disabilities. Compliance with provisions of the Code of Regulations, California Building Standards Code, and federal Americans with Disabilities Act (ADA) is assessed and enforced by the Building Division of the Community Development Department as a part of the building permit submittal.

Reasonable Accommodation: Both the Federal Fair Housing Act and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (i.e. modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. For example, it may be reasonable to accommodate requests from persons with disabilities to waive a setback or lot coverage requirement to allow for accessibility improvements for the mobility impaired. Whether a particular modification is reasonable depends on the circumstances.

There is currently no established process in place and reasonable accommodations are granted on a case-by-case basis. Requests for reasonable accommodations to address the special needs of persons with disabilities (such as setbacks and parking requirements) are reviewed and processed at the staff level. No public hearing is required.

The planning staff and building official assist in making determinations regarding reasonable accommodations for accessibility requirements. Depending on the types of requests, the applicant may need to file a request with either the Planning or Building Division. Requests for relaxed building code standards, as long as such flexibility would not jeopardize health and safety standards, are granted by the Building Division staff over the counter. Requests for relaxed zoning code standards are granted by the Planning Division staff over the counter. The most typical requests in Porterville relate to ramps that extend into the setback areas. As long as the ramps are uncovered, such requests are usually allowed.

As there is no established procedure in place, no specific fees are required for reasonable accommodation requests. The City will amend the Zoning Ordinance to implement a reasonable accommodation procedure to address reasonable accommodation requests.

4. DEVELOPMENT AND PLANNING FEES

Residential developers are subject to a variety of fees and exactions to process permits and provide necessary services and facilities as allowed by State law. In general, these development fees can be a constraint to the maintenance, improvement, and development of housing because the additional cost borne by developers contributes to overall increased housing unit cost. However, the fees are necessary to maintain adequate planning services and other public services and facilities in the City. The City's permit processing fee schedule for residential development is displayed in Table 6. The City updates its planning fees periodically and surveys surrounding communities to ensure that the City's fees are reasonable.

Development impact fees are also levied to offset fiscal impacts of new developments. Development in the City is typically required to pay a range of development fees, including, water service fee, transportation impact, and storm drainage fee. In Porterville, development impact fees average about \$13,533 for a single-family home and \$38,829 per structure for a multiple-family project. The costs of service and infrastructure are nearly three times as much for multiple-family projects because in most cases they require larger/increased capacity that involves higher costs associated with the project. The City does not usually waive fees for the development of affordable housing. However, redevelopment, HOME, and other funds may be used to help bridge the financial gap for affordable housing.

As stated, the City Council authorized Staff to proceed with the preparation of an Interim Urgency Ordinance, and subsequently a permanent ordinance to defer the collection of certain impact fees to the occupancy of the development. This provision is intended to apply to all types of development whether it is residential or non-residential. Local developers and consultants provided feedback on this is prior constraint that has been lifted to allow developers the opportunity to pay development fees upon occupancy rather than at the time the permits are issued or at the time plans are submitted for review (does not include "school fees" which the City does not have control over). The deferral of fees until occupancy will allow the developer to install infrastructure in suburban/rural areas that would otherwise be a large initial upfront cost, therefore reducing development of potential affordable housing.

The City conducted a survey of six City's (Including: Visalia, Hanford, Selma, Tulare and Lemoore) in the area estimating impact fees for both commercial and residential development based on simulated projects. The results of the survey have been included as Appendix D. The City of Porterville ranked fourth lowest in commercial development fees, with estimated at less than the average for all the cities included in the survey. The City of Porterville ranked second lowest in Residential Development fees, again averaging less than the median including school fees.

Table 6: Development and Planning Fees

| Fee Type | Amount |
|---|--|
| Planning and Development Fees | |
| Conceptual Development Plan Review (PUD) | \$1,897 |
| Conditional Use Permit | \$1,164 |
| EIR | Consultant Cost + 10% contingency +10% administrative cost |
| Final Parcel Map Review | \$955 |
| Flood Plain Review | \$244 |
| Final Subdivision Map Review | \$1,672 |
| Final Subdivision Map (per lot) | \$40 |
| General Plan Amendment | \$1,599 |
| Lot Line Adjustment | \$616 |
| Modification of Conditional Use Permit, Tentative Map, Variance or Planned Unit Development | \$150 |
| Negative Declaration Environmental Assessment | \$1,105 |
| Preliminary Project Site Review (PRC) | \$753 |
| Specific Development Plan Approval (PUD) | \$1,818 |
| Tentative Parcel Map | \$1,500 |
| Parcel Map Waiver | \$59 |
| Tentative Subdivision Map Fee | \$3,004 |
| Tentative Subdivision Map (per lot fee) | \$39 |
| Zone Change (Including Pre-Zone) | \$1,105 |
| Zone Variance | \$1,026 |
| Zone/Sub-Division Ordinance Amendment | \$4,213 |
| Zoning Administrator permits | \$138 |
| Development Impact Fees | |
| Trunk Line Sewer Fees | \$934-\$9,275 per acre |
| Treatment Plant Fees | \$2,806 per unit |
| Water Trunk Fees | \$1,343-\$16,371 per acre |
| Street Light Fees | \$2.40 per foot (multiple-family only) |
| Storm Drainage Fees | \$4,614-\$9,233 per acre |
| Fire Hydrant Fees | \$3.14 per foot (multiple-family only) |
| Transportation Impact Fee | \$668-\$987 per unit |
| Park Impact Fee | \$344-\$614 per unit |

Source: City of Porterville, 2008.

On March 31, 2009, the City Council authorized Staff to proceed with the preparation of an Interim Urgency Ordinance, and subsequently a permanent ordinance to defer the collection of certain impact fees to the occupancy of the development. This provision is intended to apply to all types of development whether it is residential or non-residential. Local developers and consultants provided feedback on this prior constraint that has been lifted to allow developers the opportunity to pay development fees upon occupancy rather than at the time the permits are issued or at the time plans are submitted for review (does not include "school fees" which the City does not have control over). The deferral of fees until occupancy will allow the developer to install infrastructure in suburban/rural areas that would otherwise be a large initial upfront cost, therefore reducing development of potential affordable housing.

5. ON- AND OFF-SITE IMPROVEMENTS

Site improvements such as water, sewer, storm drains, and other infrastructure are important components that serve new development. Requiring developers to construct site improvements and/or pay pro-rata shares toward the provision of infrastructure, public services, and processing will increase the costs of developing homes and the final sales price or rent of housing. However, payment of fees is necessary to maintain an adequate level of services and facilities, and more generally, to protect public health, safety, and welfare.

In general, the City requires improvements to all streets, highways, or ways in or adjacent to a subdivision. Other improvements include:

- Undergrounding of Utilities
- Grading and improvement of all streets, sidewalks, curbs, gutters, and driveways
- Construction of sanitary sewer facilities connecting with the existing city sewer system
- Installation of storm water and sewers
- Provision of approved water supply capable of supplying required fire flow for fire protection
- Planting of street trees (Five gallon trees for all lots abutting interior, local and collector streets, and 15 gallon trees for parcels having frontage on arterial thoroughfares)
- Provision of street signs and ornamental street lighting

Overall, off-site improvements required by the City are similar to those required by other jurisdictions in the County and are not considered a constraint.

6. BUILDING CODES AND ENFORCEMENT

The City has adopted the 2007 California Building Codes (which has been in full force and effect since January 1, 2008). The California Building Codes establish standards and requires inspections at various stages of construction to ensure code compliance and minimum health and safety standards. Although these standards may increase housing production costs, these standards are mandated by the State of California and are intended to provide structurally sound, safe, and energy-efficient housing.

7. DEVELOPMENT REVIEW PROCESS

The processing time needed to obtain development permits and required approvals is commonly cited by the development community as a prime contributor to the high cost of housing. Depending on the magnitude and complexity of the development proposal, the time which elapses from application submittal to project approval may vary considerably. Factors that can affect the length of development review on a proposed project include: rezoning or general plan amendment requirements, public hearing required for Commission/Council review, or a required Negative Declaration or Environmental Impact Report (EIR).

When residential projects are initiated in the City, specific approvals are required that involve permits and inspections. The most common housing applications and permit processing times are

indicated in Table 7. Also, depending on the level of environmental review required, the processing time for a project may be lengthened.

Table 7: Approximate Development Processing Times

| Process | Time |
|---------------------------|-------------|
| Conditional Use Permit | 30-45 days |
| Variance | 30 days |
| Planned Unit Development | 3-6 months |
| Single-Family Subdivision | 3-6 months |
| General Plan Amendment | 30-45 days |
| Zone Change | 3-6 months |

Source: City of Porterville, (2008).

The City continues to improve its “Plan Check” permit procedure. The entire process now has a two-week turnaround to developers, in most cases, from the date of submittal. A flowchart detailing this expedited process can be found in the Appendix. When projects are submitted to the City, staff reviews each project for verification of compliance with all applicable state and local codes. Other projects require additional review by the Project Review Committee (PRC). The PRC is made up of representatives from each department including Police, Fire, Building, Planning and Engineering. PRC reviews proposed projects that require additional review, input and some cases ministerial approval from the City Council. Once a project has received all necessary approvals the two week “Plan Check” process may begin.

The City Council serves as the Planning Commission and therefore, projects requiring a public hearing process only need to go before one governing body. Construction of individual single-family homes requires building permits only and takes between two and four weeks. Multiple-family apartments require only staff-level reviews (when constructed in zones where they are permitted by right), with total processing time averaging between four and six months. The City does not have a design review procedure that may involve multiple rounds of revisions.

C. ENVIRONMENTAL/INFRASTRUCTURE CONSTRAINTS

A community’s environmental setting affects the feasibility and cost of developing housing. Environmental issues range from the availability of water to the suitability of land for development due to potential exposure to seismic, flooding, wildfire and other hazards. If not properly recognized and accommodated in residential design, these environmental features could potentially endanger lives and property. This section summarizes and analyzes the most pertinent environmental and infrastructure constraints to housing in Porterville.

1. SEISMIC AND GEOLOGIC HAZARDS

The City of Porterville contains a wide variety of soil types which have a significant bearing on land planning and development. Porterville Clay is the most prominent soil type located within the City, comprising approximately 18 percent of the total area. City Building Code Regulations require a preliminary soil report for every new subdivision.

The majority of the City is at elevations between 400 and 800 feet. However, the eastern portion of Porterville is in the Sierra Nevada foothills where elevations reach almost 1,800 feet above sea level. Slopes can be greater than 30 percent grade. Development which occurs on slopes greater than 25 percent exacerbates soil erosion, increases the risk of landslides and wildland fires, and harms the visual aesthetics of the area. On October 7, 2008 the City Council adopted Ordinance 1747, a Hillside Development Ordinance which includes development, design and landscape standards for the Hillside Development Zone. The Ordinance will limit the number of housing units allowed per acre in sloped areas in order to protect the public health, safety and welfare; protect and preserve natural and biological resources for the long-term benefit of Porterville and the broader community.

There are no known active earthquake faults in the City. The closest active faults are Owens Valley fault group and Sierra Nevada Fault Zone (50 miles to the east of the City), the San Andreas Fault Zone (70 miles to the west), and an unnamed fault group north of Bakersfield (40 miles to the south). Other potentially active faults exist near Tulare Buttes, about 30 miles north of Porterville. These faults are small and have not exhibited any activity in the last 200 years. It is possible, but unlikely, that previously unknown faults could become active in the area.

2. FLOODING HAZARDS

Porterville is in the Tulare County Flood Control District. The climate is relatively arid; however, development continues to increase the amount of impervious surfaces, surface run-off and therefore storm drainage must be managed. The average annual precipitation in the Porterville area is approximately 10 inches. However, portions of the Tule River watershed which contribute to flooding in Porterville have a mean annual precipitation of 40 inches. Eighty-five percent of the annual precipitation occurs between November and April.

There are two natural channels for storm water discharge in the City, the Tule River and Porter Slough. Flows in the natural waterways are largely controlled by the Success Dam, but still pose some flooding hazards, particularly in the lower-lying western portions of the City. Flash flooding has occurred in low-lying drainage areas at the base of the foothills. The main channel of the Tule River can pass flows of about 10,000 cubic feet per second (cfs) before extensive damage occurs. Damage to urban property would occur at flows of approximately 16,000 cfs. Porter Slough has a designated capacity of 450 cfs and is an officially designated floodway of Tule River.

There are also seven irrigation ditch companies and storage reservoirs which divert and manage surface water within the Planning Area. In addition to delivering water for irrigation, the ditches provide extra capacity to carry peak flood flows and urban storm water runoff. Minor flooding or ponding may occur on the valley floor if irrigation canals or reservoirs overflow.

In Porterville, the storm flood hazard is considered to be low because the City does not permit development in the flood plain without adequate mitigation measures. Flood zone mapping by the Federal Emergency Management Authority (FEMA) indicates that approximately six percent of the City is located within the 100-year floodplain and another five percent is located within the

500-year floodplain. These two floodplains closely correspond to the watercourses that flow through the city.

Although subsequent infrastructure and drainage improvements have reduced the threat of flooding in many areas prone to inundation, the City requires a flood certificate and appropriately raised floor plates for any development proposed in an identified hazardous flood zone.

3. WILDLAND/URBAN FIRE HAZARDS

Fire hazard potential is largely dependent on the extent and type of vegetation, known as surface fuels, that exists within a region. Fire hazards are typically highest in heavily wooded, undeveloped areas as trees are a greater source of fuel than low-lying brush or grassland. Suburban, urban areas, or rocky barren areas have minimal surface fuels and therefore typically have the lowest fire hazard.

Due to the wooded nature of the Sierra Nevada foothills and hot summers, land located in the northeast portion of the City near Lake Success is considered to have a high to very high risk of fire. The fire season has over 100 days of temperatures in excess of 90 degrees Fahrenheit, usually between May and October. Forty-three percent of the City is considered to have a moderate fire hazard.

Even though Porterville is not considered to be a fire-prone city, structural fires pose a greater risk to life and property than wildland fires. The City of Porterville requires all new development and subdivisions to meet or exceed the Uniform Fire Code provisions, which address topography, geology, climate, and development conditions. The Public Works Department and Fire Department review all development applications during the review process.

Additionally, the City of Porterville met with LAFCO representatives to discuss proposing an expansion of the City's Urban Area Boundary and Urban Planning Area past the foothills to the east of Porterville to Success Lake.

4. HAZARDOUS MATERIALS HAZARDS

The California Code of Regulations defines a hazardous material as "a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating, illness or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed." Hazardous wastes are hazardous materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. A hazardous materials incident involves the uncontrolled release of a hazardous substance during storage, use, or transport.

Areas where historic or on-going activities have resulted in the known or suspected release of hazardous materials into the soil and groundwater are identified by Environmental Data Resources, Inc. In Porterville, contaminated sites are largely associated with leaking underground

storage tanks and are predominately clustered around primary transportation corridors including State Route 65 (SR 65), Main Street, Henderson Avenue, and Olive Avenue. Most sites are associated with retail and commercial uses (e.g., gas stations, convenience stores, car washes, etc.), but a few are associated with local industrial and agricultural uses.

The City's Emergency Operations Plan also mentions the possibility of illegal drug manufacturing sites as sources of hazardous materials and incidents. Residue and hazardous waste are often dumped illegally and pose a threat to public health.

5. INFRASTRUCTURE CONSTRAINTS

Residential development can also be constrained by a limited availability of infrastructure, including roads, water and sewer lines, and other related facilities. The City has adopted master plans for its water and sewer systems. These plans reflect anticipated population growth within the plan period as well as relevant general plan policies (such as the Eastside/Hillside Development Initiatives). The plans direct infrastructure expansion towards desired areas. All the sites identified for future residential development in Chapter 4, Housing Resources, are located within the water and sewer master plan areas. The master plans include technical strategies and financial mechanisms to bring infrastructure to the growth areas. Specifically, the City helped fund the extension of infrastructure to the Eastside/Hillside area well in advance of anticipated development so as to encourage growth in this area rather than in agricultural flatlands at or beyond the City's western boundary. The City also adopted reduced water and sewer truck fees in the Eastside/Hillside areas where the hillside slope is seven percent or greater and where the development density does not exceed one unit per acre.

Other types of urban infrastructure, such as highways, rail lines, canals, and airports, however, pose potential constraints upon housing, in that housing near these and other similar facilities is usually undesirable due to ambient noise, pollution, safety/hazards, or related factors. Many noise impacts from such facilities can be mitigated on-site with soundwalls, insulated windows, and other noise-attenuating features. Requirements for such features pose a minor housing constraint based on costs. However, the proximity to such noise sources is typically reflected in lower land costs.