SUBJECT: CRESTVIEW PARK TENTATIVE SUBDIVISION MAP (EAST BAY PROPERTIES-LISA JORDAN)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The applicant is requesting approval of the Crestview Park Tentative Subdivision Map to divide a 10± acre vacant parcel zoned City R-1 (One-Family Zone) into a 45 lot single family residential subdivision to be developed in one (1) phase for that site generally located on the southeast corner of Putnam Avenue and Olivecrest Avenue.

The average size of the lots consist of 6,000 square feet. The vacant site is triangular in design. The north portion (widest point) of the site fronts on West Putnam Avenue. The south portion (narrowest point) fronts along the north side of Olivecrest Avenue (local street 60 foot wide). Ruth Street, an internal street (60 foot wide), will connect to Putnam Avenue on the north side of the subdivision and will extend south and southwest and connect to Olivecrest Avenue. Mill Court (50 foot wide) will extend west approximately 342± feet and will dead end. Jordan Court and Oak Court (two cul-de-sac streets 50 foot wide) will extend northeast and southwest off of Ruth Street at the south end of the subdivision.

A conceptual layout for a cul-de-sac and two (2) lots to be located to the north and south of the cul-de-sac are shown on the tentative map. Since the applicant is still negotiating with the property owner, the aforementioned is not apart of this project.

A six (6) foot block wall and landscaping along the Olivecrest Avenue frontage of the project will be required. The area shall be placed in a Landscape Maintenance District. Particular attention shall be directed to provide a graffiti free design through the use of a combination of trees, shrubs and vines to be planted to screen the wall.

On March 9, 2005, the Environmental Coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review period from March 11, 2005 to March 31, 2005. The only agency that responded was the San Joaquin Valley Air Pollution Control District. Those comments have been incorporated into the Mitigation Monitoring Program Attachment A of the draft environmental resolution.
RECOMMENDATION: That the City Council:

(1) Adopt the draft resolution approving the Negative Declaration for Crestview Park Tentative Subdivision Map; and

(2) Adopt the draft resolution approving Crestview Park Tentative Subdivision Map.

ATTACHMENT:

1. Complete Staff Report
PUBLIC HEARING - STAFF REPORT

TITLE: CRESTVIEW PARK TENTATIVE SUBDIVISION MAP

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

APPLICANT: Eastbay Properties, LP
Lisa Jordan
4392 Bardini Way
Turlock, CA 95382

AGENT: Daryl Jordan/Micheal Johnson
1900 Airdrome Entry
Atwater, CA 95301

PROJECT LOCATION: Generally the southeast corner of Putnam Avenue and Olivecrest Avenue.

SPECIFIC REQUEST: The applicant is requesting approval of the Crestview Park Tentative Subdivision Map to divide a 10± acre vacant parcel zoned City R-1 (One-Family Zone) into a 45 lot single family residential subdivision to be developed in one (1) phase for that site generally located on the southeast corner of Putnam Avenue and Olivecrest Avenue.

PROJECT DETAILS: The average size of the lots consist of 6,000 square feet. The vacant site is triangular in design. The north portion (widest point) of the site fronts on West Putnam Avenue. The south portion (narrowest point) fronts along the north side of Olivecrest Avenue (local street 60 foot wide). Ruth Street, an internal street (60 foot wide), will connect to Putnam Avenue on the north side of the subdivision and will extend south and southwest and connect to Olivecrest Avenue. Mill Court (50 foot wide) will extend west approximately 342± feet and will dead end. Jordan Court and Oak Court (to cul-de-sac streets 50 foot wide) will extend northeast and southwest off of Ruth Street at the south end of the subdivision.

A conceptual layout for a cul-de-sac and two (2) lots to be located to the north and south of the cul-de-sac are shown on the tentaive map. Since the applicant is still negotiating with the property owner, the aforementioned is not apart of this project.

The FIRM Flood Insurance Map 065066 0865 B, dated September 29, 1986, indicates that with the exception of the lots fronting on Putnam Avenue and the six lots located at the southeast corner of the subject site, the remaining lots are located in a specific flood hazard area, designated as Flood Zone A (areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined).

A Base Flood Elevation will be required to be set prior to the approval of improvement plans, filing a final map or the issuance of any building permit. Additionally, Compliance with the City Flood Hazard Reduction Ordinance, which requires elevation certificates for residential buildings.
A six (6) foot block wall and landscaping along the Olivecrest Avenue frontage of the project will be required. The area shall be placed in a Landscape Maintenance District. Particular attention shall be directed to provide a graffiti free design through the use of a combination of trees, shrubs and vines to be planted to screen the wall.

**GENERAL PLAN DESIGNATION:** Low Density Residential.

**SURROUNDING ZONING LAND USE:**

North: City - Putnam Avenue (3/4 street) and developed single family residential subdivision.
South: Olivecrest Avenue and a cemetery.
East: City - Rural residential uses.
West: City - Crestview Street and a developed single family residential subdivision.

**SUBDIVISION REVIEW:** Pursuant to Article 4 of the Subdivision Ordinance, the Initial Study and proposed Mitigation Measures were transmitted to public/private agencies for a 20 day review period from March 11, 2005 to March 31, 2005. As of this date, no agency has responded.

San Joaquin Unified Air Pollution District March 29, 2005
Resources Management Agency- Long Range Planning No response
Resources Management Agency- Engineering/Flood/Traffic Division No response
Tulare County Health and Human Services Agency No response
Department of Fish and Game No response
California Regional Water Quality Control Board No response
Tulare County Association of Government No response
District Archaeologist No response
Charter Communications No response
Southern CA Edison No response
Postmaster No response
Pacific Bell No response
Southern CA Gas No response
Porterville Unified School District No response
Tulare County Farm Bureau No response

The Subdivision Review Committee, on March 23, 2005, discussed concerns and conditions that should be addressed before the City Council. Conditions developed as a result of this meeting and subsequent staff review will be discussed with the applicant’s agent and incorporated into the draft resolution of approval.

**STAFF ANALYSIS:** Development of the site as proposed will provide needed housing in conformance with the City’s General Plan Land Use and Housing Elements and requirements of the State Subdivision Map Act and local ordinances.

The proposal to develop the 10± acre vacant parcel zoned City R-1 (One-Family Zone) into a 45 lot single family residential subdivision to be developed in one (1) phase is consistent with the General Plan’s Low Density Residential land use designation and R-1 (One-Family Residential) zoning classification for the site.
The FIRM Flood Insurance Map 065066 0865 B, dated September 29, 1986, indicates that with the exception of the lots fronting on Putnam Avenue and the six lots located at the southeast corner of the subject, the remaining lots are located Flood Zone A (areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined). The developer/applicant has begun the process of amending the FEMA maps to either (1) remove the subject site from Flood Zone A; or (2) define a base flood elevation. This process will be completed prior to the approval of grading plans, improvement plans or building permits. Appropriate conditions of approval are proposed to ensure that development is appropriate for anticipated flood flows.

As designed, Lots 24 through 33 are double frontage lots. In most cases, it would be necessary to request an exception to Subdivision Ordinance Section 21-7 which generally prohibits double frontage lots. A six (6) foot block wall and landscaping along the Olivecrest Avenue frontage of the project will be required. Additionally, a condition of approval will require the developer/applicant to dedicate access rights to Olivecrest Avenue from any lots with frontage on Olivecrest Avenue. As a result of these two conditions, staff has determined that the exception to Subdivision Ordinance Section 21-7 is not required.

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. No project. The site would remain undeveloped until an amended development plan is approved.

2. Approve the project. Conditional approval of the proposed tentative subdivision map would allow the site to be developed in conformance with its current General Plan land use designation while contributing additional housing units towards the City’s Fair Share Regional Housing Goal as identified by the General Plan Housing Element.

ENVIRONMENTAL: On March 9, 2005, the Environmental Coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review period from March 11, 2005 to March 31, 2005. The only agency that responded was the San Joaquin Valley Air Pollution Control District. Those comments have been incorporated into the Mitigation Monitoring Program Attachment A of the draft environmental resolution.

DATE FILED FOR SUBDIVISION REVIEW COMMITTEE PROCESSING: March 23, 2005

DATE ACCEPTED AS COMPLETE: March 23, 2005

RECOMMENDATION: That the City Council:

(1) Adopt the draft resolution approving the Negative Declaration for Crestview Park Tentative Subdivision Map; and

(2) Adopt the draft resolution approving Crestview Park Tentative Subdivision Map.
ATTACHMENTS:

1. Crestview Park Tentative Subdivision Map
2. Environmental Initial Study
3. Response from San Joaquin Unified Air Pollution District
4. Draft Environmental Resolution
5. Draft Resolution of Approval
CITY OF PORTERVILLE

ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Crestview Park Tentative Subdivision Map

2. Lead Agency Name and Address: City of Porterville
   291 N. Main Street
   Porterville, CA 93258

3. Contact Person and Phone Number: Bradley D. Dunlap

4. Project Location: Generally the southeast corner of Putnam Avenue and Olivecrest Avenue.

5. Project Sponsor’s Name and Address: Daryl and Linda Jordan
   5401 Hickman Rd.
   Denaire, CA 95316

6. General Plan Designation: Low Density Residential

7. Zoning: EXISTING: City R-1 (One-Family Zone)

8. Description of the Project: (SEE ATTACHED LOCATOR MAP 3a)

   The subdivision of a 10± acre vacant parcel zoned City R-1 (One-Family Zone) into a 45 lot single family residential subdivision to be developed in one (1) phase (see page 3b).

9. Surrounding Land uses and Setting:

   North: City - Putnam Avenue (3/4 street) and developed single family residential subdivision.
   South: Olivecrest Avenue and a cemetery.
   East: City - Rural residential uses.
   West: City - Crestview Street and a developed single family residential subdivision.

   The vacant site is triangular in design. The north portion (widest point) of the site fronts on West Putnam Avenue. The south portion (narrowest point) fronts along the north side of Olivecrest Avenue. Ruth Street, an internal street (60 foot wide), will connect to Putnam Avenue on the north side of the subdivision and will extend south and southwest and connect to Olivecrest Avenue. Mill Court (50 foot wide) will extend west approximately 342± feet and will dead end. Jordan Court and Oak Court (to cul-de-sac streets 50 foot wide) will extend northeast and southwest off of Ruth Street at the south end of the subdivision.

   A conceptual layout for a cul-de-sac and two (2) lots to be located to the north and south of the cul-de-sac are shown on the tentative map. Since the applicant is still negotiating with the property owner, the aforementioned is not apart of this project.

   The subject site has not been utilized for agricultural crops and seasonal weeds have been plowed down regularly. An on site inspection was conducted by staff. No rare or endangered plant or animal species were discovered.

ATTACHMENT
ITEM NO. 2
The FIRM Flood Insurance Map 065065 0865 B, dated September 29, 1986 indicates the lots fronting on Olivecrest Avenue and those lots located on the southeast corner of the subject site are located Flood Zone AO (areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined).

The Base Flood Elevation will be required to be set prior to the approval of improvements plans, filing a final map or the issuance of any building permit.

Compliance with the City Flood Hazard Reduction Ordinance, which requires elevation certificates or flood resistant construction for all buildings may or will be required. This will reduce the potential impact to less than significant levels.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project.

<table>
<thead>
<tr>
<th>Land use and Planning</th>
<th>Biological Resources</th>
<th>X</th>
<th>Aesthetics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population and Housing</td>
<td>Energy and Mineral Resources</td>
<td>Cultural Resources</td>
<td></td>
</tr>
<tr>
<td>X Geological Problems</td>
<td>Hazards</td>
<td>Recreation</td>
<td></td>
</tr>
<tr>
<td>X Water</td>
<td>Noise</td>
<td>Mandatory Findings of Significance</td>
<td></td>
</tr>
<tr>
<td>X Air Quality</td>
<td>Public Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation and Circulation</td>
<td>X Utilities and Service Systems</td>
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</table>

DETERMINATION: (To be completed by the Lead Agency).

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. X

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect(s) on the environment, but the effect(s) (1) has/have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. If the effect is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated" and will not be mitigated. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (1) have been analyzed in an earlier EIR or Negative Declaration pursuant to applicable standards and (2) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project.

I find the proposed project could have a significant effect on the environment. Action to be determined by the Environmental Review Committee.

Signature
Bradley D. Dunlap, AICP
Printed Name

Date: 3/9/05

City of Porterville
For
EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources cited for each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries that will not be mitigated by incorporation of mitigation in the project when the determination is made, an EIR is required.

4. "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).

5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). Earlier analyses are discussed in Section 17 at the end of the checklist.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
CHECKLIST

1. LAND USE AND PLANNING -- Would the proposal:

   a. Conflict with general plan designation or zoning?

      Discussion: Porterville's General Plan designates the subject area for Low Density Residential Uses (2 to 7 d.u. per acre) and the site is located within the R-1 (One Family Residential) Zone.

      The project proposes the division of a vacant 10± acre parcel into a 45 lot single family residential subdivision in one (1) phase. The proposed subdivision would have a gross residential density of approximately 4.5 units/acre.

      The subdivision as proposed is consistent with the polices and guidelines set forth in the Land Use Element and Circulation Element of the General Plan and the Zoning Ordinance. The project as proposed will not violate any of the existing polices.

      Source: 1 &12

   b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

      Discussion: The project as proposed will not conflict with any applicable environmental plans or policies adopted by agencies with jurisdiction over the project. Therefore, no impact will occur.

      Source: 1, 3 &4

   c. Be incompatible with existing land use in the vicinity?

      Discussion: The proposed project will allow for development as supported by the General Plan and Zoning Ordinance. Therefore, the project will not be incompatible with the existing land uses in the vicinity.

      Source: 1, 2, &30

   d. Affect agricultural resources or operations (e.g. impact to soils or farmlands, or impacts from incompatible land uses)?

      Discussion: The subject site is not currently used for farming operations. The area to the south (County) is being utilized for a cemetery. The area to the north and west (City) is developed with a single family residential subdivision. The area to the east (County) has rural residential uses. Therefore, the proposed project will not affect any agricultural resources or operations.

      Source: 1 &30
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?

Discussion: The project as proposed will not disrupt or divide the physical arrangement of the established community in this area.

Source: 1 & 30

2. POPULATION AND HOUSING -- Would the proposal:

a. Cumulatively exceed official regional or local population projections?

Discussion: Based on the historical growth pattern, it is expected that Porterville's population will continue to grow at about 2.5% annually. The project as proposed will not cause any substantial increase in local population projections.

Source: 1 & 3

b. Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or major infrastructure)?

Discussion: Infrastructure is located in Putnam Avenue immediately to the north of the subject site and in Olivecrest Avenue immediately to the southwest and south of the subject site. The proposed project will facilitate development envisioned by the General Plan and Zoning Ordinance. Therefore, the project as proposed will not induce substantial growth in this area.

Source: 1 & 3

c. Displace existing housing, especially affordable housing?

Discussion: The project as proposed will not require the removal of any existing housing.

Source: 1, 3 & 30

3. GEOLOGIC PROBLEMS -- Would the proposal result in or expose people to potential impacts involving:

a. Fault rupture?

Discussion: No faults are known to exist in this area. Therefore, the project will not expose people to hazards from fault rupture.

Source: 7
b. Seismic ground shaking?

Discussion: No faults are known to exist in this area. Therefore, the project will not expose people to hazards from seismic ground shaking.

Source: 7

c. Seismic ground failure, including liquefaction?

Discussion: No faults are known to exist in this area. Therefore, the project will not expose people to hazards from seismic ground failure.

Source: 7

d. Seiche, tsunami, or volcanic hazard?

Discussion: The City of Porterville is not located in an area subject to Seiche, tsunami, or volcanic hazards. Therefore, the project will not create any seiche, tsunami or volcanic hazard to this area.

Source: 7

e. Landslides or mudflows?

Discussion: The subject site is flat. Therefore, the project will not create any landslides or mudflows.

Source: 7

f. Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?

Discussion: Future development of the site with single family residential uses would result in ground disturbance through leveling, grading, etc., and absent proper control measures, could contribute to minor soil erosion during construction. Additionally, development on previously undisturbed soil with high expansion potential would create areas of impermeability which will contribute to increased storm water runoff.

Mitigation: Mitigation measures include the enforcement of a site development plan or other development related conditions of approval requiring erosion control plans and the conservation of vegetation, with soil disturbances to be limited to dry seasons. In addition, conformance with the City Storm Drain Master Plan, and requirements relative to grading, the California Building Code, etc., will be required.

Source: 7
<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
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<tr>
<td>g. Subsidence of the land?</td>
<td>____      ____      ____      ____       ____</td>
<td>X</td>
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</table>

Discussion: Development of the site with a single family residential subdivision will not effect the subsurface soil structure and therefore will not contribute to any subsidence of land.

Source: 4 & 7

| h. Expansive soils?             | ____      ____      ____      ____       ____ | X                      |

Discussion: The subject site contains highly expansive soils. Development in this area may be subject to significant stresses which must be addressed in design to prevent damage to public and private improvements.

MITIGATION:

Mitigation measures include the enforcement of the site development plan or other development related conditions of approval requiring erosion control plans, and the conservation of vegetation, with soil disturbances to be limited to dry seasons. In addition, conformance with the City Storm Drain Master Plan, and requirements relative to grading, etc., will be required.

Depending on the soils report, an engineered foundation design would be required. As an alternative, the removal of native soil could be replaced with non-expansive material.

Source: 4, 22 & 29

| i. Unique geologic or physical features? | ____      ____      ____      ____       ____ | X                      |

Discussion: There are no unique geological or physical features in this area, therefore, the proposed project will have no impact.

Source: 4, 7 & 30

4. WATER -- Would the proposal result in:

a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? 

Discussion: Such patterns change incrementally as streets, gutters and pipelines are installed to handle additional surface drainage resulting from the development of impervious surfaces such as building and paving. The rate and amount of runoff will increase as these aforementioned features are constructed. The installation of the curbs, gutters and drop inlets to allow water to be channeled into the existing storm drain line will prevent any future drainage problems in this area.

Mitigation: Compliance with Federal, State and local regulations requiring that storm water runoff monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).
b. Exposure of people or property to water-related hazards such as flooding?

Discussion: The FIRM Flood Insurance Map 065066 0865 B, dated September 29, 1986 indicates that with the exception of the lots fronting on Putnam Avenue and the six (6) lots located at the southeast corner of the subject site, the remaining lots are located in a specific flood hazard area, designated as Flood Zone A (areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined).

Mitigation: The Base Flood Elevation will be required to be set prior to the approval of improvements plans, filing a final map or the issuance of any building permit.

Compliance with the City Flood Hazard Reduction Ordinance, which requires elevation certificates or flood resistant construction for all buildings may or will be required. This will reduce the potential impact to less than significant levels.

Source: 1, 4 & 26

c. Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?

Discussion: The site is within the boundaries of the City's Master Plan for Storm Drainage (2001). Consequently, the storm water generated from future development of the site has been anticipated by the plan. Water quality could be affected by chemicals (oil based residues) conveyed by storm water runoff from streets, driveways and other impervious surfaces. Demands on the City's water supply from the unconfined aquifer will be commensurate with the magnitude and type of future development occurring on the 10± acre site.

MITIGATION

Compliance with Federal, State and local regulations requiring that storm water runoff monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NODES standards).

The installation of storm drain lines in conformance with Federal, State, and local environmental protection requirements and the City's Storm Drainage Master Plan will be required.

It is not anticipated that the ultimate development of the 10± acre site, as described, will not significantly deplete groundwater supplies or reduce public water supply from the City's unconfined groundwater aquifer.

Source: 4, 7 & 26

d. Changes in the amount of surface water in any water body?

Discussion: Drainage from the subject site will not be directed to any water body. Therefore, no impact will occur.

Source: 4, 17 & 22
<table>
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<tr>
<th>Potentially Significant Impact</th>
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</table>

e. Changes in currents, or the course or direction of water movements?

*Discussion: Drainage from the subject site will not be directed to any water body. Therefore, no impact will occur.*

*Source: 4, 7 & 26*

f. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?

*Discussion: The site is within the boundaries of the City of Porterville's Water Master Plan. Development of the site was anticipated and adequate water supplies have been identified.*

*It is anticipated that any future development of the site for residential uses should not substantially reduce the amount of water otherwise available for public water supplies. Therefore, no change in the quantity of ground water or the substantial loss of groundwater recharge capability will occur.*

*Source: 4, 7 & 26*

g. Altered direction or rate of flow of groundwater?

*Discussion: Future development of the site with residential uses would not require any cuts or excavations other than minor grading, therefore, the direction of flow of groundwater will not be altered.*

*Source: 1 & 4*

h. Impacts to groundwater quality?

*Discussion: Future development of the site with residential uses would not require any cuts or excavations other than minor grading. No uses are proposed which could cause the discharge of pollutants into the groundwater.*

*Source: 1 & 4*

i. Substantial reduction in the amount of groundwater otherwise available for public water supplies?

*Discussion: Ultimate development of the site is not anticipated to significantly deplete groundwater supplies or reduce public water supply from the City's unconfined groundwater aquifer; therefore, the impact is less than significant.*

*Source: 1 & 4*
5. AIR QUALITY -- Would the proposal:

a. Violate any air quality standard or contribute to an existing or projected air quality violation?

Discussion: Future development of the site with residential uses will require equipment to be utilized in regard to the project and vehicular trips will be generated by construction crews during the construction stage of the project. Overall impacts to air quality from buildout as proposed by the General Plan is discussed in the Environmental Impact Report certified upon adoption of the current Land Use Element of the General Plan.

Mitigation: The developer/applicant shall assure compliance with applicable San Joaquin Valley Unified Air Pollution Control District Rules (e.g., Numbers 8010, 8020 and 8030), regarding fugitive dust, as well as Section 7-8, Project Site Maintenance of the Standard Specifications. The developer/applicant shall provide a street sweeper as necessary to comply.

Mitigation: Mitigation of the effects resulting from increased vehicle trips must be accomplished through proper vehicle smog inspections and related efforts to reduce petroleum fueled transit. Additional mitigation measures include adequate circulation of vehicles to lessen concentrations of carbon monoxide in the area, promotion of car pooling and public transportation in the area, and the encouragement of non-motorized transportation modes (i.e./ bicycles and walking).

MITIGATION THROUGH CONSTRUCTION MANAGEMENT:

1. The City will implement Regulation VIII of the SJVAPCD including:

a. The prevention of dust from leaving the construction site during clearing, grading and excavation will be accomplished through regular truck spraying with water, sprinkling systems or emulsion sprays.

b. Watering or spraying will be required to be done in the late morning and again at the end of the work day, with increased frequency throughout the day whenever wind is sustained or gusting at speeds in excess of 10 mph. If winds or gusting exceed 20 mph, vehicular activity will be required to cease.

c. One or more of the following means of dust control should be employed after the completion of earth grading operations:

   i. Seeding and watering of new vegetation.
   ii. Hydro mulching or spreading of soil binders.
   iii. Maintenance of the site's soil surface crust through repeated soakings.

2. Require construction equipment to be equipped with catalysts/particulate traps to reduce particulate and Nox emissions.

3. Limit engine idling at the project site.

4. Trees should be carefully selected and located to shade the residential structures during the hot summer months. This measure should be implemented on southern and western exposures. Deciduous trees should be considered since they provide shade in the summer and allow the sun to reach the residences during the cold winter months.
5. As many energy-conserving features as possible should be included in the design/construction of the new dwellings. Examples include (but are not limited to) increased wall and ceiling insulation (beyond building code requirements), energy efficient lighting, high efficiency appliances and solar-assisted water heating.

6. Electric or low nitrogen oxide (Nox) emitting gas-fired water heaters should be installed.

7. Natural gas lines and electrical outlets should be installed in the backyard or patio areas to encourage the use of gas and/or electrical barbeques.

8. Electrical outlets should be installed around the exterior of the units to encourage the use of electric landscape maintenance equipment.

9. Awnings or other shading mechanism for windows should be installed.

10. Ceiling fans should be installed.

11. Energy efficient windows (double pane and/or coated) should be installed.

12. High-albedo (reflecting) roofing material should be installed.

13. The following regulations of the San Joaquin Air Pollution Control District (Rule 4901 - Wood Burning fireplaces and Wood Burning Heaters) will apply to this project:

   a. In new residential developments with a density greater than two (2) dwelling units per acre, no person shall install a wood-burning fireplace.

   b. In new residential developments with a density equal to or greater than three (3) dwelling units per acre, no person shall install more than two (2) EPA Phase II Certified wood burning heaters (wood stove, pellet stove or wood-burning insert) per acre.

   c. No person shall install more than one (1) wood burning fireplace or wood burning heater in each new dwelling unit.

   d. A new residential development is defined as any single or multiple family housing unit, for which construction begins on or after January 1, 2004. Construction has begun when the foundation for the structure is constructed.

Source: 24

b. Expose sensitive receptors to pollutants? _____ _____ X _____

   Discussion: The proposed site has a developed single family residential subdivision located to the north and west. Rural residential uses are located to the east and a cemetery to the south. The mitigation measures identified above will provide adequate protection for these residential uses.

Source: 24
c. Alter air movement, moisture, or temperature, or cause any change in climate?

Discussion: The project as proposed, will not alter air movement, moisture, temperature and change in the climate will not occur.

Source: 24

d. Create objectionable odors?

Discussion: The project as proposed, will not create any objectionable odors.

Source: 24

6. TRANSPORTATION/CIRCULATION -- Would the proposal result in:

a. Increased vehicle trips or traffic congestion?

Discussion: Eventual development of the complete 45 lot subdivision is anticipated to result in additional daily trips. Based of the Circulation Element of the General Plan, 9.55 daily trips would be generated per unit, for a total of 429 ADT.

All the interior streets within the proposed subdivision are designed to be 60 foot wide, with the exception off two (2) cul-de-sac streets and one dead end street which will be 50 foot wide. Ingress and egress from the north portion of the subject site will be from Putnam (2 lane Local Street) which will be developed to 60 feet wide. Ingress and egress from the southwest portion of the subject site will be from Olivcrest Avenue which is developed to a 2 lane 60 foot Local Street.

The alignment of Olivcrest Avenue curves to the southeast from Putnam Avenue to Olive Avenue to the east which is designated as 2 lane Collector Street capable of handling 12,500 ADDED. Both of these streets were reconstructed and improved with curb, gutter and sidewalk.

No recent traffic counts have been conducted in this area. However, on November 16, 2004 a 24 hour traffic count was concluded at the intersection of Olive Avenue and Conner Street located approximately 1950 feet east of the subject site. A total count of 1,439 ADT. going east and west on Olive Avenue was recorded.

The additional traffic generated by the proposed development will not reduce the performance of these streets since they were originally designed to handle the additional traffic in this area. Therefore, the impact is less than significant.

Source: 1, 2, & 34
b. Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

Discussion: Required improvements along the Putnam Avenue and Olivecrest Avenue frontages and the interior street will be required to be designed and improved to City Standards which are intended to avoid hazardous situations. Therefore, the impact is less than significant.

Source: 1 & 2

c. Inadequate emergency access or access to nearby uses?

Discussion: The subject site and adjacent uses have access to public streets for emergency access.

Source: 1, 2 & 12

d. Insufficient parking capacity on-site or off-site?

Discussion: Eventual development of the site will require on-site parking in conformance with the Porterville Zoning Ordinance. Therefore, no impact will result in insufficient parking capacity on-site.

Source: 1, 2 & 12

e. Hazards or barriers for pedestrians or bicyclists?

Discussion: Careful design of the site’s future development circulation patterns and conformance to the City’s development standards and Circulation Element of the General Plan will provide partial mitigation. Subsequent development will be required to design and install proper and necessary traffic circulation facilities for both vehicular and pedestrian traffic. Therefore, hazards or barriers for pedestrians or bicyclist will diminish.

Source: 1, 2 & 12

f. Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?

Discussion: The project as proposed will not conflict with adopted policies supporting alternative transportation.

Source: 1, 2 & 31

g. Rail, waterborne or air traffic impacts?

Discussion: The project as proposed will not impact any rail, waterborne or air traffic since they do not exist in this area.

Source: 1 & 2
7. **BIOLOGICAL RESOURCES** -- Would the proposal result in an impact on:

a. Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals or birds)?

   Discussion: City staff conducted an on-site inspection. The site is vacant and has been regularly disced for weed control. No natural habitat was observed. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

   Source: 4, 5, 15 & 30

b. Locally designated species (e.g. heritage trees)?

   Discussion: City staff conducted an on-site inspection. The site is vacant and has been regularly disced for weed control. No natural habitat was observed. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

   Source: 4, 5, 15 & 30

c. Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?

   Discussion: City staff conducted an on-site inspection. The site is vacant and has been regularly disced for weed control. No natural habitat was observed. As such, no impact to locally designated natural communities will occur.

   Source: 4, 5, 15 & 30

d. Wetland habitat (e.g. marsh, riparian and vernal pool)?

   Discussion: City staff conducted an on-site inspection. The site is vacant and has been regularly disced for weed control. No natural habitat was observed. As such, no impact to wetland habitat will occur.

   Source: 4, 5, 15 & 30

e. Wildlife dispersal or migration corridors?

   Discussion: City staff conducted an on-site inspection. The site is vacant and has been regularly disced for weed control. No natural habitat was observed. As such, no impact to locally wildlife dispersal or migration corridors will occur.

   Source: 4, 5, 15 & 30
8. ENERGY AND MINERAL RESOURCES -- Would the proposal:

a. Conflict with adopted energy conservation plans?

Discussion: The project as proposed will not conflict with adopted energy conservation plans. Therefore, no change to exiting conservation plans and policies is proposed.

Source: 4

b. Use non-renewable resources in a wasteful and inefficient manner?

Discussion: The project will not directly require any non-renewable resources. Appropriate energy conservation measures as required by the California Building Code will apply, therefore, no impact will occur.

Source: 4

c. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?

Discussion: There are no known mineral resources of value on the subject site, therefore, no impact will occur.

Source: 4

9. HAZARDS -- Would the proposal result in:

a. A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?

Discussion: No hazardous substances are known to exist on the subject site and none are expected to be stored in association with the anticipated residential development.

Source: 7

b. Possible interference with an emergency response plan or emergency evacuation plan?

Discussion: The project as proposed will not interfere with an emergency response plan or emergency evacuation plan. Therefore, no impact will occur.

Source: 7
c. The creation of any health hazard or potential health hazard?

Discussion: All uses and future uses on the site must be in conformance with the Porterville Zoning Ordinance. The project as proposed will not create a potential health hazard. Therefore, no impact will occur.

Source: 7

d. Exposure of people to existing sources of potential health hazards?

Discussion: All uses and future uses on the site must be in conformance with the Porterville Zoning Ordinance. The project as proposed will not create a potential health hazard. Therefore, no impact will occur.

Source: 7

e. Increased fire hazard in areas with flammable brush, grass or trees?

Discussion: All uses and future uses on the site must be in conformance with the Porterville Zoning Ordinance and must comply with the City of Porterville weed abatement program. Therefore, no impact will occur.

Source: 7

10. NOISE -- Would the proposal result in:

a. Increase in existing noise levels?

Discussion: Future development of the site with residential uses will create some noise during the construction stage of the project. This noise would cease once the construction is completed. Additionally, compliance with Section 3.3.2 of the Noise Element of the General Plan will be required. A modest increase in noise will also occur due to the additional traffic generated by the proposed subdivision. Therefore, the impact is less than significant.

Source: 6

b. Exposure of people to severe noise levels?

Discussion: Future development of the site with residential uses will create some noise during the construction stage of the project. This noise would cease once the construction is completed. Additionally, compliance with Section 3.3.2 of the Noise Element of the General Plan will be required. A modest increase in noise will also occur due to the additional traffic generated by the proposed subdivision. Therefore, the impact is less than significant.

Source: 6
11. PUBLIC SERVICES -- Would the proposal result in impacts to:

a. Fire protection? 
   
   Discussion: The subject site is within the service area of the Porterville Fire Department. Sufficient capacity exists to serve the area.
   
   Source: 1, 2, 3, 5, 7 & 8

b. Police protection? 
   
   Discussion: The subject site is within the service area of the Porterville Police Department. Sufficient capacity exists to serve the area.
   
   Source: 1, 2, 3, 5, 7 & 8

c. Schools? 
   
   Discussion: The proposed residential project has the potential to increase enrollment within the Porterville Unified School District. School fees will be collected to assist in the funding of future capital improvements that may become necessary within those school districts, however, the potential impact on enrollment from 137 additional single family residences is less than significant.
   
   Source: 1, 2, 3, 5, 7 & 8

d. Maintenance of public facilities, including roads? 
   
   Discussion: The proposed streets and public facilities will be maintained by the City Field Services Division. There is currently sufficient capacity to account for such maintenance, therefore, no impact will occur.
   
   Source: 1, 2, 3, 5, 7 & 8

e. Other governmental services? 
   
   Discussion: The project will not require the need for any additional governmental services.
   
   Source: 1, 2, 3, 5, 7 & 8

12. UTILITY AND SERVICE SYSTEMS -- Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

a. Power or natural gas? 
   
   Discussion: Electricity and natural gas exists at the site.
   
   Source: 1 & 3
b. Communications systems?

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>X</td>
</tr>
</tbody>
</table>

Discussion: Telephone lines exist at the site.
Source: 1 & 3

c. Local or regional water treatment or distribution facilities?

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
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<tbody>
<tr>
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</table>

Discussion: Water supply and distribution systems are designed to accommodate development of the subject site.
Source: 21 & 28

d. Sewer or septic tanks?

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<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</table>

Discussion: A 12" sewer line exists in Olivecrest Avenue and an 8" sewer line exists in Putnam Avenue.

In 1994, the Water Treatment Plant increased its capacity from 4 million gallons per day to 8 million gallons per day. Current use is 4.6 million gallons per day. At this rate, sufficient capacity is available to handle a population of 71,300 (22 years at 2.5% growth per year).
Source: 17, 20 & 21

e. Storm water drainage?

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tr>
<td></td>
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</table>

Discussion: An 18" storm drain line exists in Olivecrest Avenue. Run-off in this area is channeled into existing gutters to drop inlets located on Olivecrest Avenue.

The site is within the boundaries of the City’s Master Plan for Storm Drainage (2001). Consequently, the storm water generated from future development of the site has been anticipated by the plan. Periodic future increases in the amount of water that will be generated into the drainage system will, therefore, occur as the site ultimately develops with single family residential uses, due to the creation of many acres of impervious surfaces. Water quality could be affected by chemicals (oil based residues) conveyed by storm water runoff from streets, driveways and other impervious surfaces.

Mitigation: Compliance with Federal, State and local regulations requiring that storm water runoff monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NODES standards).
Source: 17, 20 & 21

f. Solid waste disposal?

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</table>

Discussion: The subject site is within the service area of the Porterville refuse service area. Sufficient capacity exists to serve the area. Therefore, no impact will occur.

Source: 17, 20 & 21
g. Local or regional water supplies?

Discussion: A 12" water line exists in Olivecrest Avenue and a 6" water line exists in Putnam Avenue. Current water production capacity is 15,331 gpm. The current demand during the highest use month is approximately 14,000 gpm.

The City adopted an addendum EIR for the City's Water Master Plan in February 2001 which called for the construction of seven new wells with a 1,000 gpm capacity each by the end of 2005. Based on the City's adopted Water Master Plan, mitigation measures have been addressed. One of those wells was constructed in 2002. Two more wells are currently under preliminary review for construction.

Continued implementation of the adopted Sewer and Water Master Plans will insure adequate service as development occurs with the Urban Development Boundary.

Source: 1, 4 & 21

13. AESTHETICS -- Would the proposal:

a. Affect a scenic vista or scenic highway?

Discussion: There are no scenic vistas or scenic highways in the vicinity of the subject site.

Source: 1 & 5

b. Have a demonstrable negative aesthetic effect?

Discussion: Development of the subject site is expected to commensurate to surrounding developed areas. No negative aesthetic effects will occur.

Source: 1 & 5

c. Create light or glare?

Discussion: New sources of light and glare will result from subsequent street lighting, and residential dwellings to be installed/developed.

Mitigation: Future development of the subject site will require the installation of low profile exterior lighting which will be directed away from adjacent properties, as required by the City Zoning Ordinance, and will reduce the impact of outside lighting. Minimal glare is anticipated from street light and on-site lighting facilities accruing from the site's eventual development. This will serve to reduce potential hazards for autos, bicyclists, and pedestrians, as well as provide a secure environment for the occupants.

Section 2618 F (Glare) of the Porterville Zoning Ordinance will be enforced as follows:

“No direct or reflected glare, whether produced by flood light, high temperature processes such as combustion or welding, or other processes, so as to be visible from any boundary line of property on which the same is produced shall be permitted. Sky reflected glare from buildings or portions thereof shall be so controlled by such reasonable means as are practical to the end that the said sky reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.”

Source: 1, 5 & 12
14. **CULTURAL RESOURCES -- Would the proposal:**

a. Disturb paleontological resources? 

   Discussion: No paleontological sites, or resources are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction.

   Source: 4, 30, 35 & 36

b. Disturb archaeological resources? 

   Discussion: No paleontological sites, or resources are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction.

   Should such resources be uncovered during subsequent construction, work will be halted and the requirements of Supplementary Document "J" of the California Environmental Quality Act Guidelines shall be implemented.

   Source: 4 & 30

c. Affect historical resources? 

   Discussion: No archeological or historical sites, structures, objects or buildings are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction; as previously conducted surveys indicate that Native American habitation sites were located in the eastern sector of the City’s urban area along the base of the Sierra Nevada foothills.

   Source: 4 & 30

d. Have the potential to cause a physical change which would affect unique ethnic cultural values? 

   Discussion: No archeological or historical sites, structures, objects or buildings are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction.

   Source: 4 & 30

e. Restrict existing religious or sacred uses within the potential impact area? 

   Discussion: No religious or sacred sites, structures, objects or buildings are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction; as previously conducted surveys indicate that Native American habitation sites were located in the eastern sector of the City’s urban area along the base of the Sierra Nevada foothills.

   Source: 4 & 30
<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
</table>

15. **RECREATION — Would the proposal:**

a. Increase the demand for neighborhood or regional parks or other recreational facilities?

Discussion: City parks and other recreation facilities will be sufficient to accommodate the recreational needs stemming from subsequent residential development of the site with development of Master Planned facilities. However, the following mitigation measures will ultimately be necessary to accommodate City growth in the aggregate as future development occurs.

In order to provide a park and recreation system to meet the needs of the public, the City has adopted a Parks and Recreation Element of the General Plan. The Element defines the adopted goals and policies that are currently in place and being utilized. The Element’s goals are:

1. Establish a system of parks and recreation facilities sufficiently diverse in design to effectively serve the needs and desires of all the citizens of Porterville.

2. Provide park and recreation facilities within close proximity to the residents they are designed to serve.

Additionally, policy guidelines are defined in sufficient detail to ensure that future development of the subject site will be such that its impact on the quality and quantity of existing recreational opportunities will be properly addressed.

Source: 5 & 8

b. Affect existing recreational opportunities?

Discussion: The subject site is not currently used for recreational activities.

Source: 5 & 8

16. **Mandatory Findings of Significance — Would the proposal:**

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion: The subject site has not been utilized for agricultural crops and seasonal weeds have been plowed down regularly. The subject site has been inspected by City Staff and no natural habitat has been observed. As such, no endangered of threatened or rare species or habitats exist and no impact will occur.

Source: 1 & 33
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

Discussion: The proposed residential subdivision will allow for the implementation of development as designated by the General Plan and anticipated by a variety of master plans and other associated documents. As such, no impact will occur.

Source: 1 & 33

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)

Discussion: Development of the subject site is anticipated in the Land Use Element, Circulation Element, Water, Sewer, Storm Water Mater Plans. Appropriate infrastructure has been programed into each of these documents to accommodate the incremental effects of any future development of the site with single family residential uses.

Source: 1 & 33

d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion: Future development of the subject site will be required to comply with the standards of the Porterville Zoning Ordinance which is designed to ensure compatible development and adequate protection to neighboring land uses.

Source: 1 & 33

17. EARLIER ANALYSES (See Attached).

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:

a) Earlier analysis used. Identify earlier analyses and state where they are available for review.

b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.

Authority: Public Resources Code Sections 21083 and 21087.
18. SOURCE REFERENCES

1 Land Use Element of the Porterville General Plan (1998)
2 Circulation Element of the Porterville General Plan (1999)
3 Housing Element of the Porterville General Plan (1992)
4 Conservation Element of the Porterville General Plan (1998)
5 Open Space Element of the Porterville General Plan (1998)
6 Noise Element of the Porterville General Plan (1988)
7 Safety Element of the Tulare County General Plan (1998)
8 Parks and Recreation Element of the Porterville General Plan (2000)
9 Airport Master Plan (1990)
10 Porterville Strategic Plan (1992)
11 City of Porterville Subdivision Ordinance (1988)
12 City of Porterville Zoning Ordinance (1998)
13 City of Porterville Local Guidelines for Administering CEQA (1992)
14 Chapter 7, Article XIII of the Porterville City Code (1998)
15 Porterville Urban Area Boundary Biotic Survey (Hansen 1988)
16 Porterville Redevelopment Housing Strategic Plan (1994)
17 City of Porterville Storm Drainage Master Plan (2001)
18 California Building Code (2001)
19 Tulare County Congestion Management Program (1998)
20 City of Porterville Sewer Master Plan (2001)
21 City of Porterville Water Master Plan (2001)
22 City of Porterville Standard Plans and Specifications (1996)
23 San Joaquin Valley Air Pollution Control District Attainment Plan
24 San Joaquin Valley Unified Air Pollution Control District Regulation VII
25 Aerial photo records - City of Porterville
26 FEMA Flood Insurance Panels No. 065066 0865 B, September 29, 1986
27 1990 Census Data/Tract and Block Group Maps
28 Existing Infrastructure and Facilities Capacity
29 Soils Conservation Service Maps - Tulare County (1982)
30 On-site field inspection
31 City of Porterville Transit Development Plan
32 Emergency Services Plan - Tulare County Operational Area
33 City of Porterville Urban Water Management Plan
March 28, 2005

Attn: Mr. Bradley Dunlap
City of Porterville
291 North Main Street
Porterville, California 93257

RE: ND for Crestview Park Tentative Subdivision Map.

Dear Mr. Dunlap:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the documentation provided and has the following comments:

The entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10 & PM2.5). Although this project alone would not generate significant air emissions, a concerted effort should still be made to reduce the increase in emissions from this project, as outlined below:

Based on the information provided, the proposed project will be subject to the following District rules. The following items are rules that have been adopted by the District to reduce emissions throughout the San Joaquin Valley, and are required. This project may be subject to additional District Rules. To identify additional rules or regulations that apply to this project, or for further information, the applicant is strongly encouraged to contact the District’s Small Business Assistance Office at (661) 326-6969. Current District rules can be found at http://www.valleyair.org/rules/1ruleslist.htm.

**Regulation VIII** (Fugitive PM10 Prohibitions) - Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction, road construction, bulk materials storage, landfill operations, etc.

The District’s Governing Board approved amendments to Regulation VIII that became effective on October 1, 2004. If a residential project is 10.0 or more acres in area, a Dust Control Plan must be submitted as specified in Section 6.3.1 of Rule 8021. If a residential site is 1.0 to less than 10.0 acres, an owner/operator must provide written

David L. Crow
Executive Director/Air Pollution Control Officer
notification to the District at least 48 hours prior to his/her intent to begin any earthmoving activities (see section 6.4.1). A template of the District’s Dust Control Plan is available at:

**Rule 4103** (Open Burning) regulates the burning of agricultural material. Agricultural material shall not be burned when the land use is converting from agriculture to nonagricultural purposes. In the event that the project burned or burns agricultural material, it would be in violation of Rule 4103 and be subject to District enforcement action.

**Rule 4901** (Wood Burning Fireplaces and Wood Burning Heaters) and **Rule 4902** (Residential Water Heaters) limit the emissions of PM10 and NOx in residential developments. On July 17, 2003, the District's Governing Board adopted amendments to Rule 4901. Construction plans for residential developments may be affected by section 5.3, specifically:

§5.3 Limitations on Wood Burning Fireplaces or Wood Burning Heaters in New Residential Developments.

Beginning January 1, 2004,

5.3.1 No person shall install a wood burning fireplace in a new residential development with a density greater than two (2) dwelling units per acre.
5.3.2 No person shall install more than two (2) EPA Phase II Certified wood burning heaters per acre in any new residential development with a density equal to or greater than three (3) dwelling units per acre.
5.3.3 No person shall install more than one (1) wood burning fireplace or wood burning heater per dwelling unit in any new residential development with a density equal to or less than two (2) dwelling units per acre.

More information about Rule 4901 can be found at our website- www.valleyair.org. For compliance assistance, please contact Mr. Wayne Clarke, Air Quality Compliance Manager, at 230-5968.

This project may be subject to additional District Rules not enumerated above. To identify additional rules or regulations that apply to this project, the applicant is strongly encouraged to contact the District’s Small Business Assistance Office at (661) 326-6969.

The District encourages innovation in measures to reduce air quality impacts. There are a number of measures that could be incorporated into the design/operation of this project to provide additional reductions of the overall level of emissions. (Note: Some of the measures may already exist as City/County development standards. Any measure selected should be implemented to the fullest extent possible.) The measures listed below should not be considered all-inclusive and remain options that the project proponent should consider:
From Table 6-3 of the District's Guide to Assessing and Mitigating Air Quality Impacts 2002 revision (GAMAQI)
- Install Sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent
- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site
- Install wind breaks at windward side(s) of construction areas
- Limit area subject to excavation, grading, and other construction activity at any one time

From Table 6-4 of the GAMAQI:
- Use of Alternative fueled or catalyst equipped diesel construction equipment.
- The project applicant should identify the construction equipment that can feasibly be switched from conventional to alternative-fueled or catalyst-equipped diesel equipment. The project applicant should identify a minimum of alternative fueled or catalyst-equipped diesel construction equipment that will be used for this project. As an example of alternative fuels, not all biodiesels or biodiesel blends will result in reduced NOx emissions. According to the EPA's website, biodiesel use generally results in an increase in NOx emissions. The California Air Resources Board (CARB) has certified specific biodiesels for NOx reduction. Only biodiesels that have been certified by CARB should be used. For more information on biodiesel or other types of alternative fuels, please call Mr. Chris Acree, Air Quality Specialist, at (559) 230-5829. The applicant should calculate the associated emission reductions from implementing this mitigation measure.
- Limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use
- The project applicant should specify the conditions of reduced hours or reduced amount of equipment. Will operation hours be reduced under certain circumstances such as during levels of high ambient air pollution or high temperatures? Will the amount of equipment in use be reduced during peak travel on nearby roads? To what degree is it anticipated that this mitigation measure will be implemented?
- Implement activity management (e.g. rescheduling activities to reduce short-term impacts)
  - The applicant should specify what measures will be implemented.
- Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways
  - The project applicant should state the criteria for curtailing construction activities, and the steps that will be taken to reduce emissions. For curtailment during periods of high ambient pollutant concentrations, the criteria should be set in terms of the Air Quality Index. See the table below for more information on the Air Quality Index.

http://www.epa.gov/airnow/qaqi.html#good
<table>
<thead>
<tr>
<th>Air Quality Index Levels of Health Concern</th>
<th>Numerical Value</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good</td>
<td>0-50</td>
<td>Air quality is considered satisfactory, and air pollution poses little or no risk.</td>
</tr>
<tr>
<td>Moderate</td>
<td>51-100</td>
<td>Air quality is acceptable; however, for some pollutants there may be a moderate health concern for a very small number of people who are unusually sensitive to air pollution.</td>
</tr>
<tr>
<td>Unhealthy for Sensitive Groups</td>
<td>101-150</td>
<td>Members of sensitive groups may experience health effects. The general public is not likely to be affected.</td>
</tr>
<tr>
<td>Unhealthy</td>
<td>151-200</td>
<td>Everyone may begin to experience health effects; members of sensitive groups may experience more serious health effects.</td>
</tr>
<tr>
<td>Very Unhealthy</td>
<td>201-300</td>
<td>Health alert: everyone may experience more serious health effects.</td>
</tr>
<tr>
<td>Hazardous</td>
<td>&gt; 300</td>
<td>Health warnings of emergency conditions. The entire population is more likely to be affected.</td>
</tr>
</tbody>
</table>

Additional Mitigation Measures:
- When feasible, construction activity should occur during early morning, late evening, and night time hours. Ozone formation is directly related to temperature and sunlight. If the project emits short-lived ozone precursors during cooler hours, the project's local impact will be reduced.
- Pave haul roads in the project area.
- Construction equipment should have engines that are at least Tier I (as certified by the Air Resources Board). Tier I and Tier II engines have a significantly less PM and NOx emissions compared to uncontrolled engines. To find engines certified by the Air Resources Board, see http://www.arb.ca.gov/msprog/offroad/cert/cert.php. This site lists engines by type, then manufacturer. The "Executive Order" shows what Tier the engine is certified as.
- Trees should be carefully selected and located to protect the building(s) from energy consuming environmental conditions, and to shade paved areas. Trees should be selected to shade paved areas that will shade 50% of the area within 15 years. Structural soil should be used under paved areas to improve tree growth. A brochure has been included for the applicant.

For Structural Soil see http://www.hort.cornell.edu/uhi/outreach/csc/
For Tree Selection see http://www.ufej.org/
For Urban Forestry see http://www.coolcommunities.org
http://wcufre.ucdavis.edu

- If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, easements should be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shade structures. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project. Direct pedestrian access to the main entrance of the project from existing or potential public transit stops and provide appropriately designed sidewalks. Such access should consist of paved walkways or ramps and should be physically separated from parking areas and vehicle access routes.
  - Specifically: Bus turnout(s) should be planned near the entrance(s) of the development for school bus loading to accommodate school-age children.

- Sidewalks and bikeways should be installed throughout as much of the project as possible and should be connected to any nearby existing and planned open space areas, parks, schools, residential areas, commercial areas, etc., to encourage walking and bicycling. Connections to nearby public uses and commercial areas should be made as direct as possible to promote walking for some trips. Pedestrian and bike-oriented design reduces motor vehicle usage and their effects on air quality. Sidewalks and bikeways should be designed to separate pedestrian and bicycle pathways from vehicle paths. Sidewalks and bikeways should be designed to be accommodating and appropriately sized for anticipated future pedestrian and bicycle use. Such pathways should be easy to navigate, designed to facilitate pedestrian movement through the project, and create a safe environment for all potential users (pedestrian, bicycle and disabled) from obstacles and automobiles. Pedestrian walkways should be created to connect all buildings throughout the project. The walkways should create a safe and inviting walking environment for people wishing to walk from one building to another.

- As many energy-conserving features as possible should be included the project. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to):
  - Increased energy efficiency (above California Title 24 Requirements)
  - See http://www.energy.ca.gov/title24/
  - Increased wall and ceiling insulation (beyond building code requirements)
  - Energy efficient widows (double pane and/or Low-E)
  - High-albedo (reflecting) roofing material. See http://eetd.lbl.gov/coolroof/
  - Cool Paving. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone precursors. See http://www.harc.edu/haro/Projects/CoolHouston/ , http://eande.lbl.gov/heatisland/
  - Radiant heat barrier. See http://www.eere.energy.gov/consumerinfo/refb Briefs/bc7.html
- Energy efficient lighting, appliances, heating and cooling systems. See http://www.energystar.gov/
- Install solar water-heating system(s)
- Install photovoltaic cells
- Install geothermal heat pump system(s)
- Programmable thermostat(s) for all heating and cooling systems
- Awnings or other shading mechanism for windows
- Porch, patio and walkway overhangs
- Ceiling fans, whole house fans
- Orient the unit(s) to maximize passive solar cooling and heating when practicable
- Utilize passive solar cooling and heating designs. (e.g. natural convection, thermal flywheels)
- See http://www.eere.energy.gov/RE/solar_passive.html
- Utilize day lighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc. See http://www.advancedbuildings.org
- Electrical outlets around the exterior of the unit(s) to encourage use of electric landscape maintenance equipment
- Low or non-polluting landscape maintenance equipment (e.g. electric lawn mowers, reel mowers, leaf vacuums, electric trimmers and edgers, etc.)
- Pre-wire the unit(s) with high speed modem connections/DSL and extra phone lines
- Natural gas fireplaces (instead of wood-burning fireplaces or heaters)
- Natural gas lines (if available to this area) and electrical outlets in backyard or patio areas to encourage the use of gas and/or electric barbecues
- Low or non-polluting incentives items should be provided with each residential unit (such items could include electric lawn mowers, reel mowers, leaf vacuums, gas or electric barbecues, etc.)
- Exits to adjoining streets should be designed to reduce time to re-enter traffic from the project site

More information can be found at:
http://www.ciwm.ca.gov/GreenBuilding/

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call me at (661) 326-6980.

Sincerely,

Heather Ellison
Air Quality Planner
Southern Region

c: file
RESOLUTION NO.___________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NEGATIVE
DECLARATION OF ENVIRONMENTAL IMPACT FOR CRESTVIEW PARK TENTATIVE
SUBDIVISION MAP FOR THAT 10± ACRE VACANT SITE
LOCATED GENERALLY ON THE SOUTHEAST CORNER OF PUTNAM AVENUE AND
OLIVECREST AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of April 5, 2005, conducted a public hearing to consider approval of Crestview Park Tentative
Subdivision Map, being a division of a 10± acre vacant parcel zoned City R-1 (One-Family Zone)
into an 45 lot single family residential subdivision to be developed in one (1) phase for that site
generally located at the southeast corner of Putnam Avenue and Olivecrest Avenue; and

WHEREAS: On March 9, 2005, the Environmental Coordinator made a preliminary
determination that a Mitigated Negative Declaration would be appropriate for the proposed project; and

WHEREAS: The City Council considered the following findings in its review of the
environmental circumstances for this project:

1. That a Negative Declaration was prepared for the project in accordance with the
California Environmental Quality Act.

2. That the Negative Declaration prepared for this project was made available for
public review and comment. The 20 day review period was from March 11, 2005 to
March 31, 2005. The only agency that responded was the San Joaquin Valley Air
Pollution Control District. Those comments have been incorporated into the
Mitigation Monitoring Program Attachment A of the draft environmental resolution.

3. That the proposed project will not create adverse environmental impacts.

The proposed Negative Declaration was evaluated in light of the prepared
environmental initial study, comments from interested parties and the public, as well
as responses to written comments received during the review period. It was
determined that potential impacts associated with the proposed project could be
mitigated to a less than significant level through the implementation of the attached
mitigation measures.

4. That the City Council is the decision-making body for the project.

5. That the mitigation measures contained in the Negative Declaration were
incorporated into a Mitigation Monitoring Program attached hereto as Attachment
A and included as Condition 44 in the proposed resolution of approval for Crestview
Estates Tentative Subdivision Map.
6. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wildlife resources from implementation of the project.

City staff conducted an on-site inspection. The site is vacant and has been regularly disced for weed control. No natural habitat was observed. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

7. That the project may proceed subsequent to approval and/or conditional approval of the State Department of Fish and Game relative to said State Department’s consideration of a “de minimis impact” pursuant to Section 711.2 et. seq. of the Fish and Game Code.

8. That the environmental assessment and analysis prepared for this project supporting the Negative Declaration reflects the independent judgement of the City of Porterville.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Negative Declaration for Crestview Park Tentative Subdivision Map as described herein.

____________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By __________________________
Georgia Hawley, Chief Deputy City Clerk
## Attachment A
### Mitigation Monitoring Program

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Mitigation Measures</th>
<th>Monitoring</th>
<th>Agency Responsible</th>
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<tbody>
<tr>
<td><strong>Geologic Problems</strong></td>
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<td>3.f Erosion, changes in topography or unstable soil conditions from excavation, grading or fill.</td>
<td>Mitigation measures include the enforcement of site development plan or other development related conditions of approval requiring erosion control plans, and the conservation of vegetation, with soil disturbances to be limited to dry seasons. In addition, conformance with the City Storm Drain Master Plan, and requirements relative to grading, the Uniform Building Code, etc., will be required. Additionally, depending on the soils report, an engineered foundation design would be required. As an alternative, the removal of native soil could be replaced with non-expansive material.</td>
<td>Conformance with the City Storm Drain Master Plan (2001) and requirements relative to grading, the Uniform Building Code, etc., will be required.</td>
<td>City of Porterville</td>
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<td>3.h Expansive soils.</td>
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<tr>
<td>Water</td>
<td>Mitigation measures include the enforcement of a site development plan or the development related conditions of approval requiring erosion control plans and the conservation of vegetation, with soil disturbance to be limited to dry seasons. In addition, conformance with the City Storm Drain Master Plan, and requirements relative to grading, the California Building Code, etc., will be required. Additional mitigation will require compliance with Federal, State and local regulation requiring that storm water runoff be monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).</td>
<td>Compliance with Federal, State and local regulations requiring that storm water runoff be monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).</td>
<td>City of Porterville</td>
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4.a Changes in absorption rates, drainage patterns or the rate and amount of surface runoff.

Prior to the approval of grading plans, improvement plans, final map, or building permits on the subject site, the developer/applicant shall secure the appropriate F.E.M.A. map revisions to designate a Base Flood Elevation, or to remove the subject site from the
<table>
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<tbody>
<tr>
<td><strong>Air Quality</strong></td>
<td>The developer/applicant shall assure compliance with applicable San Joaquin Valley Unified Air Pollution Control District Rules (e.g., Numbers 8010, 8020 and 8030), regarding fugitive dust, as well as Section 7-8, Project Site Maintenance of the Standard Specifications. The developer/applicant shall provide a street sweeper as necessary to comply. Mitigation of the effects resulting from increased vehicle trips must be accomplished through proper vehicle smog inspections and related efforts to reduce petroleum fueled transit. Additional mitigation measures include adequate circulation of vehicles to lessen concentrations of carbon monoxide in the area, promotion of car pooling and public transportation in the area, and the encouragement of non-motorized transportation modes (i.e./ bicycles and walking). <strong>Mitigation through construction management.</strong></td>
<td>The State of California, California Air Resources Board (CARB) and San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) are expected to maintain their commitment to this program.</td>
<td>State of California CARB, SJVUAPCD, City of Porterville</td>
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<td>Air Quality</td>
<td>a. The prevention of dust from leaving the construction site during clearing, grading and excavation will be accomplished through regular truck spraying with water, sprinkling systems or emulsion sprays.</td>
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<td>b. Watering or spraying will be required to be done in the late morning and again at the end of the work day, with increased frequency throughout the day whenever wind is sustained or gusting at speeds in excess of 10 MPH. If winds or gusting exceed 20 MPH, vehicular activity will be required to cease.</td>
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<td>c. One or more of the following means of dust control should be employed after the completion of earth grading operations:</td>
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<td>i. Seeding and watering of new vegetation.</td>
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<td>ii. Hydromulching or spreading of soil binders.</td>
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<td>iii. Maintenance of the site's soil surface crust through repeated soakings.</td>
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| Air Quality      | 2. Trees should be carefully selected and located to shade the structures during the hot summer months. This measure should be implemented on southern and western exposures. Deciduous trees should be considered since they provide shade in the summer and allow the sun to reach the residences during the cold winter months.  
3. As many energy-conserving features as possible should be included in the design/construction of the new dwellings. Examples include (but are not limited to) increased wall and ceiling insulation (beyond building code requirements), energy efficient lighting, high efficiency appliances and solar-assisted water heating.  
4. Electric or low nitrogen oxide (NOX) emitting gas-fired water heaters should be installed.  
5. Natural gas lines and electrical outlets should be installed in the backyard or patio areas to encourage the use of gas and/or electric barbecues. | | |
<table>
<thead>
<tr>
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<tr>
<td><strong>Air Quality</strong></td>
<td>6. Electrical outlets should be installed around the exterior of the units to encourage the use of electric landscape maintenance equipment.</td>
</tr>
<tr>
<td>5.a (continued)</td>
<td>7. Natural gas lines and electrical outlets should be installed in the backyard or patio areas to encourage the use of gas and/or electric barbecues.</td>
</tr>
<tr>
<td></td>
<td>8. Limit engine idling at the project site.</td>
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<td>9. If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, appropriate easements should be reserved to provide for future improvements such as bus turnouts, loading areas and shelters.</td>
</tr>
<tr>
<td></td>
<td>10. Sidewalks and bikeways should be installed throughout as much of the project as possible to encourage walking and bicycling.</td>
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<td>11. With the purchase of any house, included Air Quality incentive items is natural gas barbecues and electric lawn mowers.</td>
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<td>Potential Impact</td>
<td>Mitigation Measures</td>
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<tr>
<td><strong>Air Quality</strong></td>
<td></td>
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<tr>
<td>5.a (continued)</td>
<td>12. Any gas-fired appliances should be low nitrogen oxide (NOX) emitting gas-fired appliances complying with California NOX Emission Rule #1121.</td>
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<td>13. House units should be oriented to maximize passive solar cooling and heating when practicable.</td>
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<td>14. The following regulations of the San Joaquin Air Pollution Control District (Rule 4901 - Wood Burning Fireplaces and Wood Burning Heaters) will apply to this project.</td>
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<td>a. In new residential developments with a density greater than two (2) dwelling units per acre, no person shall install a wood-burning fireplace.</td>
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<td>b. In new residential developments with a density equal to or greater than three (3) dwelling units per acre, no person shall install more than two (2) EPA Phase II Certified wood burning heaters (wood stove, pellet stove or wood-burning insert) per acre.</td>
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<tr>
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<td>c. No person shall install more than one (1) wood burning fireplace or wood burning heater in each new dwelling unit.</td>
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<td>Potential Impact</td>
<td>Mitigation Measures</td>
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</table>
| **Air Quality**       | d. A new residential development is defined as any single or multiple family housing unit for which construction begins on or after January 1, 2004. Construction has begun when the foundation for the structure is constructed.  
14. Awnings or other shading mechanism for windows should be installed.  
15. Ceiling fans should be installed  
16. Energy efficient window (double pane/or coated) should be installed. |                           | The City of Porterville and the effected utility companies. |
| 5.a (continued)       |                                                                                     |                            | The City of Porterville and the effected utility companies. |
| **Utilities and Service Systems** | The site is within the boundaries of the City’s Master Plan for Storm Drainage (2001).  
Compliance with Federal, State and local regulations requiring that storm water runoff be monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).  
The installation of storm drain lines in conformance with Federal, State, and local environmental protection requirements and the City’s Storm Drainage Master Plan will be required. |                            |                                                        |
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<tr>
<td><strong>Aesthetics</strong></td>
<td>The installation of low profile exterior lighting will be directed away from adjacent properties, as required by the City Zoning Ordinance, and will reduce the impact of outside lighting. Minimal glare is anticipated from street lights and on-site lighting facilities accruing from the site’s eventual development. This will serve to reduce potential hazards for autos, bicyclists, and pedestrians, as well as provide a secure environment for the occupants.</td>
<td>Section 2618 F (Glare) of the Porterville Zoning Ordinance will be enforced.</td>
<td>City of Porterville</td>
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RESOLUTION NO.___________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL FOR CRESTVIEW PARK
TENTATIVE SUBDIVISION MAP FOR THAT 10± ACRE VACANT SITE
LOCATED GENERALLY ON THE SOUTHEAST CORNER OF PUTNAM AVENUE AND
OLIVECREST AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of April 5, 2005, conducted a public hearing to consider approval of Crestview Park Tentative Subdivision Map, being a division of a 10± acre vacant parcel zoned City R-1 (One-Family Zone) into an 45 lot single family residential subdivision to be developed in one (1) phase for that site generally located at the southeast corner of Putnam Avenue and Olivecrest Ave; and

WHEREAS: On March 9, 2005, the Environmental Coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project; and

WHEREAS: The Subdivision Review Committee on March 23, 2005, reviewed and discussed concerns and conditions that should be addressed before the City Council. Conditions developed as a result of this meeting and subsequent staff review have been discussed with the applicant’s agent and incorporated into the draft resolution of approval; and

WHEREAS: The City Council received testimony from all interested parties relative to the proposed tentative subdivision map; and

WHEREAS: The City Council made the following findings:

1. That the design and improvements of the proposed project are consistent with the General Plan.

   The Land Use Element of the General Plan designates the site for Low Density Residential development (2-7 d.u./acre). The proposed subdivision will be developed to a density of 4.5 d.u./acre.

   The north portion (widest point) of the site fronts on West Putnam Avenue. The south portion (narrowest point) fronts along the north side of Olivecrest Avenue (local street 60 foot wide). Ruth Street, an internal street (60 foot wide), will connect to Putnam Avenue on the north side of the subdivision and will extend south and southwest and connect to Olivecrest Avenue. Mill Court (50 foot wide) will extend west approximately 342± feet and will dead end. Jordan Court and Oak Court (two cul-de-sac streets 50 foot wide) will extend northeast and southwest off of Ruth Street at the south end of the subdivision.
A conceptual layout for a cul-de-sac and two (2) lots to be located to the north and south of the cul-de-sac are shown on the tentative map. Since the applicant is still negotiating with the property owner, the aforementioned is not apart of this project.

2. That the site is physically suitable for the type and density of the proposed development.

The vacant site is triangular in design. The north portion (widest point) of the site fronts on West Putnam Avenue. The south portion (narrowest point) fronts along the north side of Olivecrest Avenue. The site gently slopes south from Putnam Avenue to the south end of the subject site.

The subject site contains highly expansive soils. Development in this area may be subject to significant stresses which must be addressed in design to prevent damage to public and private improvements. Therefore, no barriers to development will occur.

3. That the Negative Declaration prepared for this project is in compliance with the California Environmental Quality Act indicating that such will not have a significant effect on the environment.

4. That the design of the project, or proposed improvements, are not likely to cause substantial environmental damage. Condition 44 of this resolution requires the developer/applicant to comply with all Mitigation Measures contained in the Mitigation Monitoring Program attached to the resolution.

5. The Initial Study prepared for this project indicates that all potential impacts will be mitigated to less than significant levels. Through the implementation of the mitigation measures contained in the Mitigation Monitoring Program, the result in impacts addressed will be less than significant.

6. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the area.

The General Plan designates the site for Low Density Residential uses. The site has a developed subdivision to the north, and west, rural residential uses to the east and a cemetery to the south. Conditions of approval are included to ensure adequate development standards are met.

7. That the standards of population density, site area dimensions, site coverage, yard spaces, height of structures, distance between structures, off-street parking facilities and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the Zoning Ordinance.

The proposed project complies with all the requirements of the Subdivision Ordinance with a single exception for lot depth. The development standards of the
R-1 (One Family Residential) Zone including lot sizes, site coverage, parking, etc., will apply to the site.

NOW, THEREFORE, BE IT RESOLVED: That the Porterville City Council does hereby approve Crestview Park Tentative Subdivision Map subject to the following conditions:

1. A minimum six (6) foot block wall and landscaping along the Olivecrest Avenue frontage of the project will be required. Said area shall be placed in a Landscape Maintenance District. Particular attention shall be directed to provide a graffiti free design through the use of a combination of trees, shrubs and vines to be planted to screen the wall. The wall(s) shall meet the following standards:
   a. The wall(s) shall match one of the colors in the color palette approved by the City Council and maintained by the Community Development Director.
   b. The wall(s) shall include articulation at intervals of approximately 80 feet except where such articulation is precluded by design constraints. In no case shall a wall exceed 160 feet without articulation. Methods of articulation may include the following:
      c. A minimum planting of six (6) feet in width to a minimum of 24 inch change of plane.
      d. A minimum of an 18 inch change in height.
      e. A section of semi-open fence, except where such a feature would interfere with required sound protection.
      f. A change of material.

2. The developer/applicant shall dedicate access rights to Olivecrest Avenue for Lots 24 through 33 with frontage on Olivecrest Avenue.

3. The developer/applicant shall provide a minimum of one tree for every lot and an additional tree for every corner lot, or payment in lieu.

4. The following regulations of the San Joaquin Valley Air Pollution Control District (Rule 4901 - Wood Burning Fireplaces and Wood Burning Heaters) will apply to this project:
   a. In new residential developments with a density greater than two (2) dwelling units per acre, no person shall install a wood-burning fireplace.
   b. In new residential development with a density equal to or greater than three (3) dwelling units per acre, no person shall install more than two (2) EPA Phase II Certified wood burning heaters (wood-stove, pellet-stove, or wood-burning insert) per acre.
   c. No person shall install more than one (1) wood burning fireplace or wood burning heater in each new dwelling unit.

5. The required twelve (12) foot side yard setback for all reverse corner lots shall be shown on the final map. As currently designed, Lots 5, 7, 16, 19, and 35 are reverse corner lots.

7. The developer/applicant shall pay all applicable fees in accordance with the Municipal Code and State law, prior to approval of the final map by City Council. Fees are subject to change annually. The developer/applicant is hereby notified that you have the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code section 66020(a). You have 90 days from the date fees are paid to file a written protest.

8. The developer/applicant shall dedicate right-of-way adequate for a street width that matches the ultimate width in the adopted Land Use and Circulation Element and/or the width established by City Council. The developer/applicant shall dedicate and improve a right-of-way adequate for a minimum of two lanes of traffic and on-street parking, on one side, on streets adjacent to the property lines as well as dedication of property required for disabled ramp(s) (C.C. Sec. 21-23).

9. The developer/applicant shall, if necessary in the opinion of the City Engineer, provide an irrevocable offer of dedication at the easterly terminus of Jordan Court that will allow for the reconstruction of the proposed cul-de-sac and future extension of a City standard street into the adjacent easterly parcel.

10. The developer/applicant shall provide and show all required utility easements on the Final Map. The developer/applicant shall also designate the Diagonal Street as Olivecrest Avenue and the locator map shall also show the change on the Final Map.

11. The developer/applicant shall dedicate a one foot (1') limitation of access strip at locations where, in the opinion of the City Engineer, it is undesirable to allow access. A one foot (1') limitation of access strip dedication is necessary along Olivecrest Avenue and where Jordan Court intersects the easterly subdivision boundary. The Final Map shall reflect, at a minimum, these two access restrictions.

12. Prior to approval of the improvement plans, the developer/applicant shall have completed and approved, landscaping and/or lighting improvement plans, legal descriptions, etc. The developer/applicant shall petition, on a form provided by the City, to have said subdivision placed in a Lighting and Landscape Maintenance District at the time the final map is approved. Landscape and lighting improvements shall be completed and accepted concurrently with the other improvements in the subdivision. The following shall be included in said annex to the district: (1) Lighting, (2) Public Landscaping, if any (3) Public walls/fences, if any (4) Temporary on-site drainage reservoir, if any, etc.

13. The developer/applicant shall comply with Chapter 7, Article XIII of the City Code and Appendix Chapter 33 of the California Building Code and provide a Preliminary Soils Report (C.C. Sec. 7-126 & Res. 4997) including results of "R-Value" tests and
recommendations regarding construction of public improvements that address City Standard C-13, satisfactory to the City Engineer, prior to the approval of the improvement plans or start of grading, whichever comes first. Additional reporting requirements are as indicated below:

a. Final Grading, Drainage and Soils Report, prior to issuance of building permits (C.C. Sec. 7-133);

b. Erosion Control Plan in conformance with the California Storm Water Best Management Practice Handbook for Construction Activity, prior to start of grading (CBC Appendix chapter 33). The provisions of the approved Erosion Control Plan shall be incorporated into the Improvement Plans;

c. Soils Reports in accordance with Chapter 18 of the California Building Code.

14. The developer/applicant shall comply with City Retaining Wall Standards (adopted by City Council January 3, 1989) at lot lines where such standards are applicable.

15. In accordance with Section 21-51 of the Subdivision Ordinance, the developer/applicant shall enter into an agreement that provides for completion of improvements within twelve (12) months prior to recording the final map for each phase.

16. Prior to start of grading on any unit, the developer/applicant shall abandon and cap existing wells that are no longer in service. Prior to approval of the improvement plans, the developer/applicant shall obtain an abandonment permit from the County Department of Environmental Health. Prior to acceptance of improvements, the developer/applicant shall provide the City Engineer with proof of completion in compliance with County regulations. Developer/applicant shall comply with City standard for “backflow” prevention pursuant to Resolution No. 9615 for all wells that will remain in service. Show all existing wells on the Tentative Subdivision Map and designate which well or wells will remain in service upon full development, if applicable.

17. The developer/applicant shall replace or provide surety for replacement of irrigation pipes in the right-of-way, if, in the opinion of the City Engineer, replacement is warranted. The developer/applicant shall provide easements for irrigation pipes across lots created, if pipes will continue in use. The developer/applicant shall coordinate this effort with the irrigation district and City of Porterville. The district shall specify appropriate size and material of piping shall be in accordance with current City Standards and policies. Scheduling of the pipe replacement shall be approved by the district.

18. Prior to recording the final map, the developer/applicant shall provide surety for off-site improvements and provide easements, permits, calculations, etc. if, in the opinion of the City Engineer, they are needed for the proper functioning or phasing of the subdivision (e.g. water, sewer, drainage, etc.).

19. The developer/applicant shall coordinate with the U.S. Postal Service regarding the kind of mail facilities that will be utilized. If neighborhood box units (NBUs) are to be used, construct sidewalks in a timely manner to facilitate NBU installation.
20. The developer/applicant shall obtain a City demolition permit prior to approval of the improvement plans and, under City inspection, remove all existing, abandoned and unnecessary items, to the satisfaction of the City Engineer, prior to acceptance of the improvements (e.g. buildings, foundations, septic tanks, irrigation pipes, etc.).

21. The developer/applicant shall assure compliance with applicable San Joaquin Valley Unified Air Pollution Control District Rules (e.g., Numbers 8010, 8020 and 8030), regarding fugitive dust, as well as Section 7-8, Project Site Maintenance of the Standard Specifications. The developer/applicant shall provide a street sweeper as necessary to comply. During grading operations the "Supervising Civil Engineer" shall be responsible for enforcing the dust control provisions of Section 7-8 or the developer/applicant shall pay inspection fees on the grading cost to compensate the City for dust control inspection. The improvement plans shall show a designated wash out area for concrete trucks, and a sign designating it as such. The developer/applicant shall remove and properly dispose of waste concrete deposited in this area.

22. The developer/applicant shall construct or provide surety for construction of curb, gutter, sidewalk, water, sewer, street paving to the center of the street (if necessary), pavement lane transitions (offsite), traffic safety marking and signs, etc. along the full frontage of all proposed subdivision lots except where they exist to City standards and are in good condition in the opinion of the City Engineer. The developer/applicant shall stub improvements to the property line if, in the opinion of the City Engineer, they will be needed for connection to development on the adjacent property.

23. Building or foundation permits shall not be issued until all of the following items are accepted as complete:

   a. The storm drain system is functional so that it will accept water from fire hydrant and/or water main flushing;
   b. The water system, is functional from the source of water past the lots on which permits are being requested (i.e. all services and the sampling station, if required, are installed, valves are functional and accessible, bacteria testing is completed, etc.);
   c. Street base rock for accessibility by the public safety officials and building inspectors;
   d. Lots are graded in accordance with the approved grading plan. Prior to receipt of the Final Grading, a Drainage and Soils Report, and a letter from the "Supervising Civil Engineer" is required validating that the grading has been done in accordance with the approved grading plan and in accordance with the recommends contained in the Preliminary Soils Report;
   e. Lot corners are marked;
   f. Fire hydrants are accepted by the Fire Department and the Engineering Division.

24. The developer/applicant shall construct all drainage facilities that the City Engineer determines are necessary to comply with the intent of the Storm Drain Master Plan. A storm drain line exists in Olive Crest Avenue and sized in accordance the City’s adopted
Master Plan. Dedicate a drainage easement across each lot requiring an easement, unless all lots are graded to drain to the street (C.C. Sec. 21-50). The developer/applicant shall construct concrete drainage swales, approved by the City Engineer, if necessary, to transport storm water across adjacent subdivision lots to reach a City drainage system.

25. The developer/applicant is advised that he is obligated to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for discharge of storm water associated with construction activity will be required (except operations that result in disturbance of less than five acres of total land area and which are not a part of a larger common plan of development or sale). Before construction begins, the proponent must submit a Notice of Intent (NOI) to comply with the permit, a site map, and appropriate fee to the State Water Resources Control Board (SWRCB). The proponent must also prepare a Storm Water Pollution Prevention Plan (SWPPP) for the entire project before construction begins. The SWPPP must contain at a minimum all items listed in Section A of the permit, including descriptions of measures to be taken to prevent or eliminate unauthorized non-storm water discharges and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, detention basins, etc.) best management practices that will be implemented to prevent pollutants from discharging with storm water into water of the United States. If portions of the project area are to be sold off before the entire project is completed, the proponent must submit to the California Regional Water Quality Control Board a change of information form identifying the new owners along with a revised site map clearly depicting those portions that were sold and those that are remaining. The proponent is also responsible for informing each new owner of their responsibility to submit their own NOI, site map, and appropriate fee to the SWRCB and to prepare their own SWPPP.

26. To accommodate refuse vehicles and street sweepers, the developer/applicant shall dedicate and improve, to City standards, temporary turn-arounds at the ends of dead-end streets.

27. The developer/applicant shall construct all weather alternative vehicular access road equipped with a double 2.5” pipe security gate with Knox padlock to accommodate emergency service vehicles at such time that phased development of the subdivision results in creation of dead end cul-de-sac streets in excess of 600 feet long.

28. The developer/applicant shall cause all regulatory and street name signs to be installed prior to occupancy of any house located where its occupants will utilize a street that does not have them.

29. The developer/applicant shall construct two City standard barricades at the end of all dead end streets.

30. The developer/applicant shall provide a street centerline at intersections that are continuous, wherever practicable, or offset a minimum of 150 feet.

31. The developer/applicant shall complete the street improvements along the south side of Putnam Avenue between Crestview Street and the westerly boundary of the subdivision,
including the acquisition of right of way. The City will enforce its right of eminent domain if necessary to complete these improvements. The developer shall enter into a payback agreement in accordance with Section 21-52 of the Municipal Code.

32. The developer/applicant shall cause the sewer system to be completed, tested, and accepted by the City prior to residential occupancy of any house in the subdivision.

33. The developer/applicant shall move existing utility structures (for example, poles, splice boxes, vaults, etc.) to a position that provides a minimum of four feet (4') of clear space in the sidewalk area and a minimum of two feet (2') of clear space from the curb face to the structure, unless they are below grade (Title 24 DSA) or provide surety in lieu of (Section 2616.1 of the Zoning Ordinance).

34. Prior to acceptance of improvements, the developer/applicant shall provide street lights on Marbelite poles complying with Southern California Edison Company specifications as required by the City Engineer. Use of wood poles is prohibited without prior written approval of the City Engineer.

35. The developer/applicant shall construct the water system in a maximum of two sections for each phase of the subdivision. One section for the model homes and one section for the remainder of the phase. The number of model homes shall not exceed one for each 10 lots in the subdivision or four, whichever is greater. The model homes shall be clustered.

36. The developer/applicant shall have a Civil Engineer design a water system that will provide a fire flow at each fire hydrant of 1,000 g.p.m. with 20 p.s.i. residual pressure for a dwelling less than 3,600 square feet and 1,500 g.p.m. with 20 p.s.i. residual pressure for a dwelling unit greater than 3,600 square feet.

37. The developer/applicant shall comply with the City Flood Damage Prevention Ordinance No. 1397, and the requirements of the State Department of Water Resources where applicable. A portion of the proposed development is within a special flood hazard area. The area is designated as Zone A, without a Base Flood Elevation per FIRM Community Panel No. 065066 0865 B, therefore the following conditions are required: (1) All preliminary subdivision proposals shall identify the flood hazard area and the elevation of the base flood in compliance with Subsection 60.3 (b) (3) of the NFIP Regulations; (2) Once the base flood elevation data is determined, the developer/applicant shall apply and request for a FEMA Letter of Map Change. All final subdivision plans shall provide the elevation of proposed structures and pads shall be forwarded to FEMA and the local administrator, along with the MT-1 or MT-2 form requesting a CLOMA, CLOMR-F or CLOMR, whichever may apply. (3) Once approved by FEMA, the local administrator and Chief Building Inspector, residential building permits may be issued. Elevation Certificates for each residence shall be certified by a Professional Engineer or Surveyor, illustrating the lowest floor elevation in relation to the newly established base flood elevation for all structures within the special flood hazard area. Elevation Certificates shall be submitted and approved by the local administrator prior to the issuance of a Occupancy Permit. (4) The developer/applicant shall apply for a revision to the NFIP map by completing the MT-1 or MT-2 form, requesting a LOMA, LOMR-F or LOMR, whichever may apply.
38. The developer/applicant is hereby notified that reimbursement for Master Plan facilities is made when funds are available and is contingent upon the work being done by the approved low bidder of at least two bona fide bidders. The bids must be approved by the City prior to construction.

39. The developer/applicant shall remove or relocate palm trees along the south side of Putnam Avenue.

40. The developer/applicant shall pay the cost to relocate the overhead wires in the proposed subdivision, to a location outside of the subdivision.

41. Fire hydrants spacing shall be as follows: In Residential development, one hydrant shall be installed at every 500 feet intervals. Hydrants serving cul-de-sacs of less than 400' in depth should be placed on the lot located at the entrance of the cul-de-sac facing the main street.

42. Fire hydrants for the development shall be placed as required per the Fire Department.

43. All dead-ends access roads in excess of 150 feet must be provided with a approved turn-around complying with City Standards.

44. The developer/applicant shall comply with all mitigation measures adopted as a component of the approval of the Mitigated Negative Declaration for this project. Prior to recording the final map, the developer/applicant shall submit a signed document committing to comply with the adopted mitigation measures.

45. At all times, the facility shall be operated and maintained to comply with State Law, the City of Porterville Zoning Ordinance, adopted Building Codes and all other applicable laws and ordinances.

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Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By __________________________
Georgia Hawley, Chief Deputy City Clerk