PUBLIC HEARING

TITLE: GENERAL PLAN AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) AND ZONE CHANGE 1-2005 (CAMARENA)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The applicant is requesting a General Plan Amendment and Zone Change for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue.

General Plan Amendment 1-2005 (a), proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels consist of 41,874 square feet.

Zone Change 1-2005 proposes to change the present zoning for the same four (4) parcels from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) upon approval of General Plan Amendment 1-2005 (a).

ENVIRONMENTAL: On March 8, 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 18, 2005 to April 7, 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.

City staff is currently processing an unusually large number of General Plan Amendments. State law prohibits the amendment of any required element of the General Plan more than four times in any calendar year. For this reason, Staff is recommending that the City Council hold the public hearing, take public testimony and continue this item to the meeting of May 3, 2005, so they can consider taking action concurrently with General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)).
RECOMMENDATION: That the City Council:

1. Open the public hearing on General Plan Amendment 1-2005 (a), hold the public hearing and take public testimony on the matter and continue it until May 3, 2005, to consider the proposal in conjunction with General Plan Amendment No. 2-2005 (Number to be changed to 1-2005(b)).

2. Adopt the draft resolution approving the Negative Declaration prepared for General Plan Amendment 1-2005 (a).

ATTACHMENT:

1. Complete Staff Report
PUBLIC HEARING - STAFF REPORT

TITLE: GENERAL PLAN AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) AND ZONE CHANGE 1-2005

APPLICANT: Richard Camarena
470 N. Sunnyside
Porterville, CA 93257

PROJECT LOCATION: Those four (4) parcels located on the west side of Sunnyside Street, extending south of Bellevew Avenue.

SPECIFIC REQUEST: The applicant is requesting a General Plan Amendment and Zone Change for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue.

PROJECT DETAILS: General Plan Amendment 1-2005 (a), proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. Avenue. The four (4) parcels consist of 41,874 square feet.

Zone Change 1-2005 proposes to change the present zoning for the site from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) upon approval of General Plan Amendment 1-2005 of the Land Use Element.

GENERAL PLAN LAND USE DESIGNATION: Heavy Commercial.

SURROUNDING AREA ZONING AND LAND USE:

North: City - Belleview Street and commercial uses.
South: City - Vacant parcel, existing single family dwelling and a commercial use.
East: City - Sunnyside Street and multiple family residential uses.
West: City - Railroad track and vacant parcel.
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.

Eventual development of the site with multiple family uses is anticipated to result in additional daily trips. Full build out of the four (4) parcels would allow a maximum of 28 units. Based on Porterville’s Circulation Element (1993), Multiple family residential uses generate 6.47 daily trips per unit. Based on the aforementioned, a total of 181.16 trips per day could be generated.

Sunnyside Street is a local street developed to 60 feet wide. Belleview Avenue is a local street developed to 60 feet wide. Traffic on Sunnyside Street has access from Morton Avenue to the south which has a traffic signal installed. Morton is designated as a four lane arterial street developed to 80 feet wide with the capacity to carry 25000 trips per day. One (1) local street (Avenue) immediately east of the subject site and three (3) local streets (Avenues) located north of the subject site extend east of Sunnyside Street to Main Street (four lane arterial street) developed to 80 feet wide with the capacity to carry 25000 trips per day. Belleview Avenue extending west of Sunnyside Street allows for circulation to the north and south via numerous different streets branching off of Belleview Avenue. No traffic count have been conducted in this area. However, no reports of congestion have occurred.

City staff is currently processing an unusually large number of General Plan Amendments. State law prohibits the amendment of any required element of the General Plan more than four times in any calendar year. For this reason, Staff is recommending that the City Council hold the public hearing, take public testimony and continue this item to the meeting of May 3, 2005, so they can consider taking action concurrently with General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)).

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. No Project. Denial of the proposed general plan amendment would not allow the change of zone as proposed. As a result, the existing residential structures would remain as “Legal Non-conforming Uses”.

2. Approve the project. Approval of the general plan amendment as proposed and zone change as proposed, would bring the existing residential uses into conformance with the General Plan and proposed zoning. Additionally, future development of the site with multiple family residential uses would be in conformance with the General Plan and Zoning.

ENVIRONMENTAL: On March 8, 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 18, 2005 to April 7, 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 PROJECT REVIEW COMMITTEE PROCESSING: October 13, 2005

DATE ACCEPTED AS COMPLETE: March 8, 2005

RECOMMENDATION: That the City Council:

1. Open the public hearing on General Plan Amendment 1-2005 (a), hold the public hearing and take public testimony on the matter and continue it until May 3, 2005, to consider the proposal in conjunction with General Plan Amendment No. 2-2005 (Number to be changed to 1-2005(b)).

2. Adopt the draft resolution approving the Negative Declaration prepared for General Plan Amendment 1-2005 (a).

ATTACHMENTS:

1. Zoning/Land Use Map
2. Zone Change Application
3. Negative Declaration
4. Environmental Initial Study
5. Response from San Joaquin Unified Air Pollution District
6. Draft Resolution approving Negative Declaration for General Plan Amendment 1-2005 (a) and Zone Change 1-2005
7. Draft Resolution approving General Plan Amendment 1-2005 (a)
8. Draft Ordinance approving Zone Change 1-2005
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 GENERAL PLAN
AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) AND ZONE CHANGE 1-
2005 FOR THOSE FOUR (4) PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE
STREET, EXTENDING SOUTH OF BELLEVIEW AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (a) and
Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street,
extending south of Belleview Avenue; and

WHEREAS: City staff is currently processing an unusually large number of General Plan
Amendments. State law prohibits the amendment of any required element of the General Plan to no
more than four times in any calendar year. For this reason, Staff recommended that this item be
continued to the City Council meeting of May 3, 2005, in order to consider it with and additional
General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)) and Zone Change 2-2005
scheduled for that meeting.

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued
the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four
(4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the
City Council meeting of May 3, 2005 ; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville
on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a) and Zone Change
1-2005; and

WHEREAS: General Plan Amendment 1- 2005 (a), proposes to change the Land Use
Element of the General Plan from Heavy Commercial to High Density Residential for those four (4)
parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The
parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two
(2) single family residential dwellings. The remaining three (3) parcels extending to the south along
Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels
consist of 41,874 square feet.

WHEREAS: Zone Change 1-2005 proposes to change the present zoning for the same four
(4) parcels from C-3 (Heavy Commercial) to R-3 (Multiple Family) upon approval of General Plan
Amendment 1-2005 (a) of the Land Use Element.

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 in accordance with the California
Environmental Quality Act.
2. That the subject 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.

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

4. That the Negative Declaration prepared for this project was made available for public review and comment for a twenty (20) day review period from March 18, 2005 to April 7, 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.

5. That the mitigation measures contained in the Negative Declaration were incorporated into a Mitigation Monitoring Program attached hereto as Attachment A.

6. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wildlife resources from implementation of this project.

City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habits 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.

9. The developer/applicant shall comply with all mitigation measures adopted as a component of the approval of the Mitigated Negative Declaration for this project. The developer/applicant will be required to sign a document committing to comply with the adopted mitigation measures prior to any construction on the site.
NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Negative Declaration prepared for General Plan Amendment 1-2005 (a) and Zone Change 1-2005, and that the mitigation measures defined in Attachment A shall be implemented by the applicant or his/her successors with project implementation.

Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By _________________________
    Georgia Hawley, Chief Deputy City Clerk
RESOLUTION NO. _________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING GENERAL PLAN AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) WHICH PROPOSES TO CHANGE THE LAND USE DESIGNATION FROM HEAVY COMMERCIAL TO HIGH DENSITY RESIDENTIAL FOR THOSE FOUR (4) PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE STREET, EXTENDING SOUTH OF BELLEVIEW AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (a) to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue; and

WHEREAS: In conjunction with General Plan Amendment 1-2005 (a), Zone Change 1-2005 proposes to change the present zoning for the same four (4) parcels from C-3 (Heavy Commercial) to R-3 (Multiple Family); and

WHEREAS: City staff is currently processing an unusually large number of General Plan Amendments. State law prohibits the amendment of any required element of the General Plan to no more than four times in any calendar year. For this reason, Staff recommended that this item be continued to the City Council meeting of May 3, 2005, in order to consider it with and additional General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)) and Zone Change 2-2005 scheduled for that meeting; and

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a); and

WHEREAS: The City Council received testimony from all interested parties relative to the General Plan Amendment; and

WHEREAS: The City Council made the following findings:

1. That the proposed General Plan Amendment is consistent with the goals and policies of the General Plan.

2. The amendment to the Land Use Element of the General Plan to High Density Residential with the associated Zone Change 1-2005 from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) will allow for future development of the site to be in conformance with the General Plan and Zoning Ordinance.
3. That a Negative Declaration was prepared for this project in accordance with the California Environmental Quality Act indicating that such will not have a significant effect on the environment and that implementation of the projects will comply with the recommended mitigation measures.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve General Plan Amendment 1-2005 (a) being an amendment to the Land Use Element of the General Plan as described above.

__________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By ___________________________
Georgia Hawley, Chief Deputy City Clerk
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING ZONE CHANGE 1-2005 FROM C-3 (HEAVY
COMMERCIAL TO R-3 (MULTIPLE FAMILY RESIDENTIAL FOR THOSE FOUR (4)
PARCELS LOCATED ON THE WEST SIDE OF SUNNYSDIE STREET, EXTENDING
SOUTH OF BELLEVIEW AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (Number changed to 1-2005 (a)) and Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue; and

WHEREAS: City staff is currently processing an unusually large number of General Plan Amendments. State law prohibits the amendment of any required element of the General Plan more than four times in any calendar year. Since the zone change is contingent upon the general plan amendment, Staff is recommending that this item be continued to the City Council meeting of May 3, 2005, in order to consider it with General Plan Amendment 2-2005 (Number to be change to 1-2005 (b)).

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a) and Zone Change 1-2005; and

WHEREAS: General Plan Amendment 1-2005(a), proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential. The parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels consist of 41,874 square feet; and

WHEREAS: Zone Change 1-2005 proposes to change the subject property from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) contingent upon approval of General Plan Amendment 1-2005 (a) of the Land Use Element; and

WHEREAS: The City Council of the City of Porterville, after proceedings duly had and taken, and after due and legal notice having been given, as prescribed by Ordinance 1198 of the City of Porterville, and the laws of the State of California, has determined that the public interest would best be served by approval of Zone Change 1-2005; and

WHEREAS: The City Council made the following findings in support of the approval of Zone Change 1-2005:
1. The Land Use Element of the General Plan (General Plan Amendment 1-2005 (a)) designates the four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue as High Density Residential.

2. That the proposed zoning to R-3 (Multiple Family Residential) for the same four (4) parcels is consistent with the proposed General Plan designation.

3. That all uses listed in Article 2, Article 3 and Article 4 of the Porterville Zoning Ordinance will be allowed in the R-3 (Multiple Family) Zone subject to all other laws, rules and regulations.

4. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act and mitigation measures incorporated into the approval will be precedent to project implementation.

5. That this zoning classification will ensure that any future development of the subject site will be in conformance with existing plans and policies and will not adversely impact the surrounding area.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does ordain as follows:

Section 1: That the following described property in the City of Porterville, County of Tulare, State of California, known as Zone Change 1-2005, is hereby re-zoned from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue, more particularly shown on the attached map, incorporated herein by this reference as Exhibit “A”; and

Section 2: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville, shall be changed to show that all of the above described real property is re-zoned from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue; and

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

___________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By _________________________
Georgia Hawley, Chief Deputy City Clerk
APPLICATION FOR CHANGE OF ZONE NO. ........................

TO THE PORTERVILLE CITY PLANNING COMMISSION:

We, the owners of real property set opposite our respective names, hereby petition to have Ordinance No. 707 amended by reclassifying from Zone C-3... to Zone R-3...., the property described hereon and shown in colored cross-hatching on the attached map which, together with the Property Owner's List, also attached hereto, are made a part of this petition.

The property is situated on the West side of [Street].

between [Street] and [Street].

Exact legal description of said property being [Description]

1. Does public necessity require the proposed change? Is there a real need in the community for more of the types of uses permitted by the Zone requested than can be accommodated in the areas already zoned for such uses?

(Fully explain your answer, considering the surrounding property as well as the property proposed to be reclassified.)

[ ] NO

2. Is the property involved in the proposed reclassification more suitable for the purposes permitted in the proposed classification than for the purposes permitted in the present classification?

(Answer completely; give all reasons for your answer.)

This property is suitable for Residential
Surrounding is Residential

3. Would the uses permitted by the proposed zone be detrimental in any way to surrounding property?

(Explain reasons supporting your answer.)

[ ] NO
4. What were the original deed restrictions, if any, concerning the type and class of uses permitted on the property involved? Give the expiration date of these restrictions.

(You may attach a copy of these restrictions, after properly underscoring the portions that are in answer to this question.)

C - 3 TO R 3

The following spaces are for signatures of owners whose properties lie within the radius of 300 feet of the property proposed to be reclassified and who approve of the change. (Not required. (See Item 2, Page 4.))

(Attach extra sheets if necessary.)

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We, the undersigned property owners, herewith request that our respective properties which are included in the reclassification petitioned for, be reclassified and for the reasons herein enumerated.

(This space is for signatures of owners of property actually included in the proposed reclassification. Attach extra sheets if necessary.)

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<td>SHELLEY J. STEVENS</td>
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<td>RICHARD CAVAREDA</td>
<td>467 N. Serra Side</td>
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STATE OF CALIFORNIA )
COUNTY OF TULARE )

I, being duly sworn, declare and say that I am the owner of part (or all) of the property involved and that this application has been prepared in compliance with the requirements of the Porterville City Planning Commission as printed herein and that the foregoing information thoroughly and completely, to the best of my ability, presents the argument in behalf of the application herewith submitted and that the statements and information above referred to are in all respects true and correct except as to the matters stated to be on my information and belief.

I declare under penalty of perjury that the foregoing is true and correct, executed at this __________ day of __________________, 19__________

Telephone Number 559-310-2078
Signed
Mailing Address 4831 N. Serra Side
Porterville, Ca 93257

This is to certify that the foregoing application has been inspected by me and found to be complete and acceptable for filing with the Porterville City Planning Commission.

Received __________________________ Date
Receipt No. __________________________

By ____________________________
For the Porterville City Planning Commission
NEGATIVE DECLARATION

LEAD AGENCY: City of Porterville
291 North Main Street
Porterville, California 93257

PROJECT APPLICANTS: Richard Camarena
470 N. Sunnyside
Porterville, CA 93257

PROJECT TITLE: General Plan Amendment 1-2005 (Number changed to 1-2005(a) and Zone Change 1-2005.

ADDRESS/LOCATION: Those four (4) parcels located on the west side of Sunnyside Street, extending south of Bellevue Avenue.

PROJECT APPLICANT: Richard Camarena

PROJECT DESCRIPTION: General Plan Amendment 1-2004, proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Bellevue Avenue. The parcel located at the immediate southwest corner of Bellevue Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. Curb, Gutter and sidewalk exists along the full frontage of the parcels fronting on Sunnyside Street and Bellevue Avenue. The four (4) parcels consist of total of 41,874 square feet.

Zone Change 1-2005 proposes to change the present zoning for the site from C-3 (Heavy Commercial) to R-3 (Multiple Family) upon approval of General Plan Amendment 1-2005 of the Land Use Element.

CONTACT PERSON: Bradley D. Dunlap (559) 782-7460

Per Resolution No. 6956, the Environmental Review Committee of the City of Porterville has reviewed the proposed project described herein and has found that this project will have no significant impact on the environment for the following reasons:

1. The project does not 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.

2. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

3. The project does not have possible environmental effects which are individually limited but cumulatively considerable, "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

4. The environmental effects of a project will not cause substantial adverse effects on human beings, either directly or indirectly.

5. Mitigation measures X were, were not made a condition of the approval of the project.

On March 8, 2005, the Environmental Coordinator of the City of Porterville determined that the above project will have no significant effect on the environment.

Copies of plans and other documents relating to the subject project may be examined by interested parties at the City Planning Division, 291 North Main Street, Porterville, California.

Dated: March 8, 2005

Bradley D. Dunlap, Environmental Coordinator

Word: Nagdee ZC 1-2005

ATTACHMENT ITEM NO. 3

291 N. Main St., Porterville, CA 93257 PHONE 559.782.7460 FAX 559.781.6437
1. Project Title: General Plan Amendment 1-2005 and Zone Change 1-2005.

2. Lead Agency Name and Address: City of Porterville
   291 North Main Street
   Porterville, CA 93257

3. Contact Person and Phone Number: Bradley D. Dunlap (559) 782-7460

4. Project Location: Those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue.

5. Project Sponsor's Name and Address: Richard Camarena
   470 N. Sunnyside
   Porterville, CA 93257

6. General Plan Designation: Heavy Commercial. Sunnyside Street is designated as a Local Street (60 foot wide, and Belleview Street is also designated as a Local Street but is developed to 80 foot wide.

7. Zoning: City C-3 (Heavy Commercial) Zone.

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

   General Plan Amendment 1-2004, proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. Curb, Gutter and sidewalk exists along the full frontage of the parcels fronting on Sunnyside Street and Belleview Avenue. The four (4) parcels consist of total of 41,874 square feet.

   Zone Change 1-2005 proposes to change the present zoning for the site from C-3 (Heavy Commercial) to R-3 (Multiple Family) upon approval of General Plan Amendment 1-2005 of the Land Use Element.

9. Surrounding Land uses and Setting:

   North: City - Belleview Street and commercial uses.
   South: City - Vacant parcel, existing single family dwelling and a commercial use.
   East: City - Sunnyside Street and multiple family residential uses.
   West: City - Railroad track and vacant parcel.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

    Porterville City Council.
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>
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<tbody>
<tr>
<td>Population and Housing</td>
<td>Energy and Mineral Resources</td>
<td>Cultural Resources</td>
<td></td>
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<tr>
<td>X Geological Problems</td>
<td>Hazards</td>
<td>Recreation</td>
<td></td>
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<tr>
<td>X Water</td>
<td>Noise</td>
<td>Mandatory Findings of Significance</td>
<td></td>
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<tr>
<td>X Air Quality</td>
<td>Public Services</td>
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<td></td>
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<tr>
<td>X Transportation and Circulation</td>
<td>X Utilities and Service Systems</td>
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DETERMINATION: (To be completed by the Lead Agency).

On the basis of this initial evaluation:

<table>
<thead>
<tr>
<th>I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.</th>
<th>X</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>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 &quot;Potentially Significant Impact&quot; or &quot;Potentially Significant Unless Mitigated&quot; and will not be mitigated. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.</td>
<td></td>
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<tr>
<td>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.</td>
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<tr>
<td>I find the proposed project could have a significant effect on the environment. Action to be determined by the Environmental Review Committee.</td>
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</table>

Signature

Bradley D. Dunlap, AICP
Printed Name

City of Porterville
For

EVALUATION OF ENVIRONMENTAL IMPACTS:

U:\WordPerfect\zonechnl\ZC1-2005EIS.wpd
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

NOTE: The emphasis of the environmental initial study will focus on the future construction of the site with multiple family residential uses once the general plan amendment and zone change have been approved.

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

   a. Conflict with general plan designation or zoning?

   *Discussion: The proposed General Plan Amendment will change the existing land use designation from Heavy Commercial to High Density Residential. The subsequent change of zoning will ultimately change the existing zoning from C-3 (Heavy Commercial) to R-3 (Multiple family Residential) zone.*

   The proposed zoning will be consistent with the General Plan designation and all future uses for the site will be in conformance with the proposed zoning supported by the General Plan designation. Therefore, the impact is less than significant.

   *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, Zoning Ordinance once the general plan amendment and zone change been approved. Development of the site with multiple family residential uses will be compatible with the multiple family residential uses located to the east of the subject site. 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 developed with single family residential dwellings. the site has not been utilized for any agricultural uses. No agricultural uses exist in this area. Therefore, the proposed project will not affect any agricultural resources or operations. 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: The proposed project will allow for the development of multiple family residential uses on four (4) parcels consisting of 41,874 square feet. Porterville’s Zoning Ordinance allows one (1) unit for every 15,000 square feet of land per parcel in the R-3 Zone. The potential of 28 units could be built on these parcels. 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: Future development of the site will be required to develop in conformance with the General Plan. The area is developed with multiple family residential uses to the east, commercial use to the north, a vacant parcel to the west and a vacant parcel, single family dwelling and commercial use to the south. As such, no substantial growth in this area is expected to occur.

Source: 1 & 3

c. Displace existing housing, especially affordable housing?

Discussion: The subject site has five (5) existing single family residential uses on the site. No plans for removal of the existing dwellings have been submitted. Therefore, no impact will occur.

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 multiple family residential uses will 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 area 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

g. Subsidence of the land? _____ _____ _____ X

Discussion: The proposed project and any future development of the site with multiple family residential uses 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 has medium to coarse textured soils with a high water infiltration rates. As a result, future development of the site will not be effected by expansive soils. Therefore, no impact will occur.

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? _____ X _____ _____

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 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).

Source: 1 & 4
b. Exposure of people or property to water related hazards such as flooding?

Discussion: The FIRM Community Panel Number 060407 0010 D, October 15, 1985 Map indicates that the rear half of the subject site is located within Flood Zone C (Areas of minimal flooding). Therefore, no impact will occur.

Source: 1, 4 & 26

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<th>Potentially Significant Impact</th>
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<th>Less Than Significant Impact</th>
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c. Discharge into surface waters or other Alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?

Discussion: Existing runoff is channeled by existing curb and gutter to an existing drop inlet and into a 12" storm drain line located to the north. It is not anticipated that any future development of the site with multiple family residential uses will require additional extension of a storm drain line(s) to the site. Therefore, no impact will occur.

Source: 4, 7 & 26

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

Discussion: Existing runoff is channeled by existing curb and gutter to an existing drop inlet and into a 12" storm drain line located to the north. It is not anticipated that any future development of the site with multiple family residential uses will require additional extension of a storm drain line(s) to the site. Therefore, no impact will occur.

Source: 4, 17 & 22

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

Discussion: Existing runoff is channeled by existing curb and gutter to an existing drop inlet and into a 12" storm drain line located to the north. It is not anticipated that any future development of the site with multiple family residential uses will require additional extension of a storm drain line(s) to the site. Therefore, no impact will occur.

Source: 4, 7 & 26
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<tr>
<td>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?</td>
<td>_____</td>
<td>_____</td>
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*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 with multiple family 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? | _____ | _____ | _____ | X |

*Discussion: It is anticipated that any future development of the site with multiple family 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? | _____ | _____ | _____ | X |

*Discussion: It is anticipated that any future development of the site with multiple family residential uses will not require any cuts or excavations other than minor grading, therefore, the direction of flow of groundwater will not be required.*

*Source: 1 & 4*

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

*Discussion: Ultimate development for the site it 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 multiple family 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 form 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: 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 catalyst/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 proposed buildings 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.
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5. As many energy-conserving features as possible should be included in the design/construction of the buildings. 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 patio areas to encourage the use of gas and/or electrical barbecues.

8. Electrical outlets should be installed around the exterior of the buildings 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? 

Discussion: There is a multiple family residential complex to the east, a single family residential use to the south, commercial use to the north and a vacant parcel to the west. As a result, the development of the site may cause the surrounding uses to be more sensitive to construction related dust generated at the time of future development of the site as proposed. The mitigation measures identified above will provide adequate protection for these residential and commercial uses.

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

Discussion: Due to the small scale of the project, air movement, moisture, temperature and change in the climate will not occur.

Source: 24

d. Create objectionable odors?

Discussion: Due to the small scale of the project, no objectionable odors will occur.

Source: 24

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

a. Increased vehicle trips or traffic congestion?

Discussion: Eventual development of the site with multiple family uses is anticipated to result in additional daily trips. Full build out of the four (4) parcels would allow a maximum of 28 units. Based on Porterville’s Circulation Element (1993), Multiple family residential uses generate 6.47 daily trips per unit. Based on the aforementioned, a total of 181.16 trips per day could be generated.

Future development will necessitate the provision of adequate off-street parking. Hazards to motorists, bicyclists, and pedestrians will increase proportionately to the increase in traffic generated by subsequent development of the site.

Sunnyside Street is a local street developed to 60 feet wide. Bellevue Avenue is a local street developed to 60 feet wide. Traffic on Sunnyside Street has access from Morton Avenue to the south which has a traffic signal installed. Morton is designated as a four lane arterial street developed to 80 feet wide with the capacity to carry 25000 trips per day. One (1) local street (Avenue) immediately east of the subject site and three (3) local streets (Avenues) located north of the subject side extend east of Sunnyside Street to Main Street (four lane arterial street) developed to 80 feet wide with the capacity to carry 25000 trips per day. Bellevue Avenue extending west of Sunnyside Street allows for circulation to the north and south via numerous different streets branching off of Bellevue Avenue. No traffic count have been conducted in this area. However, no reports of congestion have occurred.

Mitigation: Mitigation measures include the 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. Additional mitigation measures include the development of existing and future contiguous streets to their full right-of-way widths, the provision of traffic signals if necessary.

Source: 1, 2 & 34
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<tr>
<td>b. Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?</td>
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Discussion: Both Bellevue Avenue and Sunnyside Street are constructed to their full right-of-way width with existing curb, gutter and sidewalk on both sides. Therefore, no impact will occur.

Source: 1 & 2

c. Inadequate emergency access or access to nearby uses? |  |  |  | X |

Discussion: Since no emergency access or nearby emergency uses exist, the project as proposed will not impede or block any accesses nearby. Therefore, no impact will occur.

Source: 1, 2 & 12

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

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

Source: 1, 2 & 12

e. Hazards or barriers for pedestrians or bicyclists? |  |  | X  |  |

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. Curb, gutter and sidewalk exists on both sides of Sunnyside Street and Bellevue Avenue. Therefore, hazards or barriers for pedestrians or bicyclist is less than significant.

Source: 1, 2 &12

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

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

Source:1, 2 & 31
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<tr>
<td>g. Rail, waterborne or air traffic impacts?</td>
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</table>

Discussion: A railroad track exists to the west of the site. The project as proposed will not impact any rail, waterborne or air traffic.

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 entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. 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 entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. 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 entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habitats exist and no impact 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 entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

Source: 4, 5, 15 & 30
e. Wildlife dispersal or migration corridors?  

Discussion: City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no wildlife dispersal or migration corridors exist and no impact 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: The subject site does not have any hazardous substances stored on the site. Additionally, any future development of the site with multiple family residential uses will not be allowed to store significant quantities of any hazardous substances, therefore, no impact will occur.

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>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

**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 an 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 an 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 multiple family 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.*

*Source: 6*
<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>b. Exposure of people to severe noise levels?</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

Discussion: Future development of the site with multiple family 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. 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: Due to the small scale of the project, any future development of the site with multiple family residential uses would not require any additional new schools to be built. Therefore, no impact will occur.  
   
   Source: 1, 2, 3, 5, 7 & 8

d. Maintenance of public facilities, including roads?  
   
   Discussion: Streets already exist in which are presently being maintained by the City Field Service Division, 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:**

<table>
<thead>
<tr>
<th></th>
<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>a. <strong>Power or natural gas?</strong></td>
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<tr>
<td><strong>Discussion:</strong> Electricity and natural gas exists at the site.</td>
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<tr>
<td><strong>Source:</strong> 1 &amp; 3</td>
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<tr>
<td>b. <strong>Communications systems?</strong></td>
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<td>X</td>
</tr>
<tr>
<td><strong>Discussion:</strong> Telephone lines exist at the site.</td>
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</tr>
<tr>
<td><strong>Source:</strong> 1 &amp; 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. <strong>Local or regional water treatment or distribution facilities?</strong></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>Discussion:</strong> Water supply and distribution systems are designated to accommodate development to the subject site.</td>
<td></td>
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<tr>
<td><strong>Source:</strong> 21 &amp; 28</td>
<td></td>
<td></td>
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<tr>
<td>d. <strong>Sewer or septic tanks?</strong></td>
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<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>Discussion:</strong> A 6&quot; sewer line exists in Sunnyside Street and none in Belleview Avenue at this site.</td>
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<tr>
<td><strong>In 1994, the Water Treatment Plant increased it’s 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).</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>Source:</strong> 17, 20 &amp; 21</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. <strong>Storm water drainage?</strong></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
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<tr>
<td><strong>Discussion:</strong> Existing runoff is channeled by existing curb and gutter to an existing drop inlet and into a 12&quot; storm drain line located to the north. It is not anticipated that any future development of the site with multiple family residential uses will require additional extension of a storm drain line(s) to the site. Therefore, no impact will occur.</td>
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<tr>
<td><strong>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 multiple family residential uses and a commercial use, due to the creation 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.</strong></td>
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<tr>
<td><strong>Mitigation:</strong> 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).</td>
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<tr>
<td><strong>Source:</strong> 17, 20 &amp; 21</td>
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</tr>
</tbody>
</table>
f. Solid waste disposal?  

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 6” water line exists in Sunnyside Street and Belleview Avenue.

Current water production capacity is 15,331 gpm. The current demand during the highest use month is approximately 14,000 gpm. The demand for 28 units is approximately 16.24 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 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 with multiple family residential uses 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.
| Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporation | Less Than Significant Impact | No Impact |

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

b. Disturb archaeological 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.

   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
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 multiple family 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? X

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

Source: 5 & 8
16. **MANDATORY FINDINGS OF SIGNIFICANCE -- Would the proposal:**

<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>
</table>

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: City staff conducted an on-site inspection. The subject site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, 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 General Plan Amendment will change the existing land use designation from Heavy Commercial to High Density Residential. The subsequent change of zoning will ultimately change the existing zoning from C-3 (Heavy Commercial) to R-3 (Multiple family Residential) zone.

The proposed zoning will be consistent with the General Plan designation and all future uses for the site will be in conformance with the proposed zoning supported by the General Plan designation. Therefore, 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, Housing 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 multiple family residential uses and a commercial use.

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 designated to ensure compatible development and adequate protection to neighboring residents, and commercial 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 (1998)
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. 060407 0010 D October 15, 1985
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
San Joaquin Valley
Air Pollution Control District

April 6, 2005

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

RE: ND for GPA 1-2005 & ZC 1-2005

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

ATTACHMENT
ITEM NO. 5

Northern Region Office
4230 Kiemen Avenue, Suite 130
Modesto, CA 95356-9322
(209) 557-6400 • FAX (209) 557-6475

Central Region Office
1990 East Gettysburg Avenue
Fresno, CA 93726-0244
(559) 230-6000 • FAX (559) 230-6061
www.valleyair.org

Southern Region Office
2700 M Street, Suite 275
Bakersfield, CA 93301-2373
(661) 326-6900 • FAX (661) 326-6985
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 was 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/aji.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](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.ufei.org/
For Urban Forestry see http://www.coolcommunities.org
http://wcufore.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.
  o 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 in 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/harc/Projects/CoolHouston/, http://eande.lbl.gov/heatisland/
  - Radiant heat barrier. See http://www.eere.energy.gov/consumerinfo/refbriefs/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 modern 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.consumerenergycenter.org/index.html
http://www.ciwmb.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. 1

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 GENERAL PLAN
AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) AND ZONE CHANGE 1-2005
FOR THOSE FOUR (4) PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE
STREET, EXTENDING SOUTH OF BELLEVUE AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (a) and
Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street,
extending south of Belleview Avenue; and

WHEREAS: City staff is currently processing an unusually large number of General Plan
Amendments. State law prohibits the amendment of any required element of the General Plan to
no more than four times in any calendar year. For this reason, Staff recommended that this item be
continued to the City Council meeting of May 3, 2005, in order to consider it with and additional
General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)) and Zone Change 2-2005
scheduled for that meeting.

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued
the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four
(4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the
City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville
on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a) and Zone Change
1-2005; and

WHEREAS: General Plan Amendment 1-2005 (a), proposes to change the Land Use
Element of the General Plan from Heavy Commercial to High Density Residential for those four (4)
parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The parcel
located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two
(2) single family residential dwellings. The remaining three (3) parcels extending to the south along
Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels
consist of 41,874 square feet.

WHEREAS: Zone Change 1-2005 proposes to change the present zoning for the same four
(4) parcels from C-3 (Heavy Commercial) to R-3 (Multiple Family) upon approval of General Plan
Amendment 1-2005 (a) of the Land Use Element.
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 in accordance with the California Environmental Quality Act.

2. That the subject 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.

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

4. That the Negative Declaration prepared for this project was made available for public review and comment for a twenty (20) day review period from March 18, 2005 to April 7, 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.

5. That the mitigation measures contained in the Negative Declaration were incorporated into a Mitigation Monitoring Program attached hereto as Attachment A.

6. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wildlife resources from implementation of this project.

City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. 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.

9. The developer/applicant shall comply with all mitigation measures adopted as a component of the approval of the Mitigated Negative Declaration for this project. The developer/applicant will be required to sign a document committing to comply with the adopted mitigation measures prior to any construction on the site.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Negative Declaration prepared for General Plan Amendment 1-2005 (a) and Zone Change 1-2005, and that the mitigation measures defined in Attachment A shall be implemented by the applicant or his/her successors with project implementation.

________________________
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>Geologic Problems</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.f Erosion, changes in topography or unstable soil conditions from excavation, grading or fill.</td>
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<td>3.h Expansive soils.</td>
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<td>Potential Impact</td>
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<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 regulations requiring that storm water runoff be monitored and maintained free of heavy concentration of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards). Drainage calculations shall account for the steep slope proposes, as well as the capture of all uphill storm water. Storm drains and basins shall be sized to accommodate for all anticipated drainage.</td>
<td>Compliance with Federal, State and local regulations requiring that storm water runoff be monitored and maintained free of heavy concentration of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).</td>
<td>City of Porterville</td>
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<td>4.a</td>
<td>Changes in absorption rates, drainage patterns or the rate and amount of surface runoff.</td>
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<td>Potential Impact</td>
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<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). Mitigation through construction management. 1. The City will implement Regulation VIII of the SJVUAPCD including:</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>Potential Impact</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 5. a (continued) | 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. |            |                    |
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</table>
| Air Quality      | 6. Electrical outlets should be installed around the exterior of the units to encourage the use of electric landscape maintenance equipment.  
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.  
8. Limit engine idling at the project site.  
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.  
10. Sidewalks and bikeways should be installed throughout as much of the project as possible to encourage walking and bicycling.  
11. With the purchase of any house, included Air Quality incentive items is natural gas barbecues and electric lawnmowers. | | |
<table>
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<tr>
<th>Potential Impact</th>
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<tbody>
<tr>
<td>Air Quality</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>5.a (continued)</td>
<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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<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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<tr>
<td>Air Quality</td>
<td>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.</td>
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<td>5.a (continued)</td>
<td>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.</td>
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<tr>
<td>TRAFFIC</td>
<td>Mitigation measures include the 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. Additional mitigation measures include the development of existing and future contiguous streets to their full right-of-way widths, and the provision of traffic signals if necessary,</td>
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<td>Potential Impact</td>
<td>Mitigation Measures</td>
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| **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. | The City of Porterville and the effected utility companies. | The City of Porterville and the effected utility companies. |
| **Aesthetics**                | 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. | Section 2618 F (Glare) of the Porterville Zoning Ordinance will be enforced. | City of Porterville                           |
RESOLUTION NO. ________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING GENERAL PLAN AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) WHICH PROPOSES TO CHANGE THE LAND USE DESIGNATION FROM HEAVY COMMERCIAL TO HIGH DENSITY RESIDENTIAL FOR THOSE FOUR (4) PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE STREET, EXTENDING SOUTH OF BELLEVIEVE AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (a) to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Bellevue Avenue; and

WHEREAS: In conjunction with General Plan Amendment 1-2005 (a), Zone Change 1-2005 proposes to change the present zoning for the same four (4) parcels from C-3 (Heavy Commercial) to R-3 (Multiple Family); and

WHEREAS: City staff is currently processing an unusually large number of General Plan Amendments. State law prohibits the amendment of any required element of the General Plan to no more than four times in any calendar year. For this reason, Staff recommended that this item be continued to the City Council meeting of May 3, 2005, in order to consider it with and additional General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)) and Zone Change 2-2005 scheduled for that meeting; and

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street, extending south of Bellevue Avenue to the City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a); and

WHEREAS: The City Council received testimony from all interested parties relative to the General Plan Amendment; and

ATTACHMENT
ITEM NO. 7
WHEREAS: The City Council made the following findings:

1. That the proposed General Plan Amendment is consistent with the goals and policies of the General Plan.

2. The amendment to the Land Use Element of the General Plan to High Density Residential with the associated Zone Change 1-2005 from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) will allow for future development of the site to be in conformance with the General Plan and Zoning Ordinance.

3. That a Negative Declaration was prepared for this project in accordance with the California Environmental Quality Act indicating that such will not have a significant effect on the environment and that implementation of the projects will comply with the recommended mitigation measures.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve General Plan Amendment 1-2005 (a) being an amendment to the Land Use Element of the General Plan as described above.

______________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By ____________________________
Georgiana Hawley, Chief Deputy City Clerk
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING ZONE CHANGE 1-2005 FROM C-3 (HEAVY
COMMERCIAL TO R-3 (MULTIPLE FAMILY RESIDENTIAL FOR THOSE FOUR (4)
PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE STREET, EXTENDING
SOUTH OF BELLEVIEW AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (Number
changed to 1-2005 (a)) and Zone Change 1-2005 for those four (4) parcels located on the west side
of Sunnyside Street, extending south of Belleview Avenue; and

WHEREAS: City staff is currently processing an unusually large number of General Plan
Amendments. State law prohibits the amendment of any required element of the General Plan more
than four times in any calendar year. Since the zone change is contingent upon the general plan
amendment, Staff is recommending that this item be continued to the City Council meeting of May
3, 2005, in order to consider it with General Plan Amendment 2-2005 (Number to be change to 1-
2005 (b)).

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued
the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four
(4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the
City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville
on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a) and Zone Change
1-2005; and

WHEREAS: General Plan Amendment 1- 2005(a), proposes to change the Land Use
Element of the General Plan from Heavy Commercial to High Density Residential. The parcel
located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2)
single family residential dwellings. The remaining three (3) parcels extending to the south along
Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels
consist of 41,874 square feet; and

WHEREAS: Zone Change 1-2005 proposes to change the subject property from C-3
(Heavy Commercial) to R-3 (Multiple Family Residential) contingent upon approval of General Plan
Amendment 1-2005 (a) of the Land Use Element; and

ATTACHMENT
ITEM NO. 8
WHEREAS: The City Council of the City of Porterville, after proceedings duly had and taken, and after due and legal notice having been given, as prescribed by Ordinance 1198 of the City of Porterville, and the laws of the State of California, has determined that the public interest would best be served by approval of Zone Change 1-2005; and

WHEREAS: The City Council made the following findings in support of the approval of Zone Change 1-2005:

1. The Land Use Element of the General Plan (General Plan Amendment 1-2005 (a)) designates the four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue as High Density Residential.

2. That the proposed zoning to R-3 (Multiple Family Residential) for the same four (4) parcels is consistent with the proposed General Plan designation.

3. That all uses listed in Article 2, Article 3 and Article 4 of the Porterville Zoning Ordinance will be allowed in the R-3 (Multiple Family) Zone subject to all other laws, rules and regulations.

4. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act and mitigation measures incorporated into the approval will be precedent to project implementation.

5. That this zoning classification will ensure that any future development of the subject site will be in conformance with existing plans and policies and will not adversely impact the surrounding area.

NOW, THEREFORE, BE IT ORDEIGNED: That the City Council of the City of Porterville does ordain as follows:

Section 1: That the following described property in the City of Porterville, County of Tulare, State of California, known as Zone Change 1-2005, is hereby re-zoned from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue, more particularly shown on the attached map, incorporated herein by this reference as Exhibit “A”; and
Section 2: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville, shall be changed to show that all of the above described real property is re-zoned from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue; and

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By ____________________________
   Georgia Hawley, Chief Deputy City Clerk
ZONE CHANGE 1–2005

PROPOSED ZONE CHANGE
C–3 TO R–3

CITY COUNCIL
ORDINANCE NO. __________

EXHIBIT "A"