PUBLIC HEARING

TITLE: PRE-ZONING AND ANNEXATION OF TWELVE UNINCORPORATED "ISLANDS" IN SIX ANNEXATION PROPOSALS

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT-PLANNING DIVISION

HISTORY: Over a period of several decades, the City of Porterville and Tulare County pursued development strategies that resulted in the creation of an unusual City boundary. Approximately fifty (50) separate areas of developed, unincorporated territory have been entirely or almost entirely surrounded by the incorporated city.

The City of Porterville, the County of Tulare, the Tulare County Local Agency Formation Commission (LAFCO) and the State of California have all identified the presence of unincorporated islands within the boundaries of an incorporated city as a source of government inefficiency. Each has adopted regulations, policies or procedures to limit the formation of new unincorporated islands and/or to encourage the annexation of existing islands. To further this goal, the State of California has adopted Government Code Section 56375.3 which simplifies the island annexation process for projects less than 150 acres in size. This provision expires on January 1, 2007. State law defines islands subject to the modified approval process as those areas which are "surrounded or substantially surrounded" by a City, LAFCO has interpreted this as any area which is 65 percent or more surrounded by a City boundary.

Public informational meetings were held on February 3, 2005 and April 18, 2005. Information was provided at those meetings regarding the origin of the islands, the motivation for annexing the islands at this time, and the effects of annexation on taxes and services in the affected areas. Public input was also sought at that time. The comments received are included in the attached Staff Report, labeled Attachment No. 4.

COMMENT: The island annexation program established by the City Council consists of twelve separate areas which have been organized into six proposed annexation projects located throughout the City of Porterville as follows:

- Project No. 1 (Annexation #446 and Zone Change 4-2005): One annexation area located generally at the northeast corner of State Route 190 and Main Street.
Project No. 2 (Annexation #455 and Zone Change 5-2005): Two annexation areas located south of North Grand Avenue and generally west of State Route 65 in the northerly portion of the community.

Project No. 3 (Annexation #456 and Zone Change 6-2005): Three annexation areas located south of Olive Avenue and west of Jaye Street in the southerly portion of the community.

Project No. 4 (Annexation #457 and Zone Change 7-2005): One annexation area generally located at the southeast corner of State Route 65 and State Route 190.

Project No. 5 (Annexation #458 and Zone Change 8-2005): Two annexation areas generally located south of Morton Avenue and west of Prospect Street, in the westerly portion of the community.

Project No. 6 (Annexation #459 and Zone Change 9-2005): Three annexation areas generally located west of Mathew Street and east of Westwood Street in the westerly portion of the community.

The projects will individually comply with the standards of Government Code Section 56375.3 as described more fully in the attached Staff Report. Each annexation is accompanied by an associated Zone Change to Pre-Zone all of the affected parcels in conformance with the General Plan.

Upon annexation, the City will immediately become responsible for police, fire, and road maintenance services throughout the affected territories. Municipal Planning and Building services will also be provided, though no immediate land use changes are required or expected. Sewer, water and storm drainage services will be extended throughout the areas as development and redevelopment occurs. The cost of such services will be offset, in whole, or in part by increased revenue and enhanced efficiency in service delivery. Portions of the existing property and sales taxes already collected in the area will be directed to the City. In addition, the City’s Utility User’s Tax will apply to residents of the annexed territory. The City Manager is recommending that the Utility User's Tax revenue derived from these annexations be directed to the Police Department for additional staffing.

ENVIRONMENTAL: The Environmental Coordinator on June 27, 2005, made a preliminary determination that although the project could have a significant effect on the environment, all potentially significant effects a) have been analyzed adequately in an earlier EIR of Negative Declaration; and, b) 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. The Initial Study and proposed Mitigation
Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review. As of this date, the San Joaquin Valley Air Pollution Control District is the only agency that has commented on the proposal. The comments and responses are included in the Staff Report as Attachment No. 6.

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the Negative Declaration for Zone Changes 4-2005, 5-2005, 6-2005, 7-2005, 8-2005 and 9-2005 and Annexations 446, 455, 456, 457, 458, and 459

2. Adopt the draft resolutions authorizing initiation of preliminary proceedings and filing of the necessary applications with LAFCO for Annexations 446, 455, 456, 457, 458 and 459.


4. Approve the use of the additional Utility User's Tax revenue derived from these annexations be directed to the Police Department for additional staffing.

ATTACHMENT:

1. Complete Staff Report
PUBLIC HEARING – STAFF REPORT

TITLE: PRE-ZONING AND ANNEXATION OF TWELVE UNINCORPORATED “ISLANDS” IN SIX ANNEXATION PROPOSALS

APPLICANT: City of Porterville
Bradley Dunlap, AICP
Community Development Director
291 North Main Street
Porterville, CA 93257

SPECIFIC REQUEST: The City proposes to carry out a program of annexations consisting of six separate annexation projects, each containing one or more unincorporated islands. Each annexation is accompanied by an associated Zone Change to Pre-Zone all of the affected parcels in conformance with the General Plan. The existing and proposed zoning for each affected area are summarized in Attachment No. 1.

PROJECT LOCATION: The parcels included in the proposed annexation are located throughout the City of Porterville as follows:

- Project No. 1 (Annexation #446 and Zone Change 4-2005): One annexation area located generally at the northeast corner of State Route 190 and Main Street. Approximately 73.3 acres, including 113 parcels would be affected.

- Project No. 2 (Annexation #455 and Zone Change 5-2005): Two annexation areas located south of North Grand Avenue and generally west of Prospect Street in the northerly portion of the community. Area A affects approximately 4.2 acres including four (4) parcels. Area B affects approximately 141.0 acres including 293 parcels.

- Project No. 3 (Annexation #456 and Zone Change 6-2005): Three annexation areas located south of Olive Avenue and west of Jaye Street in the southerly portion of the community. Area A affects approximately 11.1 acres including 35 parcels. Area B affects approximately 25.7 acres including 41 parcels. Area C affects approximately 89.8 acres including 211 parcels.

- Project No. 4 (Annexation #457 and Zone Change 7-2005): One annexation area generally located at the southeast corner of State Route 65 and State Route 190. Approximately 90.8 acres, including 119 parcels would be affected.

- Project No. 5 (Annexation #458 and Zone Change 8-2005): Two annexation areas generally located south of Morton Avenue and west of Prospect Street, in the westerly portion of the community. Area A affects approximately 62.8 acres, including 193 parcels. Area B affects approximately 86.2 acres and 289 parcels.

SR-1
• Project No. 6 (Annexation #459 and Zone Change 9-2005): Three annexation areas generally located west of Mathew Street and east of Westwood Street in the westerly portion of the community. Area A affects approximately 88.7 acres and 363 parcels. Area B affects approximately 1.2 acres and one (1) parcel. Area C affects approximately 9.0 acres and 33 parcels.

HISTORY: Over a period of several decades, ending in 1972, Tulare County regularly approved subdivisions just outside the City boundary. Over that same period, the City of Porterville was also active in pursuing annexation and development. These concurrent activities split the local population growth between incorporated and unincorporated areas. To accommodate growth, especially after 1972, the City needed to "skip over" developed county subdivisions. This created approximately fifty unincorporated "island" areas which are completely or mostly surrounded by City limits. Most of these areas are developed and rely on City services. The services provided vary for each location, with water service the most common. In addition to direct services, the City provides road maintenance for the major routes to and from each of the unincorporated islands and participates with Tulare County in mutual aid agreements for emergency services.

GENERAL PLAN LAND USE DESIGNATION AND PROPOSED ZONING:

Project No. 1 (Annexation #446 and Zone Change 4-2005): The Land Use Element of the General Plan designates portions of the subject site for Medium Density Residential, High Density Residential, General Commercial and Industrial Land Uses. The subject site will be pre-zoned to R-2 (Four Family Residential), R-3 (D) (Multiple Family Residential Design Review Overlay), C-2 (D) (Central Commercial Design Review Overlay), and M-1 (D) (Light Manufacturing Design Review Overlay) in conformance with the General Plan.

Project No. 2 (Annexation #455 and Zone Change 5-2005): The Land Use Element of the General Plan designates portions of the subject site for Low Density Residential, Medium Density Residential, and Public and Quasi-Public Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential) and OA (Open Area) in conformance with the General Plan.

Project No. 3 (Annexation #456 and Zone Change 6-2005): The Land Use Element of the General Plan designates portions of the subject site for Low Density Residential, Medium Density Residential, Heavy Commercial, and Recreation and Open Space Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential), C-3 (D) (Heavy Commercial Design Review Overlay) and OA (Open Area), in conformance with the General Plan.

Project No. 4 (Annexation #457 and Zone Change 7-2005): The Land Use Element of the General Plan designates the entire subject site for Low Density Residential Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential) in conformance with the General Plan.
Project No. 5 (Annexation #458 and Zone Change 8-2005): The Land Use Element of the General Plan designates the subject site for Low Density Residential, Medium Density Residential and Neighborhood Commercial Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential) and C-1 (D) (Neighborhood Commercial Design Review Overlay), in conformance with the General Plan.

Project No. 6 (Annexation #459 and Zone Change 9-2005): The Land Use Element of the General Plan designates the subject site for Low Density Residential and High Density Residential Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential) and R-3 (D) (Multiple Family Residential Design Review Overlay), in conformance with the General Plan.

PROJECT DETAILS:

The City of Porterville, the County of Tulare, the Tulare County Local Agency Formation Commission (LAFCO) and the State of California have all identified the presence of unincorporated islands within the boundaries of an incorporated city as a source of government inefficiency. Each has adopted regulations, policies or procedures to limit the formation of new unincorporated islands and/or to encourage the annexation of existing islands. To further this goal, the State of California has adopted Government Code Section 56375.3 which simplifies the island annexation process for projects affecting less than 150 acres. This provision expires on January 1, 2007. State law defines islands subject to the modified approval process as those areas which are "surrounded or substantially surrounded" by a City, LAFCO has interpreted this as any area which is 65 percent or more surrounded by a City boundary. Each of the proposed annexations meets the requirements of State law and local policy to qualify for streamlined processing.

Existing and proposed zoning, and on-site and adjacent land uses for each of the project areas is shown in Attachment No. 1. Nearly all of the parcels proposed to be annexed are currently developed. However, in some cases, the proposed zoning will accommodate development to a higher density than that which is currently permitted, or which has already occurred. Such infill and redevelopment opportunities will occur in proposed annexations in several locations throughout the community. If all of the parcels to be annexed were to develop to the full extent permitted by the proposed zoning, as many as five hundred additional infill dwelling units may be created. Such development would occur in accordance with the standards set by the City of Porterville General Plan.

Upon annexation, the City will immediately become responsible for police, fire, and road maintenance services throughout the affected territories. Municipal Planning and Building services will also be provided, though no immediate land use changes are required or expected. Sewer, water and storm drainage services will be extended throughout the areas as development and redevelopment occurs. The cost of such services will be offset, in whole, or in part by increased revenue and enhanced efficiency in service delivery. Portions of the existing property and sales taxes already collected in
the area will be directed to the City. In addition, the City’s Utility User’s Tax will apply to residents of the annexed territory. The City Manager is recommending that the Utility User's Tax revenue derived from these annexations be directed to the Police Department for additional staffing.

SPHERE OF INFLUENCE: All twelve project sites are located within the Sphere of Influence.

PUBLIC PARTICIPATION:

Public informational meetings were held on February 3, 2005 and April 18, 2005. Information was provided at those meetings regarding the origin of the islands, the motivation for annexing the islands at this time, and the effects of annexation on taxes and services in the affected areas. Invitations were sent to all property owners and residents in all six annexation project areas. Well over 400 people participated in the presentations. Public comment cards were distributed at the meetings and were received from approximately 38 individuals and are outlined in Attachment 4 hereto.

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:


2. Amended Project. The City Council has the option to approve some, all, or none of the proposed annexations. Furthermore, in some instances, the General Plan may permit an alternative pre-zoning designation.

3. Approve the project. Approval of the proposed zone changes and annexations would be consistent with the designation applicable to the site, bringing the site’s zoning into conformity with the General Plan. Approval of the annexations would allow the changes of zone to become effective upon consummation of the annexations.

ENVIRONMENTAL: The Environmental Coordinator on June 27, 2005, made a preliminary determination that although the project could have a significant effect on the environment, all potentially significant effects a) have been analyzed adequately in an earlier EIR of Negative Declaration and b) 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. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review. As of this date, the San Joaquin Valley Air Pollution Control District is the only agency that commented on the proposal. The comments and responses are included as Attachment No. 6.
RECOMMENDATION: That the City Council:


2. Adopt the draft resolutions authorizing initiation of preliminary proceedings and filing of the necessary applications with LAFCO for Annexations 446, 455, 456, 457, 458 and 459.


4. Approve the use of the additional Utility User's Tax revenue derived from these annexations be directed to the Police Department for additional staffing.

ATTACHMENTS:

1. Comprehensive Project Area Map
2. Project Detail Table - Zoning and Land Use
3. Individual Project Area Land Use Maps
4. Public Participation Report
5. Negative Declaration and Initial Study
6. CEQA Comment Letters and Responses
8. Draft Resolution authorizing initiation of preliminary proceedings and filing of the necessary applications for Annexations 446.
10. Draft Resolution authorizing initiation of preliminary proceedings and filing of the necessary applications for Annexations 455.
18. Draft Resolution authorizing initiation of preliminary proceedings and filing of the necessary applications for Annexations 459.
<table>
<thead>
<tr>
<th>Annexation Number</th>
<th>Area</th>
<th>Size/Parcels</th>
<th>Land Use</th>
<th>Current Zoning (County)</th>
<th>Proposed Zoning (City)</th>
<th>Adjacent Land Uses</th>
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<tbody>
<tr>
<td>446 Project 1 A</td>
<td>73.3 acres 113 parcels</td>
<td>Single Family Residences, Duplexes, Triplexes, Apartments, Mobilehome Park, Commercial Businesses, Scattered Vacant Lots, Tule River.</td>
<td>R-2, R-3, C-2, C-2-SC, M-1, M-1-SC, M-2, M-2-SC</td>
<td>R-2, R-3, C-2 (D), M-1 (D), OA</td>
<td>Tule River, Single Family Residences, Apartments, Mobilehome Parks, Industrial Uses, Hotel, Commercial Businesses, Plano Street, State Hwy 190, Vacant Lots, Main Street, Elementary School, Middle School, Community College</td>
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</tr>
<tr>
<td>445 Project 2 A</td>
<td>141.0 acres 293 parcels</td>
<td>Single Family Residences, Mobilehomes, Apartments, Rural Residential (including small animal pastures), Middle School Site (under construction), Church, Mini-Mart, Tulare County Equipment Yard, Scattered Vacant Lots.</td>
<td>AE-20, R-1, R-1-217, R-2, C-1-SR</td>
<td>R-1, R-2, OA</td>
<td>Single Family Residences, Rural Residential, Apartments, Scattered Vacant Lots, Churches, Commercial Businesses, Drainage Basin, Elementary School, High School, State Highway 65, North Grand Avenue.</td>
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<td>B</td>
<td>4.2 acres 4 parcels</td>
<td>Single Family Residences</td>
<td>R-1-217</td>
<td>R-1</td>
<td>Single Family Residences, Church, Rural Residential, Scattered Vacant Lots, Radio Station</td>
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<td>456 Project 3 A</td>
<td>11.1 acres 35 parcels</td>
<td>Single Family Residences, Contractor's Storage Yard, Vacant Lot</td>
<td>R-1, R-1-217</td>
<td>R-1, C-3 (D)</td>
<td>Single Family Residences, Hotel, Commercial Businesses, Vacant Land (Including Proposed Shopping Centers), State Highway 190</td>
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<td>B</td>
<td>25.7 acres 41 parcels</td>
<td>Single Family Residences, Apartments, Vacant Land</td>
<td>R-1, R-1-217</td>
<td>R-2</td>
<td>Tule River, Single Family Residences, Apartments, High School, Scattered Vacant Lots</td>
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<tr>
<td>Annexation Number</td>
<td>Area</td>
<td>Size/Parcels</td>
<td>Land Use</td>
<td>Current Zoning (County)</td>
<td>Proposed Zoning (City)</td>
<td>Adjacent Land Uses</td>
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<td>456 Project 3 cont.</td>
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<td>89.8 acres 211 parcels</td>
<td>Single Family Residences, Rural Residential (including approx. 5 acres of citrus orchards), Apartments, Scattered Vacant Lots, Commercial Businesses, Radio Tower</td>
<td>R-1, R-1-217, R-2, P-1, C-2</td>
<td>R-1, R-2, OA</td>
<td>Tule River, State Highway 190, Olive Avenue, Single Family Residences, Commercial Businesses, Vacant Land, Electrical Substation,</td>
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<td>457 Project 4</td>
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<td>90.8 acres 119 parcels</td>
<td>Single Family Residences, Rural Residential (including small pastures), Mobile Home Park, Commercial Businesses, Equipments Storage, Church, Congregate Care Facility, Scattered Vacant Lots, Discussed Borrow Pit</td>
<td>R-A-217, R-1, R-1-217,</td>
<td>R-1</td>
<td>State Highway 190, State Highway 65, Single Family Residences, Vacant Land (Including Proposed Shopping Center and Proposed Annexation Project No. 460.)</td>
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<td>62.8 acres 193 parcels</td>
<td>Single Family Residences, Mini-Mart</td>
<td>R-1, R-2, C-1, A-1</td>
<td>R-1, R-2, C-1 (D)</td>
<td>Single Family Residences, Apartments, Mobilehome Park, Elementary School, Commercial Businesses, Drive-in Theater, Veterans Park, Wastewater Treatment Facility</td>
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<td>Single Family Residences, Apartments, Vacant Land (Including Proposed Subdivision), Drive-in Theater, Commercial Businesses, Veterans Park, Wastewater Treatment Facility</td>
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<td>88.7 acres 363 parcels</td>
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<td>1.2 acres</td>
<td>Commercial Business</td>
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<td>Mobilehome Park, Church, Olive Avenue, Westwood Street, Vacant Land (Including Developing Subdivision) Single Family Residences, County Fire Station, Commercial Businesses</td>
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<td>33 parcels</td>
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Zoning Classifications:

Tulare County

A-1 Agriculture
AE-20 Exclusive Agriculture - 20 Acre Minimum
R-A-217 Rural Residential - 5 Acre Minimum
R-1 Single Family Residential
R-1-217 Single Family Residential - 5 Acre Minimum
R-2 Two Family Residential
R-3 Multiple Family Residential
P-1 Automobile Parking
C-1 Neighborhood Commercial
C-1-SR Neighborhood Commercial - Site Plan Review
C-2 General Commercial
C-2-SC General Commercial - Scenic Corridor
M-1 Light Manufacturing
M-1-SC Light Manufacturing - Scenic Corridor
M-2 Heavy Manufacturing
M-2-SC Heavy Manufacturing - Scenic Corridor

City of Porterville

R-1 One Family Residential
R-2 Four Family Residential
R-3 Multiple Family Residential
C-1 (D) Neighborhood Commercial-Design Review Overlay
C-2 (D) Central Commercial-Design Review Overlay
C-3 (D) Heavy Commercial-Design Review Overlay
M-1 (D) Light Manufacturing-Design Review Overlay
OA (D) Open Area
456 B LAND USE
459 B LAND USE

Attachment No. 3-10
A public meeting for the Island Annexation project was held on February 3, 2005. At that meeting, preference survey cards were provided to the attendees to give them the opportunity to offer their comments regarding their desire to support or oppose the annexations.

The City received 38 written comments at that meeting. Those comments are summarized below:

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<td>More taxes, financing available</td>
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<td>Maintain current living style</td>
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<td>Comments:</td>
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<td>Happy with existing, limited income, too expensive, utility tax, no better services</td>
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<td>Comments:</td>
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<td>Not convinced of the need to annex, sewer cost too high</td>
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Attachment No. 4-1
INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION

PRE-ZONING AND ANNEXATION OF TWELVE
UNINCORPORATED “ISLANDS” IN SIX
ANNEXATION PROPOSALS

June 2005

Quad Knopf
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

for the

PRE-ZONING AND ANNEXATION OF TWELVE UNINCORPORATED “ISLANDS” IN SIX ANNEXATION PROPOSALS

June 2005

Lead Agency: City of Porterville
c/o Bradley Dunlap, AICP
Community Development Director
291 N. Main Street
Porterville, CA  93257

Consultant: Quad Knopf
P.O. Box 3699
Visalia, CA  93277

Contact Person: Julie Boyle
Phone: (559) 733-0440
Fax: (559) 733-7821
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CHAPTER ONE

PROJECT DESCRIPTION
CHAPTER ONE – PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared under the direction of the City of Porterville (City), the lead agency under the California Environmental Quality Act (CEQA), to analyze the potential effects of an annexation program consisting of six individual projects affecting twelve separate areas with a combined area of 684± acres and 1,677 parcels. The City has determined that although the project could have a significant effect on the environment, all potentially significant effects: a) have been analyzed adequately in General Plan EIR (General Plan Amendment 1-89 EIR SCH #89081408 and General Plan Amendment 1-93 EIR SCH #92122056), and b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. Therefore, a Mitigated Negative Declaration will be prepared. Any person may object to the determination to forego the preparation of an EIR or may respond to the findings contained in the Initial Study/Mitigated Negative Declaration. Further information relating to the proposed project is on file at Porterville City Hall. Any person wishing to examine or obtain a copy of any available information, or seeking information as to time and manner to so object or respond, may do so by inquiring at City Hall.

Location

The parcels included in the proposed annexation are located throughout the City of Porterville in Tulare County (Figure 1-1) as follows:

- Project No. 1 (Annexation #446): One annexation area located generally at the northeast corner of State Route 190 and Main Street.
- Project No. 2 (Annexation #455): Two annexation areas located south of North Grand Avenue and generally west of State Route 65 in the northerly portion of the community.
- Project No. 3 (Annexation #456): Three annexation areas located south of Olive Avenue and west of Jaye Street in the southerly portion of the community.
- Project No. 4 (Annexation #457): One annexation area generally located at the southeast corner of State Route 65 and State Route 190.
- Project No. 5 (Annexation #458): Two annexation areas generally located south of Morton Avenue and west of Prospect Street, in the westerly portion of the community.
- Project No. 6 (Annexation #457): Three annexation areas generally located west of Mathew Street and east of Westwood Street in the westerly portion of the community.
Project Objectives

The City of Porterville, the County of Tulare, the Tulare County Local Agency Formation Commission (LAFCO) and the State of California have all identified the presence of unincorporated islands within the boundaries of an incorporated city as a source of government inefficiency. Each has adopted regulations, policies or procedures to limit the formation of new unincorporated islands and/or to encourage the annexation of existing islands. To further this goal, the State of California has adopted Government Code Section 56375.3 which simplifies the island annexation process for projects affecting less than 150 acres. This provision expires on January 1, 2007. State law defines islands subject to the modified approval process as those areas which are "surrounded or substantially surrounded" by a City; which the Tulare County LAFCO has interpreted as any area which is 65 percent or more surrounded by a City boundary.

The primary objective of the project is to achieve greater efficiency in the delivery of a wide variety of services through the annexation of several unincorporated islands throughout the City of Porterville. Efficiencies are expected to be derived from a variety of sources including: reduced confusion among the public and various service agencies regarding municipal service boundaries; more rational service delivery areas and reductions in overlapping service; more complete use of infrastructure designed to accommodate the fully developed portions of the urban area; and, uniform application of development, land use, and related statutes, regulation and policies. Through increases in efficiency and elimination of redundancies, the project is expected to reduce the overall cost of providing governmental services to the affected areas. However, by shifting responsibility for fire and police protection, road maintenance, etc., the direct costs to the City of Porterville are likely to increase. Furthermore, the City provides a higher degree of government service to its residents. Such service enhancements include higher patrol frequency, better street maintenance, faster response times, provision of municipal sewer, water and storm drainage, and parks and recreational programs. A number of funding sources have been identified to support the annexed islands as follows:

1. The County of Tulare Board of Supervisors is considering a tax sharing agreement to shift a portion of the existing property tax revenues from developed parcels from the County to the City of Porterville. The City will collect the entire local portion of sales tax revenues and the majority of the property tax generated through increased property assessments (within the limits set by Prop. 13) property and sales tax rates will not be affected by the proposed action.

2. The City of Porterville’s Utility Users Tax will apply to electric, gas, cable TV, phone and water system customers within the affected islands.

3. As property develops and new utility connections are made, sewer, water, storm drainage, parks, traffic and school impact fees will apply. Utility connection fees will also be collected as new customers connect to the services. However, annexation does not require connection to municipal utilities.
4. Several State and Federal funding programs are based, in whole or in part, on the population of a city. Gas taxes, vehicle license fees and Community Development Block Grant (CDBG) awards will all be affected. In 1999, the U.S. Bureau of the Census estimated that every person counted in the 2000 census would generate an average of $1,000 per year in such programs.

**Project Description**

Table 1-1 summarizes the six proposed annexations. The projects will individually comply with the standards of Government Code Section 56375.3; that is, each one is substantially surrounded, is less than 150 acres in aggregate area, and is substantially developed or developing as follows:

Project No. 1 (Annexation #446) consists of a single unincorporated island (Area A) consisting of approximately 113 parcels. The subject site is 100% surrounded, 73.3± acres in size, and is more than 80% developed with scattered vacant parcels, and an undeveloped area south of the Tule River that is constrained by flooding concerns. The Land Use Element of the General Plan designates portions of the subject site for Medium Density Residential, High Density Residential, General Commercial and Industrial Land Uses. The subject site will be pre-zoned to R-2 (Four Family Residential), R-3 (Multiple Family Residential), C-2 (D) (Central Commercial-Design Review Overlay, and M-1 (D) (Light Manufacturing-Design Review Overlay) in conformance with the General Plan (Figures 1-2 and 1-3).

Project No. 2 (Annexation #455) consists of two unincorporated islands: Area A consisting of approximately 293 parcels and Area B consisting of four parcels. Area A is 89% surrounded, 141.0± acres in size, and is more than 90% developed, or developing, with a middle school under construction on 16± acres and approximately 14 acres of vacant or underdeveloped land northwest of the Westfield crossing of State Route 65. Area B is 84% surrounded, 4.2 acres in size and 100% developed with rural residential uses. The combined project area is 145.2 acres. The Land Use Element of the General Plan designates portions of the subject site for Low Density Residential, Medium Density Residential, and Public and Quasi-Public Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential) and OA (Open Area) in conformance with the General Plan (Figures 1-4 and 1-5).

Project No. 3 (Annexation #456) consists of three unincorporated islands: Area A consisting of 35 parcels, Area B consisting 41 parcels and Area C consisting of approximately 211 parcels. Area A is 100% surrounded, 11.1± acres in size and 100% developed. Area B is 100% surrounded, 25.7± acres in size and approximately 60% developed. The vacant portion of the site is adjacent to the Tule River and is constrained by flooding concerns. Area C is 100% surrounded, 89.8 acres in size and over 80% developed, with approximately 15 acres in rural residential uses with some pasturage and small scale citrus production and approximately five acres of vacant land adjacent to the Tule River. The combined project area is 126.6± acres. The Land Use Element of the
General Plan designates portions of the subject site for Low Density Residential, Medium Density Residential, Heavy Commercial, Recreation and Open Space Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential), C-3 (D) (Heavy Commercial-Design Review Overlay) and OA (Open Area), in conformance with the General Plan (Figures 1-6 and 1-7).

Project No. 4 (Annexation #457) consists of one unincorporated island (Area A) consisting of approximately 119 parcels. The subject site is 62.6% surrounded as a stand-alone project, but when considered with Annexation 460, a separate project under simultaneous processing, the project is 100% surrounded. Project No. 4 is 141.0± acres in size and is more than 90% developed with scattered vacant properties and an approximately seven acre disused borrow pit currently in pasturage. The Land Use Element of the General Plan designates the entire subject site for Low Density Residential Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential) in conformance with the General Plan (Figures 1-8 and 1-9).

Project No. 5 (Annexation #458) consists of two unincorporated islands: Area A consisting of approximately 193 parcels and Area B consisting of approximately 289 parcels. Area A is 100% surrounded, 62.8 acres in size and 100% developed. Area B is 100% surrounded, 86.2 acres in size and 100% developed. The combined project area is 149 acres. The Land Use Element of the General Plan designates the subject site for Low Density Residential, Medium Density Residential and Neighborhood Commercial Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential) and C-1 (D) (Neighborhood Commercial-Design Review Overlay), in conformance with the General Plan (Figures 1-10 and 1-11).

Project No. 6 (Annexation #459) consists of three unincorporated islands: Area A consisting of approximately 363 parcels, Area B consisting of one parcel and Area C consisting of 33 parcels. Area A is 100% surrounded, 88.7± acres in size, and over 90% developed with a vacant five acre parcel on the south side of Morton Avenue, west of Lombardi Street. Area B is 100% surrounded, 1.2± acres in size and 100% developed with a commercial use. Area C is 100% surrounded, 9.0± acres in size and 100% developed with residential uses. The combined project area is 98.9± acres. The Land Use Element of the General Plan designates the subject site for Low Density Residential, High Density Residential and Neighborhood Commercial Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-3 (Multiple Family Residential) and C-1 (D) (Neighborhood Commercial-Design Review Overlay), in conformance with the General Plan (Figures 1-12 and 1-13).

Nearly all of the parcels proposed to be annexed are currently developed. However, in some cases, the proposed zoning will accommodate development to a higher density than that which is currently permitted, or which has already occurred. Infill and redevelopment opportunities may therefore occur in proposed annexations in several locations throughout the community, as a result of the proposal. Infill development is an environmentally preferred alternative to development on the periphery of the City and is
supported by several policies in the General Plan. If all of the parcels to be annexed were to develop to the extent realized in similar zones in other parts of the community, as many as 450 additional dwelling units may be created. Such development would occur in accordance with the standards set by the General Plan, and the cumulative impacts of such development were considered in the Final EIR (SCH #89081408 and SCH#92122056) adopted for the General Plan with appropriate mitigation measures. The findings, modifications and mitigation measures of the Porterville General Plan EIR apply to the proposed project and are included within this document by reference.
### Table 1-1
Individual Annexation Project Descriptions

<table>
<thead>
<tr>
<th>Annexation Number</th>
<th>Area</th>
<th>Size/Parcels</th>
<th>Land Use</th>
<th>Current Zoning (County)</th>
<th>Proposed Zoning (City)</th>
<th>Adjacent Land Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>446 A</td>
<td>73.3 acres</td>
<td>113 parcels</td>
<td>Single Family Residences, Duplexes, Triplexes, Apartments, Mobilehome Park, Commercial Businesses, Scattered Vacant Lots, Tule River.</td>
<td>R-2, R-3, C-2, C-2-SC, M-1, M-1-SC, M-2, M-2-SC</td>
<td>R-2, R-3, C-2 (D), M-1 (D), OA</td>
<td>Tule River, Single Family Residences, Apartments, Mobilehome Parks, Industrial Uses, Hotel, Commercial Businesses, Plano Street, State Hwy 190, Vacant Lots, Main Street, Elementary School, Middle School, Community College</td>
</tr>
<tr>
<td>445 A</td>
<td>141.0 acres</td>
<td>293 parcels</td>
<td>Single Family Residences, Mobilehomes, Apartments, Rural Residential (including small animal pastures), Middle School Site (under construction), Church, Mini-Mart, Tulare County Equipment Yard, Scattered Vacant Lots.</td>
<td>AE-20, R-1, R-1-217, R-2, C-1-SR</td>
<td>R-1, R-2, OA</td>
<td>Single Family Residences, Rural Residential, Apartments, Scattered Vacant Lots, Churches, Commercial Businesses, Drainage Basin, Elementary School, High School, State Highway 65, North Grand Avenue.</td>
</tr>
<tr>
<td>B</td>
<td>4.2 acres</td>
<td>4 parcels</td>
<td>Single Family Residences</td>
<td>R-1-217</td>
<td>R-1</td>
<td>Single Family Residences, Church, Rural Residential, Scattered Vacant Lots, Radio Station</td>
</tr>
<tr>
<td>456 A</td>
<td>11.1 acres</td>
<td>35 parcels</td>
<td>Single Family Residences, Contractor's Storage Yard, Vacant Lot</td>
<td>R-1, R-1-217</td>
<td>R-1, C-3 (D)</td>
<td>Single Family Residences, Hotel, Commercial Businesses, Vacant Land (Including Proposed Shopping Centers), State Highway 190</td>
</tr>
<tr>
<td>B</td>
<td>25.7 acres</td>
<td>41 parcels</td>
<td>Single Family Residences, Apartments, Vacant Land</td>
<td>R-1, R-1-217</td>
<td>R-2</td>
<td>Tule River, Single Family Residences, Apartments, High School, Scattered Vacant Lots</td>
</tr>
<tr>
<td>Annexation Number</td>
<td>Area</td>
<td>Size/Parcels</td>
<td>Land Use</td>
<td>Current Zoning (County)</td>
<td>Proposed Zoning (City)</td>
<td>Adjacent Land Uses</td>
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</tr>
<tr>
<td>456</td>
<td>C</td>
<td>89.8 acres 211 parcels</td>
<td>Single Family Residences, Rural Residential (including approx. 5 acres of citrus orchards), Apartments, Scattered Vacant Lots, Commercial Businesses, Radio Tower</td>
<td>R-1, R-1-217, R-2, P-1, C-2</td>
<td>R-1, R-2, OA</td>
<td>Tule River, State Highway 190, Olive Avenue, Single Family Residences, Commercial Businesses, Vacant Land, Electrical Substation,</td>
</tr>
<tr>
<td>457</td>
<td>A</td>
<td>90.8 acres 119 parcels</td>
<td>Single Family Residences, Rural Residential (including small pastures), Mobile Home Park, Commercial Businesses, Equipments Storage, Church, Congregate Care Facility, Scattered Vacant Lots, Discussed Borrow Pit</td>
<td>R-A-217, R-1, R-1-217,</td>
<td>R-1</td>
<td>State Highway 190, State Highway 65, Single Family Residences, Vacant Land (Including Proposed Shopping Center and Proposed Annexation Project No. 460.)</td>
</tr>
<tr>
<td>458</td>
<td>A</td>
<td>62.8 acres 193 parcels</td>
<td>Single Family Residences, Mini-Mart</td>
<td>R-1, R-2, C-1, A-1</td>
<td>R-1, R-2, C-1 (D)</td>
<td>Single Family Residences, Apartments, Mobilehome Park, Elementary School, Commercial Businesses, Drive-in Theater, Veterans Park, Wastewater Treatment Facility</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>86.2 acres 289 parcels</td>
<td>Single Family Residences</td>
<td>R-1, R-1-217</td>
<td>R-1</td>
<td>Single Family Residences, Apartments, Vacant Land (Including Proposed Subdivision), Drive-in Theater, Commercial Businesses, Veterans Park, Wastewater Treatment Facility</td>
</tr>
<tr>
<td>459</td>
<td>A</td>
<td>88.7 acres 363 parcels</td>
<td>Single Family Residences, Scattered Vacant Lots, Mini-Mart</td>
<td>R-1, R-1-217, C-1</td>
<td>R-1, C-1 (D)</td>
<td>Single Family Residences, Mobilehome Park, Elementary School, School District Offices, Commercial Businesses, Vacant Land (Including Proposed Subdivision)</td>
</tr>
<tr>
<td>Annexation Number</td>
<td>Area</td>
<td>Size/Parcels</td>
<td>Land Use</td>
<td>Current Zoning (County)</td>
<td>Proposed Zoning (City)</td>
<td>Adjacent Land Uses</td>
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<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>459</td>
<td>B</td>
<td>1.2 acres</td>
<td>Commercial Business</td>
<td>C-2</td>
<td>R-3</td>
<td>Mobilehome Park, Church, Olive Avenue, Westwood Street, Vacant Land (Including Developing Subdivision) Single Family Residences, County Fire Station, Commercial Businesses</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 parcel</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>C</td>
<td>9.0 acres</td>
<td>Single Family Residences</td>
<td>R-1</td>
<td>R-1</td>
<td>Single Family Residences, Churches, Vacant Land (Including Two Proposed Churches)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>33 parcels</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Zoning Classifications:

Tulare County
A-1 Agriculture
AE-20 Exclusive Agriculture - 20 Acre Minimum
R-A-217 Rural Residential - 5 Acre Minimum
R-1 Single Family Residential
R-2 Single Family Residential - 5 Acre Minimum
R-3 Two Family Residential
R-3 Multiple Family Residential
P-1 Automobile Parking
C-1 Neighborhood Commercial
C-1-SR Neighborhood Commercial - Site Plan Review
C-2 General Commercial
C-2-SC General Commercial - Scenic Corridor
M-1 Light Manufacturing
M-1-SC Light Manufacturing - Scenic Corridor
M-2 Heavy Manufacturing
M-2-SC Heavy Manufacturing - Scenic Corridor

City of Porterville
R-1 One Family Residential
R-2 Four Family Residential
R-3 Multiple Family Residential
C-1 (D) Neighborhood Commercial-Design Review Overlay
C-2 (D) Central Commercial-Design Review Overlay
C-3 (D) Heavy Commercial-Design Review Overlay
M-1 (D) Light Manufacturing-Design Review Overlay
OA Open Area
ANNEXATION 446 (AREA A) – EXISTING ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”

June 2005

FIGURE 1-2
ANNEXATION 446 (AREA A) – PROPOSED ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”
ANNEXATION 455 (AREAS A AND B) – EXISTING ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”

June 2005
ANNEXATION 456 (AREA A) – EXISTING ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”
ANNEXATION 456 (AREA B) – EXISTING ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”
ANNEXATION 456 (AREA B) – PROPOSED ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”
ANNEXATION 456 (AREA C) – EXISTING ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”
ANNEXATION 456 (AREA C) – PROPOSED ZONING

City of Porterville

Initial Study and Mitigated Negative Declaration

Pre-Zoning and Annexation of Twelve Unincorporated “Islands”
ANNEXATION 457 (AREA A) – EXISTING ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”
ANNEXATION 457 (AREA A) – PROPOSED ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”

FIGURE 1-13
ANNEXATION 458 (AREA B) – EXISTING ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”

June 2005
I-24
ANNEXATION 458 (AREA B) – PROPOSED ZONING
City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”

ANNEXATION 459 (AREA A) – EXISTING ZONING

FIGURE 1-18

June 2005
ANNEXATION 459 (AREA A) – PROPOSED ZONING

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”

FIGURE 1-19
ANNEXATION 459 (AREA C) – PROPOSED ZONING
CHAPTER TWO

ENVIRONMENTAL SETTING AND REGULATIONS
CHAPTER TWO - ENVIRONMENTAL SETTING AND REGULATIONS

Topography of the Region

The project site is located within southern Tulare County in the southern San Joaquin Valley, at the western base of the Sierra Nevada Mountains. The topography of this portion of Tulare County is typical of the Southern San Joaquin Valley. According to the U.S.G.S. Porterville Quadrangle, Mount Diablo Base and Meridian, the project site is relatively flat with an average elevation between 400 and 450 feet above sea level.

Land Use

The majority of the parcels in each annexation area are developed with single family residential uses. The annexations also include several apartments, mobilehome parks and rural density residential uses. The rural density residential uses are associated with small animal pastures and modest agricultural uses. Several commercial businesses, equipment storage yards, churches, and scattered vacant lots will also be affected by the proposed projects. Surrounding parcels are developed to the full range of urban land uses, with single family residences predominating.

The subject sites are currently zoned to conform to the Tulare County General Plan, and nearly all land uses conform to their existing zoning. The proposed zoning for each parcel conforms to the City of Porterville General Plan. The proposed zoning is comparable to the existing zoning, although City zoning permits a minimum lot size of 6,000 square feet in several residential areas which are currently restricted to a minimum lot size of five acres (217,000 square feet). Tulare County regularly imposes the R-1-217 zoning in rural residential areas in anticipation of eventual annexation and rezoning to a less restrictive residential zone. Several parcels within Annexation No. 455 (Area A) are within the County AE-20 (Exclusive Agriculture - 20 Acre Minimum) Zone. These parcels are proposed to be placed into the City OA (Open Area) Zone. Tulare County operates an equipment storage yard on this site.

Land Use and Zoning information for each annexation area has been summarized in Table 1-1.

Regulatory Setting

In compliance with the California Environmental Quality Act, appropriate environmental regulations will be met. The following list provides reference to some of these regulations.

California Environmental Quality Act Statutes and Guidelines – PRC, Division 13, Sections 21000-21177 and 14 CCR, Division 6, Chapter 3, Sections 15000 – 15387.
Air Quality: 17 CCR § 90700, San Joaquin Valley Air Pollution Control District regulations.

Cultural Resources: PRC § 21083.2, 14, CCR § 4852

Land Use, Noise, Aesthetics: City of Porterville General Plan and City of Porterville Zoning Ordinance.
CHAPTER THREE

ENVIRONMENTAL IMPACTS
CHAPTER THREE – ENVIRONMENTAL IMPACTS

ENVIRONMENTAL CHECKLIST

1. Project title:
   Annexation and Re-zoning of Twelve Unincorporated “Islands” in Six
   Annexation proposals

2. Lead agency name and address:
   City of Porterville
   291 North Main Street
   Porterville, CA  93257

3. Contact person and phone number:
   Bradley Dunlap, AICP, Community Development Director
   (559) 782-7460

4. Project location:
   The project is located throughout of the City of Porterville, in Tulare
   County, California.

5. Project sponsor's name and address:
   City of Porterville
   291 North Main Street
   Porterville, CA  93257

6. County General Plan designation:
   Various, including Low, Medium and High Density Residential,
   Commercial and Industrial Users.

   City of Porterville General Plan designation outside urban area boundary:
   Various, including low, medium and high density residential, commercial
   and Industrial users.

7. County Zoning:
   Various to conform to the “Porterville Area Community Plan” Element of
   the Tulare County General Plan

   Proposed City of Porterville Zoning
   Various to conform to the Land Use Element of the Porterville General
   Plan.
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Project No. 1 (Annexation #446) consists of a single unincorporated island (Area A) consisting of approximately 113 parcels. The subject site is 100% surrounded, 73.3± acres in size, and is more than 80% developed with scattered vacant parcels, and an undeveloped area south of the Tule River that is constrained by flooding concerns. The Land Use Element of the General Plan designates portions of the subject site for Medium Density Residential, High Density Residential, General Commercial and Industrial Land Uses. The subject site will be pre-zoned to R-2 (Four Family Residential), R-3 (Multiple Family Residential), C-2 (D) (Central Commercial-Design Review Overlay, and M-1 (D) (Light Manufacturing-Design Review Overlay) in conformance with the General Plan (Figures 1-2 and 1-3).

Project No. 2 (Annexation #455) consists of two unincorporated islands: Area A consisting of approximately 293 parcels and Area B consisting of four parcels. Area A is 89% surrounded, 141.0± acres in size, and is more than 90% developed, or developing, with a middle school under construction on 16± acres and approximately 14 acres of vacant or underdeveloped land northwest of the Westfield crossing of State Route 65. Area B is 84% surrounded, 4.2 acres in size and 100% developed with rural residential uses. The combined project area is 145.2 acres. The Land Use Element of the General Plan designates portions of the subject site for Low Density Residential, Medium Density Residential, and Public and Quasi-Public Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential) and OA (Open Area) in conformance with the General Plan (Figures 1-4 and 1-5).

Project No. 3 (Annexation #456) consists of three unincorporated islands: Area A consisting of 35 parcels, Area B consisting 41 parcels and Area C consisting of approximately 211 parcels. Area A is 100% surrounded, 11.1± acres in size and 100% developed. Area B is 100% surrounded, 25.7± acres in size and approximately 60% developed. The vacant portion of the site is adjacent to the Tule River and is constrained by flooding concerns. Area C is 100% surrounded, 89.8 acres in size and over 80% developed, with approximately 15 acres in rural residential uses with some pasturage and small scale citrus production and approximately five acres of vacant land adjacent to the Tule River. The combined project area is 126.6± acres. The Land Use Element of the General Plan designates portions of the subject site for Low Density Residential, Medium Density Residential, Heavy Commercial, Recreation and Open Space Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential), C-3 (D) (Heavy Commercial-Design Review Overlay) and OA
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”, in conformance with the General Plan (Figures 1-6 and 1-7).

Project No. 4 (Annexation #457) consists of one unincorporated island (Area A) consisting of approximately 119 parcels. The subject site is 62.6% surrounded as a stand-alone project, but when considered with Annexation 460, a separate project under simultaneous processing, the project it is 100% surrounded. Project No. 4 is 141.0± acres in size and is more than 90% developed with scattered vacant properties an approximately seven acre disused borrow pit currently in pasture. The Land Use Element of the General Plan designates the entire subject site for Low Density Residential Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential) in conformance with the General Plan (Figures 1-8 and 1-9).

Project No. 5 (Annexation #458) consists of two unincorporated islands: Area A consisting of approximately 193 parcels and Area B consisting of approximately 289 parcels. Area A is 100% surrounded, 62.8 acres in size and 100% developed. Area B is 100% surrounded, 86.2 acres in size and 100% developed. The combined project area is 149 acres. The Land Use Element of the General Plan designates the subject site for Low Density Residential, Medium Density Residential and Neighborhood Commercial Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential) and C-1 (D) (Neighborhood Commercial-Design Review Overlay), in conformance with the General Plan (Figures 1-10 and 1-11).

Project No. 6 (Annexation #459) consists of three unincorporated islands: Area A consisting of approximately 363 parcels, Area B consisting of one parcel and Area C consisting of 33 parcels. Area A is 100% surrounded, 88.7± acres in size and over 90% developed with a vacant five acre parcel on the south side of Morton Avenue, west of Lombardi Street. Area B is 100% surrounded, 1.2± acres in size and 100% developed with a commercial use. Area C is 100% surrounded, 9.0± acres in size and 100% developed with residential uses. The combined project area is 98.9± acres. The Land Use Element of the General Plan designates the subject site for Low Density Residential, High Density Residential and Neighborhood Commercial Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-3 (Multiple Family Residential) and C-1 (D) (Neighborhood Commercial-Design Review Overlay), in conformance with the General Plan (Figures 1-12 and 1-13).

9. Surrounding land uses and setting: (Briefly describe the project's surroundings):

Surrounding parcels are primarily developed to the full range of urban land uses with single family residential predominating.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
   Tulare County LAFCo

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics  ☐ Agriculture Resources  ☒ Air Quality
☐ Biological Resources  ☐ Cultural Resources  ☐ Geology / Soils
☐ Hazards & Hazardous Materials  ☐ Hydrology / Water Quality  ☐ Land Use / Planning
☐ Mineral Resources  ☐ Noise  ☒ Population / Housing
☐ Public Services  ☐ Recreation  ☒ Transportation / Traffic
☐ Utilities / Service Systems  ☐ Mandatory Findings of Significance
DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.  

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.  

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has 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. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.  

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) 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, nothing further is required.

Signature

Date

Signature

Date

City of Porterville
Initial Study and Mitigated Negative Declaration
Pre-Zoning and Annexation of Twelve Unincorporated "Islands"

June 2005
3 - 5
I. AESTHETICS – Would the project:

a) Have a substantial adverse effect on a scenic vista?

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Response a), b), c), d): The project will not directly change the existing land use of the subject sites. No scenic vistas will be affected as a result of the project’s implementation. The proposed project may facilitate additional infill development; however, no such sites are located in designated scenic areas. All development will be required to comply with City of Porterville Zoning Ordinance regulations which prohibit the installation of lighting which creates glare on neighborhood properties.
II. AGRICULTURE RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Response a), b), c): None of the affected area is under commercially viable agricultural production. With very few exceptions, the approximately 1,695 affected parcels are completely developed with urban land uses including residences, commercial and industrial businesses, schools, etc. There are no Williamson Act agricultural preserve contracts affected by the proposed projects. While the project is expected to facilitate continued infill development of under-utilized parcels, no currently active rural residential agricultural use will be prohibited as a result of the proposed annexation and pre-zoning.

Five affected parcels are currently zoned for agricultural uses by the County of Tulare as follows:

In Annexation No. 455, Area A, four parcels located at the southwest corner of North Grand Avenue and Prospect Street are within the AE-20 (Exclusive Agriculture - 20 Acre Minimum) Zone. The combined area of the four parcels is 9.2 ± acres. The site is utilized by the County of Tulare as an equipment storage yard. No active agricultural operations have occurred on the site for many years. All of the surrounding parcels are zoned for urban uses. The proposed pre-zoning of the subject site is OA (Open Area).
In Annexation #458, Area A, one parcel located on the south side of Tomah Avenue, between Lotas Street and Beverly Street is within the A-1 Agricultural Zone. The subject site currently developed with apartments. The site is not large enough to sustain an economically viable agricultural operation. All of the surrounding parcels are zoned and developed to urban uses.

Several affected parcels are developed with rural residential uses, some of which include incidental agricultural activities such as the keeping of small numbers of farm animals (chickens, goats, horses, etc.). The most intense such use identified is a citrus orchard of approximately five acres in size, located within Annexation No. 457, south of Roby Avenue, between Cloverleaf Street and Indiana Street. Five acres is not a commercially viable size for commercial citrus production.

As the affected sites and surrounding areas are completely or substantially developed with urban uses, and no Williamson Act contracts or currently producing prime agricultural lands are affected, the project will have a less than significant effect on agricultural resources.
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
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<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
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<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
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<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
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<td>e) Create objectionable odors affecting a substantial number of people?</td>
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Response a), b), c), d), e): The project will not directly lead to additional new development within the subject sites or the creation of new air pollution emissions, odor producing uses, or sensitive receptors. As noted, in the project description, the proposed pre-zoning may accommodate additional development of up to 450 dwelling units as provided by the City of Porterville General Plan. The potential cumulative impacts to air quality of such development were considered in the Final EIR adopted with the General Plan and appropriate mitigation measures and modifications were adopted with that document (see SCH #89081408, page 36, and SCH #92122056, page IV-3).

Infill development projects, such as those which may follow annexation of the subject site are highly sensitive to their specific lot configuration and surroundings. Consideration of any particular development scenario is overly speculative with this document. As discretionary review of proposals occurs, air quality analyses will be carried out for each project as necessary.
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### IV. BIOLOGICAL RESOURCES –
Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
Response a), b), c), d), e), f): The Project will not directly lead to additional development with the subject sites or the alteration of habitat or wildlife corridors. The subject parcels are developed and are surrounded by urban development. Portions of the Tule River are included in Annexation #446 and #456 which provides a diverse riparian habitat. The portion of Annexation #446 that is within the floodway of the Tule River will be pre-zoned to OA (Open Area) which significantly restricts potential development.

Infill development projects, such as those which may follow annexation of the subject site are highly sensitive to their specific lot configuration and surroundings and the specific habitat values of the Tule River corridor vary along its course. Therefore, consideration of any particular development scenario is overly speculative with this document. As discretionary review of proposals occurs, biological analysis will be carried out for each project as necessary, in compliance with the California Environmental Quality Act, Section 404 of the federal Clean Water Act, Section 1601 of the California Fish and Game Code and other statutes and regulations that apply to various locations along the Tule River.
### Issues

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V. CULTURAL RESOURCES – Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?  
   ![ ]  ![ ]  ![ ]  ![ ]  

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?  
   ![ ]  ![ ]  ![ ]  ![ ]  

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  
   ![ ]  ![ ]  ![ ]  ![ ]  

d) Disturb any human remains, including those interred outside of formal cemeteries?  
   ![ ]  ![ ]  ![ ]  ![ ]  

Response a), b), c), d): No archeologically or historically sensitive sites are known to occur within the Project Area. The proposed annexations and pre-zoning will not directly lead to additional new development within the subject sites. As per the CEQA Guidelines, if, in the course of construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within 50 feet of the find area shall cease. A qualified archaeologist shall then be contacted and advise the City of the site’s significance. If the findings are deemed significant by the City’s Environmental Review Officer, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the project.
VI. GEOLOGY AND SOILS – Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2001), creating substantial risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

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Response a)ii), iii), iv): The proposed project sites are located in a relatively seismically quiet area of California. No faults are known to exist within the project area. Any infill development or redevelopment will be required to comply with current construction codes. Thus, the project will not expose people or structures to the adverse effects of earthquakes, seismic ground shaking, or seismic ground failure.

Response a)ii): The topography of the project site(s) is relatively flat and not subject to landslides.

Response b): The proposed project will not directly lead to development or other activity which may affect current drainage patterns or increase erosion. Municipal grading regulations and Federal NPDES requirements will apply to any infill development or redevelopment which may occur on the subject sites; such regulations are sufficient to reduce the risk of substantial erosion to less than significant levels.

Response c): Soil in the proposed project site is generally well drained and underlain with hardpan. Landslides, lateral spreading, subsidence, liquefaction, and expansion will not occur with this type of soil.

Response d): The Soil Survey of Tulare County completed by the U.S. Department of Agriculture shows that most soils in the project area are appropriate for the existing and proposed degree of development.

Response e): The Municipal Code requires new development within the City of Porterville to connect to the municipal sewer system.
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<td>VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</td>
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<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
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<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
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<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
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<td>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
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<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
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<td>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
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<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
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h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

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Response a), b), c), d): The proposed project will not involve use of hazardous materials.

Response e): Portions of Annexation #457 are located within the H (Horizontal) Zone of the Porterville Municipal Airport Market Plan. Portions of Annexation #456, #457, #458 and #459 are within the C (Conical) Zone of the Porterville Municipal Airport Market Plan. Both the H Zone and the C Zone generally restrict development greater than 150 feet above the elevation of the runway. No such development is anticipated or permitted as a result of this project.

Response f): The proposed project site is not in the vicinity of a private airstrip.

Response g): The proposed project will not change the current land use of the site(s), and has no features that will interfere with emergency response plans. Infill development and redevelopment will be required to comply with the standards of the Zoning Ordinance, Municipal Code and adopted plans and specifications which together provide adequate assurance of access for emergency vehicles.

Response h): The proposed project sites are surrounded by developed urban land uses. Therefore, the project will not result in risk of loss, injury, or death involving wildland fires.
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<td>VIII. HYDROLOGY AND WATER QUALITY – Would the project:</td>
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<td>a) Violate any water quality standards or waste discharge requirements?</td>
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<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
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<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
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<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
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<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
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<td>f) Otherwise substantially degrade water quality?</td>
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<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate</td>
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Map or other flood hazard delineation map?

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

j) Inundation by seiche, tsunami, or mudflow?

Response a) b) c) d) e) f): The project will not directly lead to additional new development within the subject sites. As noted in the project description, the proposed pre-zoning may accommodate development of up to 450 additional dwelling units as designated by the City of Porterville General Plan. The sites are within the boundaries of the City of Porterville's Water Master Plan and Storm Drain Master Plan. Development of the site(s) to the full density designated by the General Plan was anticipated in the Master Plans, and such development would require new improvements. Water delivery and storm drain infrastructure system improvements necessary to accommodate such development have been identified and necessary capital improvement plans and funding mechanisms have been adopted.

Response g) h) i): Portions of Annexation Nos. 446, 456, 457, 458 and 459 are identified on the FEMA F.I.R.M. maps as being within Flood Zone A, the 100 year flood.

The three parcels of Annexation No. 446 that are within Flood Zone A include and are adjacent to the Tule River. The floodway of the Tule River is protected from development by Municipal Ordinance and State Law. In addition, the floodway of the Tule River will be placed within the OA (Open Area Zone), which limits uses of the land to recreational and open space activities. Any development on the affected parcels will be required to comply with the City of Porterville Flood Damage Prevention Ordinance, which requires that structures be elevated above the base flood or otherwise protected from potential flooding hazards. All or a portion of 48 parcels within Annexation No. 446 are within FEMA Flood Zone B, the 500 year flood. No development restrictions are required in that zone.

The portions of Annexation No. 456 that are within Flood Zone A include and are adjacent to the Tule River. The floodway of the Tule River is protected from development by Municipal Ordinance and State Law. While this area is not proposed to be placed into the OA Zone, any development on the affected parcels will be required to comply with the City of Porterville Flood Damage Prevention Ordinance. All or a portion of twenty-four parcels within Annexation No. 456 are within FEMA Flood Zone B, the 500 year flood. No development restrictions are required in that zone.

A portion of parcel in Annexation No. 457 is within FEMA Flood Zone A, adjacent to the Poplar Ditch.
No alteration to the flood carrying capacity of Poplar Ditch is proposed, and such activity is restricted by State Law. Any development on the subject site will be required to comply with the City of Porterville Flood Damage Prevention Ordinance.

The portions of Annexation No. 458 and six parcels in Annexation No. 459 that are within FEMA Flood Zone A, are within the channel of the Porter Slough. No alteration to the flood carrying capacity of the Porter Slough is proposed or permitted, and no development is proposed within the channel of the slough. Ninety-four parcels within Annexation No. 459 are within FEMA Flood Zone B, the 500 year flood. No development restrictions are required in that zone.

Response j): The topography of the City of Porterville and the subject sites precludes such occurrences.
IX. LAND USE AND PLANNING – Would the project:

a) Physically divide an established community?
   \[ \square \square \square \square \square \]  

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
   \[ \square \square \square \square \square \]  

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?
   \[ \square \square \square \square \square \]  

Response a): The project sites are completely or substantially developed and are fully integrated into their surrounding urban neighborhoods.

Response b): All proposed pre-zoning is in conformance with the adopted City of Porterville General Plan.

Response c): No habitat conservation plan or natural community conservation plan has been adopted for the subject site.
X. MINERAL RESOURCES – Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Response a): There are no mineral resources or mineral resource recovery sites in the project areas.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Response b): There are no mineral resources or mineral resource recovery sites in the project areas.
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**XI. NOISE** – Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

*Response a), b), c), d): The subject sites are generally developed, and integrated into their urbanized neighborhoods. Two potential noise sources affect some of the parcels to be annexed. State Hwy. 190 runs along the southerly boundary of Annexation 446 between Main Street and Plano Street. Little additional development is anticipated in this area since the existing County R-3 (Multiple Family Residential) Zone permits development densities greater than that allowed by the proposed City R-2 (Four Family Residential) Zone. State Highway 65 runs along the westerly boundary of Annexation No. 456 (Area C). The highway is elevated through this area which offers a modest reduction in anticipated noise impact, however, a noise study should be performed and site specific mitigation measures identified for any proposed discretionary development along the west side of Cloverleaf Road, as required by the Noise Element of the General Plan.*

City of Porterville  
Initial Study and Mitigated Negative Declaration  
Pre-Zoning and Annexation of Twelve Unincorporated “Islands”  
June 2005
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Response e): Portions of the Project Site are within the H and C zones of the Porterville Municipal Airport. Such areas are not significantly noise impacted and no development restriction for residential or retail commercial uses apply.

Response f): The proposed project site is not in the vicinity of a private airstrip.
XII. POPULATION AND HOUSING – Would the project:

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<tr>
<td>c)</td>
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Response a): The project may lead to additional new development within the subject sites which could encourage population growth of up to 1,300 persons. As noted in the project description, the proposed pre-zoning may accommodate additional development and redevelopment to the densities designated by the City of Porterville General Plan. The potential cumulative impact to population was considered in the Final EIR adopted with the General Plan; and appropriate mitigation measures and modifications were adopted with that document (see SCH #89081408 page 51).

Response b), c): No substantial displacement of existing housing or people, which would necessitate the construction of replacement housing, will occur.
XIII. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

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<td>Fire protection?</td>
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<td>Police protection?</td>
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<td>Other public facilities?</td>
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Response a): Annexation of the subject sites will transfer responsibility for providing basic governmental services from the County of Tulare to the City of Porterville. The City already provides many services, either indirectly or as part of their reciprocal aid agreements with the County. The demand for services will change slowly, as the affected areas redevelop. The County of Tulare Board of Supervisors is considering a tax sharing agreement to shift a portion of the existing property tax revenues from developed parcels from the County to the City of Porterville. In addition, the City of Porterville imposes a Utility Users Tax to fund basic City services. That fee will apply to affected properties upon the effective date of the annexation. All Utility Master Plans for the City of Porterville include the areas proposed for annexation and assume eventual buildout as described in the General Plan. Adequate infrastructure to provide sewer, water, storm drainage, and streets services to the subject sites have been accounted for in the Master Plans and funding mechanisms have been implemented.
XIV. RECREATION – Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Response a): The areas proposed for annexation are completely or substantially developed. Residents of the project areas make use of existing municipal recreational and parks facilities. The Parks and Recreation Element of the General Plan includes parks facilities sufficient to account for the development of the City to full anticipated population throughout the planning period. As development occurs, funding mechanisms have been identified to allow recreational programming to keep pace with population growth.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Response b): No existing recreational facilities are proposed to be annexed. A portion of the Tule River parkway is expected to be constructed along the Tule River through Annexation #446.
### XV. TRANSPORTATION/TRAFFIC –
Would the project:

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<tr>
<td>a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</td>
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<td>b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</td>
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<td>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
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<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
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<td>e) Result in inadequate emergency access?</td>
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<td>f) Result in inadequate parking capacity?</td>
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<td>g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?</td>
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Response a) b) c) d) e) f) g): The project will not directly lead to additional new development within the subject sites which could impact the existing street system. As noted in the project description, the proposed pre-zoning may accommodate development of up to 450 additional dwelling units as designated by the City of Porterville General Plan. The Circulation Element of the General Plan is designed to accommodate full development of the affected parcels to the densities described in the General Plan, and funding mechanisms have been implemented to ensure that street construction and widening can occur as development places additional traffic onto the street network. The parcels are scattered throughout the community and will not directly impact specific street segments and intersections. The potential cumulative impact to traffic and transportation was considered in the Final EIR adopted with the General Plan and appropriate mitigation measures and modifications were adopted with that document (see SCH #89081408, page 78 and SCH #92122056, page 4-1).
### XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:

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<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
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<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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<td>e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</td>
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<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?</td>
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<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
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Response a) b) c) e) The subject sites are included within the City of Porterville Sewer, Water and Storm Drain Master Plans. In 1994, the capacity of the City of Porterville Wastewater Treatment Plant was increased 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 approximately 60,000 people.
71,000 people. As infill development and redevelopment occur throughout the annexation areas, the sewer, water and storm drainage systems will be extended as necessary to accommodate new construction. Funding mechanisms have been identified in the Master Plans to ensure that system development keeps pace with population growth.

Response d) The City of Porterville provides water through groundwater pumping, recharged through annual precipitation and recharge programs operated by local irrigation companies. Per the Master Plan, new wells are developed as demand for water increases.

Response f) g) All areas proposed for annexation are currently receiving solid waste services from a private company through a contract with the County of Tulare. Responsibility for providing that service will transition to the City of Porterville over a five year period following annexation. Both the private and public solid waste services make use of the Teapot Dome Landfill operated by the County of Tulare. Adequate capacity exists in that landfill for additional development.
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**XVII. MANDATORY FINDINGS OF SIGNIFICANCE** –

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?

b) 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 past projects, the effects of other current projects, and the effects of probable future projects)?

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

Response a): The preceding analyses confirm that the project will have a less than significant impact on the natural environment including the habitat of fish and wildlife species. The riparian zone along the Tule River is adequately protected by the proposed zoning and other conservation initiatives.

Response b): Although no development will occur as a direct result of the project, City zoning permits infill development and redevelopment to a higher density than is currently permitted. A total of 500 additional dwelling units could be constructed. This may contribute to cumulative air quality and traffic impacts. Such impacts were identified in the Porterville General Plan EIR and adequate mitigation measures have been adopted.

Response c): No such impacts have been identified in the preceding environmental analysis.
BIBLIOGRAPHY

Carollo Engineers.  *City of Porterville Sewer System Master Plan*.  February 2001

Carollo Engineers.  *City of Porterville Water System Master Plan*.  February 2001

Grunwald & Associates City & Environmental Planning Consultants.  *General Plan Amendment (GPA) 1 - 93*.  August 1993


Tulare County Planning and Development Department.  *Tulare County Zoning Ordinance*.  1992


CEQA Comments and Responses

Introduction

On June 24, 2005, the City of Porterville distributed a Notice of Intent to Adopt a Negative Declaration to Interested and Responsible Agencies and to all property owners within 300 feet of the project areas. The 20-day period for review of the NOI started on June 25, 2005 and ended on July 18, 2005.

With the close of the public review period on July 18, 2005, the City prepared responses to the written comments. These comments and the responses thereto are contained in this report. All comments received, and the responses to those comments, will be presented to the legislative body responsible for considering the adoption of the Negative Declaration. Responses to comments are directed towards the disposition of significant environmental issues that are raised in the comments. Responses are not provided to comments on the non-environmental merits of the proposed project. For comments not directed to significant environmental issues, the responses indicate that the comment has been noted and that no detailed response is provided.

List of Commentors

The following agencies, organizations and individuals provided written comments on the Notice of Intent and Initial Study:

Hector R. Guerra, Senior Air Quality Planner
San Joaquin Valley Air Pollution Control District
1990 E. Gettysburg Avenue
Fresno, California  93726-0249

Written Comment Letters:

Letters Received during the 20-day comment period are reproduced on the following pages:
July 15, 2005

Bradley Dunlap
Community Development Director
291 N. Main Street
Porterville, CA 93257

Subject: Negative Declaration Pre-Zoning and Annexation of Twelve Unincorporated "Islands" in Six Annexation Proposals (Project)

Dear Mr. Dunlap,

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and offers the following comments. The entire San Joaquin Valley Air Basin is designated non-attainment for ozone and particulate matter (PM10 and PM2.5). Preliminary analysis conducted by District staff indicates that this project alone would not generate significant air emissions.

We agree with the statement in the environmental checklist at §III. Air Quality, page 3-9, that the project itself will not result in new air pollution emissions. We also agree that as specific infill development projects occur, air quality analyses will be carried out for each project as necessary.

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 230-5800 or Mr. Hector R. Guerra, Senior Air Quality Planner, at 230-5820 and provide the reference number at the top of this letter.

Sincerely,

[Signature]
Hector R. Guerra
Senior Air Quality Planner
Central Region

Reference No. C20050629
Responses to Written Comments

This section restates each of the written comments received on the Notice of Intent and Initial Study during the 20-day comment period. Following each comment is a response intended to either supplement, clarify or amend information provided in the NOI and Initial Study, or refer the commentor to the appropriate place in the Initial Study where the requested information is found.

San Joaquin Valley Air Pollution District
July 15, 2005

Comment 1: We agree with the statement in the environmental checklist at Section III, Air Quality, Page 3 – 9 that the project itself will not result in new air pollution emissions. We also agree that as specific infill development projects occur, air quality analyses will be carried out for each project as necessary.

Response: No response necessary.
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 A PROGRAM OF SIX ANNEXATIONS AND ASSOCIATED PRE-ZONING AFFECTING 684 ± ACRES AND 1,677 PARCELS LOCATED THROUGHOUT THE CITY OF PORTERVILLE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of August 2, 2005, conducted a public hearing to consider a program of six annexation projects affecting twelve separate areas.

WHEREAS: Annexation #446 and Zone Change 04-2005 consists of a single unincorporated island of 73.3± acres and approximately 113 parcels. The Land Use Element of the General Plan designates portions of the subject site for Medium Density Residential, High Density Residential, General Commercial and Industrial Land Uses. The subject site will be pre-zoned to R-2 (Four Family Residential), R-3 (Multiple Family Residential), C-2 (D) (General Commercial-Design Review Overlay) and M-1 (D) (Light Manufacturing-Design Review Overlay), in conformance with the General Plan.

WHEREAS: Annexation #455 and Zone Change 05-2005 consists of two unincorporated islands consisting of 4.2± acres and four (4) parcels and 141.0± acres and approximately 293 parcels respectively. The Land Use Element of the General Plan designates portions of the subject site for Low Density Residential, Medium Density Residential, and Public and Quasi-Public Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential) and OA (Open Area) in conformance with the General Plan.

WHEREAS: Annexation #456 and Zone Change 06-2005 consists of three unincorporated islands consisting of: 11.1± acres and approximately 41 parcels; 25.7± acres and approximately 41 parcels; and 89.8± acres and 211 parcels respectively. The Land Use Element of the General Plan designates portions of the subject site for Low Density Residential, Medium Density Residential, Heavy Commercial, Recreation and Open Space, Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential), R-2 (Four Family Residential), C-3 (D) (Heavy Commercial-Design Review Overlay) and OA (Open Area), in conformance with the General Plan.

WHEREAS: Annexation #457 and Zone Change 07-2005 consists of one unincorporated island consisting of 90.8± acres and approximately 119 parcels. The Land Use Element of the General Plan designates the entire subject site for Low Density Residential Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential) in conformance with the General Plan.

WHEREAS: Annexation #458 and Zone Change 08-2005 consists of two unincorporated islands consisting of 62.8± acres and approximately 193 parcels and 86.2± acres and approximately 289 parcels respectively. The Land Use Element of the General Plan designates the subject site for Low Density Residential, Medium Density Residential and Neighborhood Commercial Land Uses. The subject site will be pre-zoned to R-1 (One

Attachment No. 7-1
Family Residential), R-2 (Four Family Residential) and C-1 (D) (Neighborhood Commercial-Design Review Overlay), in conformance with the General Plan.

WHEREAS: Annexation #459 and Zone Change 09-2005 consists of three unincorporated islands consisting of: 88.7± acres and approximately 363 parcels, respectively; 1.2± acres and one (1) parcel; and 9.0± acres and approximately 33 parcels. The Land Use Element of the General Plan designates the subject site for Low Density Residential and High Density Residential Land Uses. The subject site will be pre-zoned to R-1 (One Family Residential) and R-3 (D) (Multiple Family Residential-Design Review Overlay), in conformance with the General Plan.

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 although the project could have a significant effect on the environment, all potentially significant effects a) have been analyzed adequately in an earlier EIR of Negative Declaration and b) 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.

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. As of this date, the San Joaquin Valley Air Pollution Control District is the only agency that commented on the proposal.

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

6. 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.

7. That the environmental assessment and analysis prepared for this project supporting the Negative Declaration reflects the independent judgment of the City of Porterville.
NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Negative Declaration prepared for a program of six annexations and associated pre-zonings located throughout the City of Porterville.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By ________________________________
    Georgia Hawley, Deputy
ORDINANCE NO. _______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE 04-2005 (PRE-ZONING) CONSISTING OF 73.3±
ACRES AND CONTAINING APPROXIMATELY 113 PARCELS LOCATED
GENERALLY AT THE NORTHEAST CORNER OF STATE ROUTE 190 AND MAIN
STREET

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of August 2, 2005, conducted a public hearing to consider Zone Change 04-2005
(Pre-Zoning), being a change from County R-2, R-3, C-2, C-2-SC, M-1, M-1-SC, M-2,
M-2-SC Zone to City R-2, R-3 (D), C-2 (D), and M-1 (D) for the area located at the
northeast corner of State Route 190 and Main Street; and

WHEREAS: In conjunction with Zone Change 04-2005, Annexation 446,
proposes to annex a single unincorporated island located generally at the northeast corner
of State Route 190 and Main Street; 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 the proposed
pre-zoning from County R-2, R-3, C-2, C-2-SC, M-1, M-1-SC, M-2, M-2-SC Zone to
R-2, R-3 (D), C-2 (D), and M-1 (D) zoning for the area located at the northeast corner of
State Route 190 and Main Street; and

WHEREAS: The City Council made the following findings in support of the
approval of Zone Change 04-2005.

1. That the proposed zoning will conform with the land use designation of the
   General Plan; and

2. That a Negative Declaration was approved for this project in accordance with
   the California Environmental Quality Act based on findings of the
   environmental studies indicating that the Project will not have a negative
   impact on the environment; and

3. That the Negative Declaration prepared for this project was made available for
   public review and comment; and

4. That this zoning designation will allow for the logical establishment of future
   Medium Density Residential, High Density Residential, General Commercial
   and Industrial uses as supported by the City of Porterville General Plan Land
   Use Element for the 73.3± acre site; and

Attachment 8-1
5. That this zoning designation 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 04-2005, is hereby pre-zoned from County R-2, R-3, C-2, C-2-SC, M-1, M-1-SC, M-2, M-2-SC Zone to City R-2, R-3, C-2, and M-1 for the area located generally at the northeast corner of State Route 190 and Main Street (73.3±) more particularly shown on the attached map, incorporated herein by this reference as “Exhibit A”.

Section 2: It is further ordained that upon consummation of Annexation No. 446, 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 rezoned from County R-2, R-3, C-2, C-2-SC, M-1, M-1-SC, M-2, M-2-SC Zone to City R-2, R-3, C-2, and M-1 for the area located generally at the northeast corner of State Route 190 and Main Street.

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage and upon consummation of Annexation No. 446.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By ________________________________
Georgia Hawley, Deputy
ZONE CHANGE 04-2005 AND ANNEXATION 446 (AREA A) – EXISTING ZONING

Attachment 8-3
RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA MAKING APPLICATION FOR CHANGE OF ORGANIZATION OF TERRITORY KNOWN AS ANNEXATION NO. 446

WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:

   A. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.

   B. The nature of the proposal is a change of organization as follows:

       A description of the exterior boundaries of the territory to be annexed is attached hereto and marked Exhibit “A” and made a part hereof by reference as though set forth herein.

Attachment No. 9-1
C. The reasons for this proposal are as follows:

To provide municipal services including sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in accordance with the City of Porterville General Plan, LAFCo’s Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In accordance with the City Council Resolution No. 6956, adopted on April 3, 1973, and as subsequently modified, the Environmental Coordinator of the City of Porterville on June 27, 2005, accepted and found to be adequate under the provisions of the California Environmental Quality Act of 1970, as amended, an environmental assessment finding that said annexation will not have a significant effect on the environment, and the City Council of the City of Porterville, does hereby approve a Negative Declaration for the project in accordance with the California Environmental Quality Act.

E. That the environmental assessment and analysis prepared for Annexation No. 446 and Zone Change No. 04-2005 (pre-zoning) supporting the Negative Declaration reflects the independent judgment of the City of Porterville.

F. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act based on findings of the environmental studies indicating that the project will not have a negative impact on the environment.

G. That the Negative Declaration prepared for this project was made available for public review and comment.

H. The subject site is not located within an Agricultural Preserve.

I. The subject area is completely surrounded or substantially surrounded by the City of Porterville and is less than 150 acres in aggregate area. Therefore, the City of Porterville hereby requests process per the provisions of Government Code Section 56375.3.

J. As the proposed annexation consists of an unincorporated island, per Government Code Section 56375.3, consents to annex are not necessary for this project.

K. That the subject site consists of 73.3± acres.

L. The subject site is not being utilized for agricultural purposes.

Attachment No. 9-2
M. The subject site is located within Porterville’s Urban Development Boundary and LAFCO’s Sphere of Influence Boundary.

N. Porterville’s General Plan designates the site for Medium Density Residential, High Density Residential, General Commercial and Industrial uses.

O. In conjunction with the proposed annexation, Zone Change No. 04-2005 (pre-zoning) proposes to change the existing zoning from County R-2, R-3, C-2, C-2-SC, M-1, M-1-SC, M-2, M-2-SC Zone to City R-2, R-3 (D), C-2 (D), and M-1 (D) for the area located generally at the northeast corner of State Route 190 and Main Street (73.3±).

P. 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.

Q. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By_________________________________
Georgia Hawley, Deputy
EXHIBIT “A”

City Of Porterville
Annexation 446
Description for Annexation
(Island Annexation)

THAT PORTION OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN AND THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

Beginning at an angle point in the existing City Limit Line and north right-of-way line of State Highway 190 located N. 89° 55’ 04” W. a distance of 38.33 feet and S. 5° 22’ 39” W. a distance of 7.59 feet from the South Quarter Corner of Section 36;

Thence, westerly along the existing City Limit Line and north right-of-way line of State Highway 190 and a distance of 1902.34 feet, more or less, to an angle point in the existing City Limit Line and the southerly prolongation of the east line of Lot 15 of Price Garden Acres, recorded in Volume 17 of Maps, Page 20, County of Tulare, State of California;

Thence, northerly along the existing City Limit Line, said southerly prolongation and the east line of Lot 15 a distance of 281.98 feet to the south right-of-way line of Mountain View Avenue;

Thence, westerly along the existing City Limit Line and south right-of-way line of Mountain View Avenue a distance of 151.64 feet, more of less, to an angle point in the existing City Limit Line and the northwest corner of Lot 15;

Thence, southerly along the existing City Limit Line and west line of Lot 15 a distance of 129.97 feet, more or less, to an angle point in the existing City Limit Line and the north right-of-way line of State Highway 190;

Thence, westerly along the existing City Limit Line and north right-of-way line of State Highway 190 a distance of 405.52 feet, more or less, to an angle point in the existing City Limit Line and east right-of-way line of South Main Street;

Thence, northerly along the existing City Limit Line and east right-of-way line of South Main Street a distance of 808.60 feet, more or less, to an angle point in the existing City Limit Line;

Attachment No. 9-4
Thence, continuing along the existing City Limit Line easterly a distance of 152.5 feet and southerly a distance of 311.05 feet to an angle point in the existing City Limit Line and the north right-of-way line of Vandalia Avenue;

Thence, easterly along the existing City Limit Line and north right-of-way of Vandalia Avenue a distance of 149.7 feet to an angle point in the existing City Limit Line;

Thence, northerly along the existing City Limit Line a distance of 177 feet, easterly a distance of 98 feet and southerly a distance of 177 feet to an angle point in the existing City Limit Line and the north right-of-way line of Vandalia Avenue;

Thence, easterly along the existing City Limit Line and north right-of-way line of Vandalia Avenue a distance of 352 feet to an angle point in the existing City Limit Line;

Thence, northerly a distance of 300 feet to an angle point in the existing City Limit Line;

Thence, easterly along the existing City Limit Line a distance of 100 feet to an angle point in the Existing City Line;

Thence, northerly along the existing City Limit Line a distance of 401.10 feet to an angle point in the existing City Limit Line located 400 feet westerly of the Northeast Corner of the Southwest Quarter of the Southwest Quarter of Section 36;

Thence, westerly along the existing City Limit Line and the north line of the Southwest Quarter of the Southwest Quarter of Section 36 a distance 705 feet, more or less, to an angle point in the existing City Limit Line and the east line of South Main Street (84 feet wide);

Thence, northerly along the existing City Limit Line and east right-of-way line of South Main Street a distance of 455 feet, more or less, to an angle point in the existing City Limit Line;

Thence, easterly along the existing City Limit Line a distance of 1121 feet, more or less, to an angle point in the existing City Limit Line;

Thence, northerly along the existing City Limit Line a distance of 26.65 feet to an angle point in the existing City Limit Line;

Thence, easterly along the existing City Limit Line a distance of 927 feet, more or less, to an angle point in the existing City Limit Line;

Thence, south along the existing City Limit Line a distance of 26.65 feet to an angle point in the existing City Limit Line;

Attachment No. 9-5
Thence, east 457.50 feet, more or less, along the existing City Limit Line to an angle point in the existing City Limit Line and the west right-of-way line of South Plano Street (100 feet wide);

Thence, south along the existing City Limit Line and west right-of-way line of South Plano Street a distance of 510 feet, more or less, to an angle point in the existing City Limit Line;

Thence, west along the exiting City Limit Line a distance of 895.00 feet, more or less, to an angle point in the existing City Limit Line and the northeast corner of Lot 15 of Tract No. 286, recorded November 20, 1958, in volume 22 of Maps, Page 38, in the Office of the Tulare County Recorder, State of California;

Thence, south along the existing City Limit Line and along the east line of Lots 15, 16 and 8 of said subdivision and southerly prolongation thereof a distance of 353 feet to an angle point in the existing City Limit Line;

Thence, east along the existing City Limit Line a distance of 24.84 feet to an angle point in the existing City Limit Line located 27.1 feet north of the northeast corner of Lot 7 of said Tract No. 286;

Thence, southerly along the existing City Limit Line and the northerly prolongation of the east line of said Lot 7, and along said east line and the southerly prolongation thereof, a distance of 443.07 feet to an angle point in the existing City Limit Line a line and the south right-of-way line of Vandalia Avenue;

Thence, westerly along the existing City Limit Line and south right-of-way line of Vandalia Avenue a distance of 10 feet to an angle point in the existing City Limit Line and the west right-of-way line of Roche Street;

Thence, south along the existing City Limit Line and west right-of-way line of Roche Street a distance of 290 feet, more or less, to an angle point in the existing City Limit Line;

Thence, continuing along the existing City Limit Line easterly a distance of 223.47 feet, northerly a distance of 26.23 feet, more or less, easterly a distance of 225 feet, more or less, northerly a distance of 101 feet, more or less, easterly a distance of 159 feet, more or less and northerly a distance of 140 feet to an angle point in the existing City Limit Line and the south right-of-way line of Vandalia Avenue;

Thence, easterly along the existing City Limit Line and south right-of-way line of Vandalia Avenue a distance of 156 feet, more or less to an angle point in the existing City Limit Line and the west right-of-way line of South Plano Street;
Thence, continuing along the existing City Limit Line and west right-of-way line of South Plano Street southeasterly a distance of 40 feet, more or less and southwesterly a distance of 454.55 feet to the POINT OF BEGINNING.
ANNEXATION NO. 446
CITY OF PORTERVILLE
(COUNTY ISLAND)

A PORTION OF THE SOUTH HALF OF SECTION 38, TOWNSHIP 21 SOUTH, RANGE 27 EAST,
MOUNT DIABLO BASE AND MERIDIAN AND A PORTION OF THE NORTH HALF OF THE NORTHWEST
QUARTER OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN,
IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.

SCALE: 1" = 300'      ACRES: 66.48

STATE HWY 190
RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA
MAKING APPLICATION FOR CHANGE OF ORGANIZATION OF TERRITORY KNOWN AS ANNEXATION NO. 455

WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:

   A. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.

   B. The nature of the proposal is a change of organization as follows:

      A description of the exterior boundaries of the territory to be annexed is attached hereto and marked Exhibit “A” and Exhibit “B” and made a part hereof by reference as though set forth herein.
C. The reasons for this proposal are as follows:

To provide municipal services including sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in accordance with the City of Porterville General Plan, LAFCo’s Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In accordance with the City Council Resolution No. 6956, adopted on April 3, 1973, and as subsequently modified, the Environmental Coordinator, of the City of Porterville on June 27, 2005, accepted and found to be adequate under the provisions of the California Environmental Quality Act of 1970, as amended, an environmental assessment finding that said annexation will not have a significant effect on the environment, and the City Council of the City of Porterville, does hereby approve a Negative Declaration for the project in accordance with the California Environmental Quality Act.

E. That the environmental assessment and analysis prepared for Annexation No. 455 and Zone Change No. 05-2005 (pre-zoning) supporting the Negative Declaration reflects the independent judgment of the City of Porterville.

F. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act based on findings of the environmental studies indicating that the project will not have a negative impact on the environment.

G. That the Negative Declaration prepared for this project was made available for public review and comment.

H. The subject site is not located within an Agricultural Preserve.

I. The subject area is completely surrounded or substantially surrounded by the City of Porterville and is less than 150 acres in aggregate area. Therefore, the City of Porterville hereby requests process per the provisions of Government Code Section 56375.3.

J. As the proposed annexation consists of an unincorporated island, per Government Code Section 56375.3, consents to annex are not necessary for this project.

K. That the subject area consists of 4.2± and 141.0± acre areas.

L. The subject site is not being utilized for agricultural purposes.
M. The subject site is located within Porterville’s Urban Development Boundary and LAFCO’s Sphere of Influence Boundary.

N. Porterville’s General Plan designates the sites for Low Density Residential, Medium Density Residential, and Public and Quasi-Public uses.

O. In conjunction with the proposed annexation, Zone Change No. 05-2005 (pre-zoning) proposes to change the existing zoning from County AE-20, R-1, R-1-217, R-2, and C-1-SR Zone to City R-1, R-2, and OA for the two areas located south of North Grand Avenue and generally west of Prospect Street in the northerly portion of the community (4.2± and 141.0± acre areas).

P. 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.

Q. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By _____________________________________
   Georgia Hawley, Deputy

Attachment No. 10-3
EXHIBIT “A”  
City of Porterville  
Annexation No. 455, Area A  
Description for Annexation

That portion of Section 22 and Section 15, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the North 1/4 Corner of Section 22, Township 21 South, Range 27 East; thence, easterly along the North line of Section 22, a distance of 30 feet, more or less, to the East right of way line of Prospect Street (60’ wide); thence, southerly along the East right of way line of Prospect Street a distance of 357.50 feet, more or less, to an angle point on the existing City Limits Line, the intersection of the East right of way line of Prospect Street and the North line of West View Place subdivision, recorded in Volume 39 of Maps, at Page 58, Tulare County Records, the TRUE POINT OF BEGINNING;

A1 Thence, southerly, along the East right of way line of Prospect Street (60’ wide) and the existing City Limits Line, a distance of 971 feet, more or less, to the South right of way line of Pioneer Avenue (50’ wide), a point on the existing City Limits Line;

A2 Thence, continuing southerly, along the East right of way line of Prospect Street (60’ wide) and the existing City Limits Line, a distance of 900.41 feet, more or less, to a point on the South line of Tract No. 657, recorded in Volume 34 of Maps, at Page 71, Tulare County Records, an angle point in the existing City Limits Line;

A3 Thence, easterly, leaving the East right of way line of Prospect Street along the South line of said Tract No. 657 and the existing City Limits Line, a distance of 626.34 feet, more or less, to the Southeast corner of said Tract, an angle point in the existing City Limits Line;

A4 Thence, northerly, along the East line of said Tract No. 657 and the existing City Limits Line, a distance of 265.60 feet, more or less, to the Southwest corner of Lot 170 of Pioneer Land Company’s First Subdivision, recorded in Volume 3 of Maps, at Page 34, Tulare County Records, an angle point in the existing City Limits Line;

A5 Thence, easterly, along the South line of Lot 170 of said subdivision and along the existing City Limits Line, a distance of 31.20 feet, more or less, to an angle point in the existing City Limits Line;

A6 Thence, northerly, leaving the South line of Lot 170 of said subdivision, along the existing City Limits Line, a distance of 633.78 feet, more or less, to an angle point in the existing City Limits Line, a point on the South right of way line of Pioneer Avenue (50’ wide);

Attachment No. 10-4
A7 Thence, easterly, along the South right of way line of Pioneer Avenue and the existing City Limits Line, a distance of 586 feet, more or less, to the West right of way line of State Highway 65 as per map filed in the County of Tulare dated November 12, 1957, Volume No. 2 of Highway Maps, an angle point in the existing City Limits Line;

A8 Thence, southerly, along the existing City Limits Line, a distance of 5.00 feet, more or less, to an angle point in the existing City Limits Line;

A9 Thence, southeasterly, along the existing City Limits Line, a distance of 62.90 feet, more or less, to an angle point in the Highway 65 right of way line, an angle point in the existing City Limits Line;

A10 Thence, southerly, along the West right of way line of State Highway 65 and the existing City Limits Line, a distance of 1133.17 feet, more or less, to the point of intersection of the North right of way line of Westfield Avenue and the West right of way line of State Highway 65, an angle point in the existing City Limits Line;

A11 Thence, westerly, along the North right of way line of Westfield Avenue and the existing City Limits Line, a distance of 53.81 feet, more or less, to an angle point in the existing City Limits Line;

A12 Thence, continuing westerly, along the North right of way line of Westfield Avenue and the existing City Limits Line, a distance of 302.79 feet, more or less, to the northerly prolongation of the West right of way line of Cobb Street, an angle point in the existing City Limits Line;

A13 Thence, southerly, along the existing City Limits Line and the said northerly prolongation and along the West right of way line of Cobb Street, a distance of 400 feet, more or less, to the North line of Lot 11 of Tract No. 239, per map recorded in Volume 21 of Maps, Page 79, Tulare County Records, an angle point in the existing City Limits Line;

A14 Thence, easterly, along said North line and the existing City Limits Line, a distance of 30 feet, more or less, to the Northeast corner of said lot, an angle point in the existing City Limits Line;

A15 Thence, southerly, along the East line of Lots 11, 12, 13, & 14 and the existing City Limits Line, a distance of 296.39 feet, more or less, to the Northwest corner of Lot 40 of said Tract, an angle point in the existing City Limits Line;

A16 Thence, easterly, along the North line of said Lot 40, the easterly prolongation thereof and the North line of Lot 39 of said Tract and the existing City Limits Line, a distance of 320.23 feet, more or less, to the West right of way line of State Highway 65, an angle point in the existing City Limits Line;
A17 Thence, southerly, along the West right of way line of State Highway 65 and the existing City Limits Line, a distance of 141.61 feet, more or less, to a point on the West right of way line of State Highway 65, an angle point in the existing City Limits Line;

A18 Thence, continuing southerly, along the West right of way line of State Highway 65 and the existing City Limits Line, a distance of 489.60 feet, more or less, to the North right of way line of Mulberry Avenue (55’ wide), an angle point in the existing City Limits Line;

A19 Thence, westerly, along the North right of way line of Mulberry Avenue (55’ wide) and the existing City Limits Line, a distance of 462 feet, more or less, to the Southeast corner of Lot 24 of Tract No. 239 as recorded in Volume 21 of Maps, Page 79, Tulare County Records, an angle point in the existing City Limits Line;

A20 Thence, northerly, along the East line of said Lot 24 and existing City Limits Line, a distance of 121 feet, more or less, to the Northeast corner of said Lot 24, an angle point in the existing City Limits Line;

A21 Thence, westerly, along the North line of Lot 24 and Lot 23 of said Tract No. 239 and existing City Limits Line, a distance of 153 feet, more or less, to the Northwest corner of said Lot 23, an angle point in the existing City Limits Line;

A22 Thence, northerly, along the West line of said Tract No. 239, the East line of Lot 160 of Pioneer Land Company’s First Subdivision as recorded in Volume 3 of Maps, Page 34, Tulare County Records, and the existing City Limits Line, a distance of 792 feet, more or less, to a point being 362.23 feet, more or less, South of the Northeast corner of said Lot 160, an angle point in the existing City Limits Line;

A23 Thence, westerly, along the North line of Monache Estates No. 3 subdivision, recorded in Volume 28 of Maps page 13, Tulare County Records, and the existing City Limits Line, a distance of 120 feet, more or less, to the Southeast corner of Sir Charles Estates, Volume 30 of Maps page 10, Tulare County Records, an angle point in the existing City Limits Line;

A24 Thence, northerly, along the East line of said Sir Charles Estates and the existing City Limits Line, a distance of 396 feet, more or less, to the North right of way line of Westfield Avenue (60’ wide), an angle point in the existing City Limits Line;

A25 Thence, westerly, along the North right of way line of Westfield Avenue and the existing City Limits Line, a distance of 507 feet, more or less, to the East right of way line of Prospect Street, a point on the existing City Limits Line;

A26 Thence, continuing westerly, along the existing City Limits Line, a distance of 60 feet, more or less, to the intersection of the West right of way line of Prospect Street and the North right of way line of Westfield Avenue, a point on the existing City Limits Line;

Attachment No. 10-6
A27 Thence, continuing westerly, along North right of way line of Westfield Avenue and the existing City Limits Line, a distance of 1100 feet, more or less, to the Southeast corner of Lot 82 of Tract No. 307 as recorded in Volume 22 of Maps, page 64, Tulare County Records, an angle point in the existing City Limits Line;

A28 Thence, northerly, along the East line of said Lot 82 and the existing City Limits Line, a distance of 73.36 feet, more or less, to the Northeast corner of said Lot 82, an angle point in the existing City Limits Line;

A29 Thence, westerly, along the North line of said Lot 82 and the existing City Limit Line, a distance of 25.00 feet, more or less, to the Northwest corner of said Lot 82, an angle point in the existing City Limits Line;

A30 Thence, southerly, along the West line of said Lot 82 and the existing City Limits Line, a distance of 72.72 feet, more or less, to the Southwest corner of said Lot 82, the North right of way line of Westfield Avenue, an angle point in the existing City Limits Line;

A31 Thence, westerly, along the North right of way line of Westfield Avenue and the existing City Limits Line, a distance of 106 feet, more or less, to the southerly prolongation of the East right of way line of Beverly Street, an angle point in the existing City Limits Line;

A32 Thence, northerly, along the East right of way line of Beverly Street and along the existing City Limits Line, a distance of 599 feet, more or less, to the Northwest corner of Lot 90 of Tract No. 307 as recorded in Volume 22 of Maps, page 64, Tulare County Records, an angle point in the existing City Limits Line;

A33 Thence, easterly, along the North line of said Tract No. 307 and along the existing City Limits Line, a distance of 589.86 feet, more or less, to the Northeast corner of Lot 69 of said Tract No. 307, a point on the West right of way line of Lowery Street, a point on the existing City Limits Line;

A34 Thence, continuing easterly, along the existing City Limits Line, a distance of 50 feet, more or less, to the Southwest corner of Lot 40 of Tract No. 321, as recorded in Volume 22 of Maps, at Page 85, Tulare County Records, said point being on the East right of way line of Lowery Street, an angle point in the existing City Limits Line;

A35 Thence, northerly, along the East right of way line of Lowery Street and the existing City Limits Line, a distance of 364.29, more or less, to the intersection of the easterly prolongation of the North line of the La Vida Park subdivision, recorded in Volume 36, Page 15, Tulare County Records and the East right of way line of Lowery Street, an angle point in the existing City Limits Line;
A36 Thence, westerly, along the said easterly prolongation and the North line of said La Vida Park subdivision and the existing City Limits Line, a distance of 466.84 feet, more or less, to the Northwest corner of Lot 20 of said subdivision, an angle point in the existing City Limits Line;

A37 Thence, northerly, along the East line of Lot 21 of said La Vida Park subdivision and the existing City Limits Line, a distance of 54.79 feet, more or less, to the Northeast corner of said Lot 21, an angle point in the existing City Limits Line;

A38 Thence, westerly, along the North line of said Lot 21 and the existing City Limits Line, a distance of 205.36 feet, more or less, to the Northwest corner of said Lot 21, an angle point in the existing City Limits Line;

A39 Thence, northerly, along the East line of Lot 166 of Pioneer Land Company’s First Subdivision recorded in Volume 3 of Maps, page 34, Tulare County Records and the existing City Limits Line, a distance of 216.97 feet, more or less, to the South right of way line of Pioneer Avenue, an angle point in the existing City Limits Line;

A40 Thence, easterly, along the South right of way line of Pioneer Avenue and the existing City Limits Line, a distance of 617 feet, more or less, to the Northeast corner of Lot 167 of said Pioneer Land Company’s First Subdivision and an angle point in the existing City Limits Line;

A41 Thence, northerly, along the existing City Limits Line, a distance of 50 feet, more or less, to the Southeast corner of Lot 184 of said Pioneer Land Company’s First Subdivision, said corner also being on the North right of way line of Pioneer Avenue (50’ wide) and a point on the existing City Limits Line;

A42 Thence, continuing northerly, along the East line of said Lot 184 and the existing City Limits Line, a distance of 1273 feet, more or less, to the Northeast corner of said Lot 184, an angle point in the existing City Limits Line;

A43 Thence, westerly, along the North line of said Lot 184 and the existing City Limits Line, a distance of 651.68 feet, more or less, to the Northwest corner of said Lot 184, which is also the Southeast corner of Lot 7 of Pioneer Land Company’s Second Subdivision recorded in Volume 3 of Maps, page 23, Tulare County Records, a point on the existing City Limits Line;

A44 Thence, continuing westerly, along the South line of said Lot 7 and the existing City Limits Line, a distance of 652 feet, more or less, to the Southwest corner of said Lot 7, an angle point in the existing City Limits Line;

A45 Thence, northerly, along the West line of said Lot 7 and the existing City Limits Line, a distance of 636.38 feet, more or less, to the Southwest corner of North Grand
Estates subdivision recorded in Book 37 of Maps, at page 55, Tulare County Records, an angle point in the existing City Limits Line;

A46 Thence, easterly, along the South line of said North Grand Estates subdivision and the existing City Limits Line, a distance of 490.50 feet, more or less, to the Southeast corner of said subdivision, an angle point in the existing City Limits Line;

A47 Thence, northerly, along the East line of said subdivision and the existing City Limits Line, a distance of 170.92 feet, more or less, to a point on the East line of said subdivision, an angle point in the existing City Limits Line;

A48 Thence, easterly, along the East line of said subdivision and the existing City Limits Line, a distance of 14.14 feet, more or less, to a point on the East line of said subdivision, an angle point in the existing City Limits Line;

A49 Thence, northerly, along the East line of said subdivision and the existing City Limits Line, a distance of 85.00 feet, more or less, to a point on the East line of said subdivision, an angle point in the existing City Limits Line;

A50 Thence, westerly, along the East line of said subdivision and the existing City Limits Line, a distance of 15.00 feet, more or less, to a point on the East line of said subdivision, an angle point in the existing City Limits Line;

A51 Thence, northerly, along the East line of said subdivision and the existing City Limits Line, a distance of 255.00 feet, more or less, to a point on the East line of said subdivision, an angle point in the existing City Limits Line;

A52 Thence, easterly, along the East line of said subdivision and the existing City Limits Line, a distance of 35.00 feet, more or less, to a point on the East line of said subdivision, an angle point in the existing City Limits Line;

A53 Thence, northerly, along the East line of said subdivision and a northerly prolongation of the East line of the said subdivision and the existing City Limits Line, a distance of 195.01, more or less, to the North right of way line of North Grand Avenue (60’ wide), an angle point in the existing City Limits Line;

A54 Thence, easterly, departing the existing City Limits Line, along said North right of way line of North Grand Avenue, a distance of 1412 feet, more or less, to the northerly prolongation of the West right of way line of Prospect Street (60’ wide), an angle point in the existing City Limits Line;

A55 Thence, southerly, along the existing City Limits Line and said northerly prolongation and the West right of way line of Prospect Street, a distance of 705 feet, more or less, to the westerly prolongation of the South line of the North half of Lot 4 of

Attachment No. 10-9
said Pioneer Land Company’s Second Subdivision, an angle point in the existing City Limits Line;

A56 Thence, easterly, along said westerly prolongation and the South line of the North half of Lot 4 and the existing City Limits Line, a distance of 60 feet, more or less, to the East right of way line of Prospect Street (60’ wide), a point on the existing City Limits Line;

A57 Thence, southerly, departing the existing City Limits Line along said East right of way line of Prospect Street, a distance of 1002 feet, more or less, to a point on the existing City Limits Line, the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM that area of existing City Limits described as follows:

The East 25 feet of Lot 47 of Tract No. 321, in the County of Tulare, State of California, as per Map recorded in Book 22, Page 85 of Maps, in the Office of the County Recorder of said County.

ACREAGE = 144 ± ACRES
EXHIBIT “B”  
City of Porterville  
Annexation No. 455, Area B  
Description for Annexation

That portion of Section 16, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Southeast corner of said Section 16, Township 21 South, Range 27 East; thence, westerly along the South line of Section 16, a distance of 651.99 feet, more or less, to the intersection of said South line and the southerly projection of the West line of Parcel 1 of Parcel Map No. 719 recorded in Book 8 of Parcel Maps at Page 19; thence, northerly, along the southerly projection of said West line of Parcel 1 and the West line of said Parcel 1, a distance of 322.48, more or less, to the Northwest corner of said Parcel 1, being the Southwest corner of the North 3/4 of Lot 9 of Pioneer Land Company’s Second Subdivision recorded in Volume 3 of Maps, at Page 23, Tulare County Records, an angle point on the existing City Limits Line, the TRUE POINT OF BEGINNING;

Thence, easterly, along the northerly line of Parcels 1, 2, and 3 of said Parcel Map 719 and existing City Limits Line, 618 feet, more or less, to the West right of way line of Newcomb Street (Road 232), an angle point in the existing City Limits Line;

Thence, southerly, along the existing City Limits Line and West right of way line of Newcomb Street (Road 232), a distance of 303 feet, more or less, to the North right of way line of Avenue 168 (Castle Avenue), an angle point in the existing City Limits Line;

Thence, westerly, along the North right of way line of Avenue 168 (Castle Avenue) and existing City Limits Line, a distance of 632 feet, more or less, to the southerly projection of the West line of Parcel 1 of said Parcel Map 719, a point on the existing City Limits Line;

Thence, northerly, departing the existing City Limits Line, along the southerly projection of said West line of Parcel 1 and the West line of said Parcel 1, a distance of 302.48, more or less, to the Northwest corner of said Parcel 1, an angle point on the existing City Limits Line, the TRUE POINT OF BEGINNING.

ACREAGE = 4 ± ACRES
ORDINANCE NO. _______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE 05-2005 (PRE-ZONING) CONSISTING OF TWO
UNINCORPORATED ISLANDS CONSISTING OF 4.2± ACRES AND FOUR (4)
PARCELS AND 141.0± ACRES AND APPROXIMATELY 293 PARCELS
GENERALLY LOCATED SOUTH OF NORTH GRAND AVENUE AND
GENERALLY WEST OF PROSPECT STREET IN THE NORTHERLY PORTION OF
THE COMMUNITY

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of August 2, 2005, conducted a public hearing to consider Zone Change 05-2005
(Pre-Zoning), to change the existing County AE-20, R-1, R-1-217, R-2, and C-1-SR Zone
to City R-1, R-2, and OA for the two areas located south of North Grand Avenue and
generally west of Prospect Street in the northerly portion of the community (4.2± and
141.0± acre areas); and

WHEREAS: In conjunction with Zone Change 05-2005, Annexation 455
proposes to annex two unincorporated islands generally located south of North Grand
Avenue and generally west of Prospect Street in the northerly portion of the community;
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 the proposed pre-
zoning from County AE-20, R-1, R-1-217, R-2, and C-1-SR Zone to City R-1, R-2, and
OA for the two areas located south of North Grand Avenue and generally west of
Prospect Street in the northerly portion of the community (4.2± and 141.0± acre areas)
and

WHEREAS: The City Council made the following findings in support of the
approval of Zone Change 05-2005.

1. That the proposed zoning will conform with the land use designation of the
   General Plan; and

2. That a Negative Declaration was approved for this project in accordance with
   the California Environmental Quality Act based on findings of the
   environmental studies indicating that the Project will not have a negative
   impact on the environment; and

3. That the Negative Declaration prepared for this project was made available for
   public review and comment; and

Attachment No. 11-1
4. That this zoning designation will allow for the logical establishment for future Low Density Residential, Medium Density Residential, and Public and Quasi-Public uses as supported by the City of Porterville General Plan Land Use Element for the 4.2± and 141.0± acre sites; and

5. That this zoning designation 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 05-2005, is hereby pre-zoned from County AE-20, R-1, R-1-217, R-2, and C-1-SR Zone to City R-1, R-2, and OA for the two areas located south of North Grand Avenue and generally west of Prospect Street in the northerly portion of the community (4.2± and 141.0± acre areas) more particularly shown on the attached map, incorporated herein by this reference as Exhibit “A”.

Section 2: It is further ordained that upon consummation of Annexation No. 455, 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 rezoned from County AE-20, R-1, R-1-217, R-2, and C-1-SR Zone to City R-1, R-2, and OA for the two areas located south of North Grand Avenue and generally west of Prospect Street in the northerly portion of the community.

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage and upon consummation of Annexation No. 455.

__________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By
Georgia Hawley, Deputy

Attachment No. 11-2
ZONE CHANGE 05-2005 AND ANNEXATION 455 (AREA A AND B) – PROPOSED ZONING

EXHIBIT A

Attachment No. 11-4
RESOLUTION NO. _______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA MAKING APPLICATION FOR CHANGE OF ORGANIZATION OF TERRITORY KNOWN AS ANNEXATION NO. 456

WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:

   A. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.

   B. The nature of the proposal is a change of organization as follows:

       A description of the exterior boundaries of the territory to be annexed is attached hereto and marked Exhibit “A”, Exhibit “B”, and Exhibit “C” and made a part hereof by reference as though set forth herein.

Attachment No. 12-1
C. The reasons for this proposal are as follows:

To provide municipal services including sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in accordance with the City of Porterville General Plan, LAFCo’s Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In accordance with the City Council Resolution No. 6956, adopted on April 3, 1973, and as subsequently modified, the Environmental Coordinator, of the City of Porterville on June 27, 2005, accepted and found to be adequate under the provisions of the California Environmental Quality Act of 1970, as amended, an environmental assessment finding that said annexation will not have a significant effect on the environment, and the City Council of the City of Porterville, does hereby approve a Negative Declaration for the project in accordance with the California Environmental Quality Act.

E. That the environmental assessment and analysis prepared for Annexation No. 456 and Zone Change No. 06-2005 (pre-zoning) supporting the Negative Declaration reflects the independent judgment of the City of Porterville.

F. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act based on findings of the environmental studies indicating that the project will not have a negative impact on the environment.

G. That the Negative Declaration prepared for this project was made available for public review and comment.

H. The subject site is not located within an Agricultural Preserve.

I. The subject area is completely surrounded or substantially surrounded by the City of Porterville and is less than 150 acres in aggregate area.

J. The City of Porterville hereby requests process per the provisions of Government Code Section 56375.3.

K. As the proposed annexation consists of an unincorporated island, per Government Code Section 56375.3, consents to annex are not necessary for this project.

L. That the subject sites consist of 11.1±, 25.7±, and 89.8± acre areas.
M. The subject site is not being utilized for agricultural purposes.

N. The subject site is located within Porterville’s Urban Development Boundary and LAFCO’s Sphere of Influence Boundary.

O. Porterville’s General Plan designates the site for Low Density Residential, Medium Density Residential, Heavy Commercial, Recreation and Open Space uses.

P. In conjunction with the proposed annexation, Zone Change No. 06-2005 (pre-zoning) proposes to change the existing zoning from County R-1, R-1-217, R-2, P-1, and C-2 to City R-1, R-2, C-3 (D), and OA for the three areas located south of Olive Avenue and west of Jaye Street in the southerly portion of the community (11.1±, 25.7±, and 89.8± acre areas).

Q. 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.

R. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By ___________________________________
Georgia Hawley, Deputy
EXHIBIT “A”
City of Porterville
Annexation No. 456, Area A
Description for Annexation

That portion of Section 2, Township 22 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

BEGINNING AT A POINT on the existing City Limits Line, a point at the intersection of the West right of way line of Jaye Street and the North line of the South half of the South half of the Northeast quarter of the Northwest quarter of said Section 2;

A1 Thence, westerly, along the existing City Limits Line and along said North line, a distance of 621 feet, more or less, to the West line of the East half of the East half of the Northwest quarter of said Section 2, an angle point in the existing City Limits Line;

A2 Thence, northerly, along the existing City Limits Line and along the West line of the East half of the East half of the Northwest quarter of said Section 2, a distance of 968 feet, more or less, to the South right of way line of Poplar Avenue, an angle point in the existing City Limits Line;

A3 Thence, easterly, along the existing City Limits Line and along the South right of way line of Poplar Avenue, a distance of 175 feet, more or less, to the intersection of the West line of Parcel 4 of Parcel Map No. 2906 per map recorded in Book 30, page 7, of Parcel Maps, Tulare County Records and the South right of way line of Poplar Avenue, an angle point in the existing City Limits Line;

A4 Thence, southerly, along the existing City Limits Line and along the West right of way line of said Parcel 4, a distance of 239.14 feet, more or less, to the Southwest corner of said Parcel 4, an angle point in the existing City Limits Line;

A5 Thence, easterly, along the existing City Limits Line and along the South line of said Parcel 4, a distance of 445.46 feet, more or less, to the intersection of the South line of Parcel 1 of said Parcel Map No. 2906 and the West right of way line of Jaye Street, an angle point in the existing City Limits Line;

A6 Thence, southerly, along the existing City Limits Line and along the West right of way line of Jaye Street, a distance of 30 feet, more or less, to the intersection of the North line of Parcel 6 of said Parcel Map No. 2906 and the West right of way line of Jaye Street, a point on the existing City Limits Line;

A7 Thence, westerly, along the existing City Limits Line and along the North line of said Parcel 6, a distance of 130 feet, more or less, to the Northwest corner of said Parcel 6, an angle point in the existing City Limits Line;

Attachment No. 12-4
A8 Thence, southerly, along the existing City Limits Line and along the West line of said Parcel 6, a distance of 121 feet, more or less, to the Southwest corner of said Parcel 6, an angle point in the existing City Limits Line;

A9 Thence, easterly, along the existing City Limits Line and along the South line of said Parcel 6, a distance of 130 feet, more or less, to the intersection of the South line of said Parcel 6 and the West right of way line of Jaye Street, an angle point on the existing City Limits Line;

A10 Thence, southerly, along the existing City Limits Line and along the West right of way line of Jaye Street, across Montgomery Avenue and El Rancho Avenue, a distance of 580 feet, more or less, to the North line of the South half of the South half of the Northeast quarter of the Northwest quarter of said Section 2, a point on the existing City Limits Line, the POINT OF BEGINNING.

ACREAGE = 11 ± ACRES
EXHIBIT “B”
City of Porterville
Annexation No. 456, Area B
Description for Annexation

That portion of Section 35, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the intersection of the centerlines of Western Street (50 feet wide) and Union Avenue (40 feet wide); thence, southerly, along a southerly prolongation of the centerline of Western Street, a distance of 20 feet, more or less, to the South right of way line of Union Avenue; thence, westerly, along the South right of way line of Union Avenue, a distance of 25 feet, more or less, to the intersection of the southerly prolongation of the West right of way line of Western Avenue and the South right of way line of Union Avenue, said point being on the existing City Limits Line, and the TRUE POINT OF BEGINNING.

B1 Thence, westerly, along the existing City Limits Line and along the South right of way line of Union Street, a distance of 52.25 feet, more or less, to the West line of the Northeast quarter of Lot No. 6 of the Map of Price Acres, recorded in Volume 16 of Maps, Page 68 and an angle point in the existing City Limits Line;

B2 Thence, southerly, along the existing City Limits Line and along the West line of the Northeast quarter of said Lot No. 6, a distance of 145 feet, more or less, to the Southwest corner of the Northeast quarter of said Lot No. 6 and an angle point in the existing City Limits Line;

B3 Thence, easterly, along the South line of the North half of Lots 6, 5, 4, 3, and 2 of said Price Acres and along the existing City Limits Line, a distance of 582.75 feet, more or less, to the Southeast corner of the North half of Lot No. 2 of said Price Acres and an angle point in the existing City Limits Line.

B4 Thence, southerly, along the East line of said Lot No. 2, across Center Avenue and along the East line Lot No. 15 of said Price Acres and along the existing City Limits Line, a distance of 475.61 feet, more or less, to an angle point on the existing City Limits Line and a point on the North line of Lot 69 of Pleasant Grove Tract, recorded in Volume 9 of Maps, Page 1, Tulare County Records;

B5 Thence, easterly, along the North line of said Lot 69 and along the existing City Limits Line, a distance of 61.66 feet, more or less, to an angle point on the existing City Limits Line;

B6 Thence, southerly, parallel to the East line of said Lot 69 and along the existing City Limits Line, a distance of 618 feet, more or less, to the South line of said Lot 69 and an angle point on the existing City Limits Line;

Attachment No. 12-6
B7  Thence, northwesterly, along the South line of Lots 69 and 68 of said Pleasant Grove Tract and along the existing City Limits Line a distance of 974 feet, more or less, to a point on the East line of Lot 67 of said Pleasant Grove Tract and located 482 feet, more or less, North of the Southeast corner of said Lot 67 and an angle point on the existing City Limits Line;

B8  Thence, northerly, along the existing City Limits Line and along the East line of Lot 70 of said Pleasant Grove Tract a distance of 204 feet, more or less, to the Southwest corner of Lot 11 of said Price Acres and an angle point on the existing City Limits Line;

B9  Thence, easterly, along the South line of said Lot 11 a distance of 388.5 feet, more or less, and along the existing City Limits Line, to an angle point on the existing City Limits Line;

B10  Thence, northerly, along the existing City Limits Line a distance of 129 feet, more or less, to the Southeast corner of Lot 8 of said Price Acres and a point on the North line of said Lot 11 and an angle point in the existing City Limits Line;

B11  Thence, westerly, along the North line of said Lot 11 and along the existing City Limits Line, a distance of 388.5 feet, more or less, to the Northwest corner of said Lot 11 and a point on the East line of Lot 70 of said Pleasant Grove Tract and an angle point in the existing City Limits Line;

B12  Thence, northerly, along the East line of said Lot 70 and existing City Limits Line, a distance of 330 feet, more or less, to the Northeast corner of said Lot 70 and an angle point in the existing City Limits Line;

B13  Thence, easterly, along the existing City Limits Line, a distance of 255 feet, more or less, to an angle point in the existing City Limits Line;

B14  Thence, northerly, along the existing City Limits Line, a distance of 138 feet, more or less, to an angle point in the existing City Limits Line;

B15  Thence, easterly, along the existing City Limits Line, a distance of 60 feet, more or less, to an angle point in the existing City Limits Line;

B16  Thence, northerly, along the existing City Limits Line, a distance of 60 feet, more or less, to an angle point in the existing City Limits Line;

B17  Thence, easterly, along the existing City Limits Line a distance of 469 feet, more or less, to a point on the West right of way line of Western Street and an angle point in the existing City Limits Line;

Attachment No. 12-7
B18 Thence, southerly, along the West right of way line of Western Street and along the existing City Limits Line and along the prolongation of the West right of way line of Western Street, a distance of 238 feet, more or less, to a point on the South right of way line of Union Avenue, an angle point in the existing City Limits Line, the TRUE POINT OF BEGINNING.

ACREAGE = 25 ± ACRES
EXHIBIT “C”
City of Porterville
Annexation No. 456, Area C
Description for Annexation

That portion of Section 34 and 35, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Northwest corner of Section 35, Township 21 South, Range 27 East, said point being a point on the existing City Limits Line; thence, southerly along the West line of Section 35 and along the existing City Limits Line, a distance of 330 feet, more or less, to a point on the West line of Section 35, an angle point in the existing City Limits Line, the TRUE POINT OF BEGINNING;

C1 Thence, easterly, along the existing City Limits Line, a distance of 40 feet, more or less, to the West right of way line of Indiana Street, said point being 25 feet East of the Southwest corner of Lot 101 of Pleasant Grove Tract as per Volume 9 of Maps, Page 1, Tulare County Records, on the South line of said Lot 101, a point on the existing City Limits Line;

C2 Thence, continuing easterly, along the South lines of Lots 101, 100 and 99 of said Pleasant Grove Tract and along the existing City Limits Line, a distance of 507.68 feet, more or less, to the Southeast corner of said Lot 99, an angle point in the existing City Limits Line;

C3 Thence, northerly, along the East line of Lot 99 and along the existing City Limits Line, a distance of 100 feet, more or less, to an angle point in the existing City Limits Line;

C4 Thence, easterly, along a line parallel to the South line of Lot 98 of said Pleasant Grove Tract and along the existing City Limits Line, a distance of 140 feet, more or less, to a point on the West right of way line of Cottage Street, an angle point in the existing City Limits Line;

C5 Thence, northerly, along the West right of way line of Cottage Street and along the existing City Limits Line, a distance of 174.68 feet, more or less, to a point being 50 feet, more or less, South and 59.74 feet, more or less, West of the Northeast corner of Lot 98 of said Pleasant Grove Tract, a point on the South right of way line of Olive Avenue, an angle point in the existing City Limits Line;

C6 Thence, easterly, leaving the West right of way line of Cottage Street, along the South right of way line of Olive Avenue and along the existing City Limits Line, a distance of 73.97 feet, more or less, to a point at the intersection of the East right of way line of
Cottage Street and the South right of way line of Olive Avenue, an angle point in the existing City Limits Line;

C7 Thence, southerly, along the East right of way line of Cottage Street and existing City Limits Line, a distance of 114 feet, more or less, to a point of intersection with the westerly prolongation of a line being 150 feet South and parallel to the North line of Lot 97 of said Pleasant Grove Tract, an angle point in the existing City Limits Line;

C8 Thence, easterly, along said parallel line and along the existing City Limits Line, a distance of 147 feet, more or less, to a point on the East line of said Lot 97, an angle point in the existing City Limits Line;

C9 Thence, northerly, along the East line of said Lot 97 and along the existing City Limits Line, a distance of 22.5 feet, more or less, to a point on the East line of said Lot 97, an angle point in the existing City Limits Line;

C10 Thence, easterly, along a line being parallel and 127.5 feet South of the North line of Lot 96 of said Pleasant Grove Tract and along the existing City Limits Line, a distance of 140 feet, more or less, to a point on the West right of way line of Chess Terrace, an angle point in the existing City Limits Line;

C11 Thence, southerly, along the West right of way line of Chess Terrace and the existing City Limits Line, a distance of 1707.5 feet more or less, to an angle point on the West right of way line of Chess Terrace, an angle point in the existing City Limits Line;

C12 Thence, easterly, along the West right of way line of Chess Terrace and the existing City Limits Line, a distance of 25 feet more or less, to an angle point on the West right of way line of Chess Terrace, an angle point in the existing City Limits Line;

C13 Thence, southerly, along the West right of way line of Chess Terrace and the existing City Limits Line, a distance of 115 feet more or less, to a point on the West right of way line of Chess Terrace, a point on the existing City Limits Line;

C14 Thence, continuing southerly, a distance of 50 feet, more or less, to a point 25 feet south, more or less, of the Northeast corner of Lot 71 of said Pleasant Grove Tract, an angle point in the existing City Limits Line;

C15 Thence, westerly, along the existing City Limits Line, a distance of 305 feet more or less, to a point on the East right of way line of Cottage Street, an angle point in the existing City Limits Line;

C16 Thence, southerly, along the East right of way line of Cottage Street and along the existing City Limits Line, a distance of 520 feet, more or less, to the Southwest corner of said Lot 71, an angle point in the existing City Limits Line;
C17 Thence, northwesterly, along the existing City Limits Line, a distance of 28 feet, more or less, to the intersection of the East right of way line of Cottage Street and the South line of Lot 72 of said Pleasant Grove Tract;

C18 Thence, continuing northwesterly, along the South lines of Lots 72 and 73 of said Pleasant Grove Tract and along the existing City Limits Line, a distance of 680 feet, more or less, to a point 30 feet, more or less, East of and perpendicular to the West line of said Section 35, a point on the East right of way line of Indiana Street, an angle point in the existing City Limits Line;

C19 Thence, northerly, along the East right of way line of Indiana Street, parallel with the West line of Section 35, along the existing City Limits Line a distance of 260 feet, more or less, to the South line of that portion of said Lot 73 lying North of the Hubbs Minor Ditch, an angle point in the existing City Limits Line;

C20 Thence, easterly, along said South line, along the existing City Limits Line, a distance of 12 feet, more or less, to a point 42 feet, more or less, East of and perpendicular to the West line of Section 35, being the East right of way line of Indiana Street, an angle point in the existing City Limits Line;

C21 Thence, northerly, along said East right of way line of Indiana Street, parallel with the West line of Section 35, along the existing City Limits Line, a distance of 76 feet, more or less, to a point 65 feet, more or less, South of the South line of Tract No. 243 recorded in Volume 21 of Maps, Page 99, Tulare Country Records, an angle point in the existing City Limits Line;

C22 Thence, easterly, parallel with the South line of said Tract No. 243 and along the existing City Limits Line, a distance of 56.25 feet, more or less, to an angle point in the existing City Limits Line;

C23 Thence, northerly, parallel with the West line of Section 35 and along the existing City Limits Line, a distance of 40 feet, more or less, to the South right of way line of Union Avenue (65’ wide), an angle point in the existing City Limits Line;

C24 Thence, westerly, along the South right of way line of Union Avenue and along the existing City Limits Line, a distance of 56.25 feet, more or less, to the East right of way line of Indiana Street (57’ wide) and a point in the existing City Limits Line;

C25 Thence, continuing westerly, on a line perpendicular to the West line of Section 35 and along the existing City Limits Line, a distance of 57 feet, more or less, to a point on the West right of way line of Indiana Street, an angle point in the existing City Limits Line;

C26 Thence, southerly, along said West right of way line of Indiana Street and parallel with the West line of Section 35 and along the existing City Limits Line, a distance of
170 feet, more or less, to the North bank of the Tule River, an angle point in the existing City Limits Line;

C27 Thence, northwesterly, along the North bank of the Tule River and along the existing City Limits Line, a distance of 433 feet, more or less, to the intersection of the southerly prolongation of the East line of Lot 16 of Cloverleaf Tract recorded in Volume 8, Page 29, Tulare County Records, and the North bank of the Tule River, an angle point in the existing City Limits Line;

C28 Thence, northerly, along the existing City Limits Line and along the southerly prolongation of the East line of said Lot 16, a distance of 45.32 feet, more or less, to the Southeast corner of said Lot 16, an angle point in the existing City Limits Line;

C29 Thence, northwesterly, along the existing City Limits Line and along the South line of Lots 16 and 17 of said Cloverleaf Tract, a distance of 700 feet, more or less, to a point on the East right of way line of State Highway 65, an angle point in the existing City Limits Line;

C30 Thence, northerly, along the existing City Limits Line and along the East right of way line of State Highway 65, a distance of 1628 feet, more or less, to the intersection of the East right of way line of State Highway 65 and a line being parallel and 126.5 feet, more or less, North of the South line of Lot 22 of said Cloverleaf Tract, said point being an angle point in the existing City Limits Line;

C31 Thence, easterly, along the existing City Limits Line, along the line being parallel and 126.5 feet, more or less, North of the South line of said Lot 22, a distance of 149 feet, more or less, to the West right of way line of Cloverleaf Street, an angle point in the existing City Limits Line;

C32 Thence, northerly, along the existing City Limits Line, along the West right of way line of Cloverleaf Street, a distance of 210 feet, more or less, to a point on the West right of way line of Cloverleaf Street, 160 feet, more or less, South of the North line of said Section 34 along a prolongation of the West right of way line of Cloverleaf Street, an angle point in the existing City Limits Line;

C33 Thence, easterly, along the existing City Limits Line, parallel with the North line of said Section 34, a distance of 50 feet, more or less, to the East right of way line of Cloverleaf Street, an angle point in the existing City Limits Line;

C34 Thence, continuing easterly, along the existing City Limits Line, parallel and 105 feet, more or less, South of the South right of way line of Olive Avenue (110 feet wide), a distance of 198.7 feet, more or less, to an angle point in the existing City Limits Line;

C35 Thence, southerly, along the existing City Limits Line, along a line parallel and 198.7 feet, more or less, East of the East right of way line of Cloverleaf Street, a distance...
of 89.68 feet, more or less, to a point being on the South line of Lot 9 of said Cloverleaf Tract, an angle point in the existing City Limits Line;

C36 Thence, easterly, along the existing City Limits Line, along the South line of said Lot 9, a distance of 215 feet, more or less, to the Southeast corner of said Lot 9, an angle point in the existing City Limits Line;

C37 Thence, southerly, along the existing City Limits Line, along the West lines of Lots 7 and 6 of said Cloverleaf Tract, along the East line of Lot 11 of said Cloverleaf Tract, a distance of 347 feet, more or less, to a point on the East line of said Lot 11 being 150 feet, more or less, North of the Southeast corner of said Lot 11, an angle point in the existing City Limits Line;

C38 Thence, westerly, along the existing City Limits Line, along a line parallel with and 150 feet, more or less, North of the South Line of said Lot 11, a distance of 413.79 feet, more or less, to a point on the West line of said Lot 11, an angle point in the existing City Limits Line;

C39 Thence, southerly, along the existing City Limits Line, along the West line of said Lot 11, a distance of 50 feet, more or less, to a line parallel with and 100 feet, more or less, North of the South Line of said Lot 11, an angle point in the existing City Limits Line;

C40 Thence, easterly, along the existing City Limits Line, along said parallel line, a distance of 192 feet, more or less, to an angle point in the existing City Limits Line;

C41 Thence, southerly, along the existing City Limits Line, along a line being parallel to the West line of said Lot 11, a distance of 50 feet, more or less, to a line parallel with and 50 feet, more or less, North of the South Line of said Lot 11, an angle point in the existing City Limits Line;

C42 Thence, easterly, along the existing City Limits Line, along a line parallel with and 50 feet, more or less, North of the South Line of said Lot 11, a distance of 221.82 feet, more or less, to a point on the East line of said Lot 11, a point on the West line of said Lot 6, an angle point in the existing City Limits Line;

C43 Thence, southerly, along the existing City Limits Line, along the West line of said Lot 6, a distance of 3 feet, more or less, to a point 455.25 feet, more or less, South of the Southeast corner of said Lot 9, an angle point in the existing City Limits Line;

C44 Thence, easterly, along the existing City Limits Line, along a line parallel to the South line of said Lot 6, a distance of 226.83 feet, more or less, to an angle point in the existing City Limits Line;
C45 Thence, northerly, along the existing City Limits Line, along a line parallel to the West line of said Lot 6, a distance of 205.57 feet, more or less, to a point on the South line of said Lot 7, an angle point in the existing City Limits Line;

C46 Thence, easterly, along the existing City Limits Line, along the South line of said Lot 7, a distance of 197 feet, more or less, to the Southeast corner of said Lot 7, said corner being on the West right of way of Indiana Street (55 feet wide), a point on the existing City Limits Line;

C47 Thence, continuing easterly, along the existing City Limits Line, a distance of 15 feet, more or less to a point on the East line of said Section 34, being 499.36 feet, more or less, South of the Northeast corner of said Section 34, an angle point in the existing City Limits Line;

C48 Thence, northerly, along the existing City Limits Line, along the East line of said Section 34, along the West line of said Section 35, a distance of 169.36 feet, more or less, to an angle point in the existing City Limits Line, the TRUE POINT OF BEGINNING.

ACREAGE = 89 ± ACRES
ORDINANCE NO. ________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE 06-2005 (PRE-ZONING) CONSISTING OF THREE
UNINCORPORATED ISLANDS CONSISTING OF: 11.1± ACRES AND
APPROXIMATELY 35 PARCELS; 25.7± ACRES AND APPROXIMATELY 41
PARCELS; AND 89.8± ACRES AND 211 PARCELS LOCATED SOUTH OF OLIVE
AVENUE AND WEST OF JAYE STREET IN THE SOUTHERLY PORTION OF THE
COMMUNITY

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of August 2, 2005, conducted a public hearing to consider Zone Change 06-2005
(Pre-Zoning), to change the existing County R-1, R-1-217, R-2, P-1, and C-2 to City R-1,
R-2, C-3 (D), and OA for the three areas located south of Olive Avenue and west of Jaye
Street in the southerly portion of the community; and

WHEREAS: In conjunction with Zone Change 06-2005, Annexation 456
proposes to annex three annexation areas located south of Olive Avenue and west of Jaye
Street in the southerly portion of the community.

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 the proposed pre-
zoning from County R-1, R-1-217, R-2, P-1, and C-2 to City R-1, R-2, C-3 (D), and OA
for the three areas located south of Olive Avenue and west of Jaye Street in the southerly
portion of the community (11.1±, 25.7±, and 89.8± acre areas); and

WHEREAS: The City Council made the following findings in support of the
approval of Zone Change 06-2005.

1. That the proposed zoning will conform with the land use designation of the
   General Plan; and

2. That a Negative Declaration was approved for this project in accordance with
   the California Environmental Quality Act based on findings of the
   environmental studies indicating that the Project will not have a negative
   impact on the environment; and

3. That the Negative Declaration prepared for this project was originally made
   available for public review and comment; and

4. That this zoning designation will allow for the logical establishment for future
   Low Density Residential, Medium Density Residential, Heavy Commercial,
   Recreation and Open Space uses as supported by the City of Porterville

Attachment No. 13-1
General Plan Land Use Element for the 11.1±, 25.7±, and 89.8± acre areas; and

5. That this zoning designation 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 06-2005, is hereby pre-zoned from County R-1, R-1-217, R-2, P-1, and C-2 to City R-1, R-2, C-3 (D), and OA for the three areas located south of Olive Avenue and west of Jaye Street in the southerly portion of the community (11.1±, 25.7±, and 89.8± acre areas) more particularly shown on the attached maps, incorporated herein by this reference as Exhibit “A”, Exhibit “B”, and Exhibit “C”.

Section 2: It is further ordained that upon consummation of Annexation No. 456, 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 rezoned from County R-1, R-1-217, R-2, P-1, and C-2 to City R-1, R-2, C-3 (D), and OA for the three areas located south of Olive Avenue and west of Jaye Street in the southerly portion of the community.

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage and upon consummation of Annexation No. 456.

_________________________________________________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By__________________________________
Georgia Hawley, Deputy
ZONE CHANGE 06-2005 AND ANNEXATION 456 (AREA A) – EXISTING ZONING

EXHIBIT A

Attachment No. 13-3
ZONE CHANGE 06-2005 AND
ANNEXATION 456 (AREA B) –
PROPOSED ZONING

EXHIBIT B

attachment No. 13-6
ZONE CHANGE 06-2005 AND ANNEXATION 456 (AREA C) – EXISTING ZONING

EXHIBIT C
RESOLUTION NO. _______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA
MAKING APPLICATION FOR CHANGE OF ORGANIZATION OF TERRITORY KNOWN AS ANNEXATION NO. 457

WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:
   
   A. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.
   
   B. The nature of the proposal is a change of organization as follows:

   A description of the exterior boundaries of the territory to be annexed is attached hereto and marked Exhibit “A” and made a part hereof by reference as though set forth herein.

Attachment No. 14-1
C. The reasons for this proposal are as follows:

To provide municipal services including sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in accordance with the City of Porterville General Plan, LAFCo’s Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In accordance with the City Council Resolution No. 6956, adopted on April 3, 1973, and as subsequently modified, the Environmental Coordinator, of the City of Porterville on June 27, 2005, accepted and found to be adequate under the provisions of the California Environmental Quality Act of 1970, as amended, an environmental assessment finding that said annexation will not have a significant effect on the environment, and the City Council of the City of Porterville, does hereby approve a Negative Declaration for the project in accordance with the California Environmental Quality Act.

E. That the environmental assessment and analysis prepared for Annexation No. 457 and Zone Change No. 07-2005 (pre-zoning) supporting the Negative Declaration reflects the independent judgment of the City of Porterville.

F. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act based on findings of the environmental studies indicating that the project will not have a negative impact on the environment.

G. That the Negative Declaration prepared for this project was made available for public review and comment.

H. The subject site is not located within an Agricultural Preserve.

I. The subject area is completely surrounded or substantially surrounded by the City of Porterville and is less than 150 acres in aggregate area.

J. The City of Porterville hereby requests process per the provisions of Government Code Section 56375.3.

K. As the proposed annexation consists of an unincorporated island, per Government Code Section 56375.3, consents to annex are not necessary for this project.

L. That the subject site consists of 90.8± acre area.
M. The subject site is not being utilized for agricultural purposes.

N. The subject site is located within Porterville’s Urban Development Boundary and LAFCO’s Sphere of Influence Boundary.

O. Porterville’s General Plan designates the site for Low Density Residential uses.

P. In conjunction with the proposed annexation, Zone Change No. 07-2005 (pre-zoning) proposes to change the existing zoning from County R-A-217, R-1, R-1-217 Zone to City R-1 for the area located at the southeast corner of State Route 65 and State Route 190 (90.8± acre area).

Q. 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.

R. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By_________________________________
Georgia Hawley, Deputy
EXHIBIT “A”  
City of Porterville  
Annexation No. 457  
Description for Annexation  

That portion of Section 2 and Section 3, Township 22 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Beginning at the point of intersection of the South right of way line of State Highway 190 and the West line of the Northeast quarter of the Northwest quarter of said Section 2, said point being on the existing City Limits Line;

D1 Thence, southerly, along the existing City Limits Line and along the West line of the Northeast quarter of the Northwest quarter of said Section 2, a distance of 969 feet, more or less, to a point located 999.12 feet, more or less, South of the North line of said Section 2, said point being on the North line of the South half of the South half of the Northeast quarter of the Northwest quarter of said Section 2, an angle point in the existing City Limits Line;

D2 Thence, easterly, along the existing City Limits Line and along the North line of the South half of the South half of the Northeast quarter of the Northwest quarter of said Section 2, a distance of 264 feet, more or less, to an angle point in the existing City Limits Line;

D3 Thence, southerly, along the existing City Limits Line, a distance of 331 feet, more or less, to the South line of the Northeast quarter of the Northwest quarter of said Section 2, an angle point in the existing City Limits Line;

D4 Thence, westerly, along the South line of the Northeast quarter of the Northwest quarter of said Section 2 and along the existing City Limits Line, a distance of 264 feet, more or less, to the West line of the Northeast quarter of the Northwest quarter of said Section 2, an angle point in the existing City Limits Line;

D5 Thence, continuing westerly, leaving the existing City Limits Line and along the South line of the Northwest quarter of the Northwest quarter of said Section 2, a distance of 1290 feet, more or less, to the East right of way line of Indiana Street;

D6 Thence, southerly, along the East right of way line of Indiana Street, a distance of 648 feet, more or less, to the easterly prolongation of the South line of the Northeast quarter of the Southeast quarter of the Northeast quarter of Section 3, Township 22 South, Range 27 East;
D7 Thence, westerly, along said easterly prolongation and along the South line of the Northeast quarter of the Southeast quarter of the Northeast quarter of said Section 3, a distance of 641 feet, more or less, to the East right of way line of Wisconsin Street;

D8 Thence, southerly, along the East right of way line of Wisconsin Street, a distance of 182 feet, more or less, to the end of the right of way line of Wisconsin Street;

D9 Thence, westerly, across the width of said Street and along the southerly right of way line of Wisconsin Street, a distance of 38 feet, more or less, to the West right of way line of Wisconsin Street, the East line of Tract No. 22, recorded in Volume 19 of Maps, Page 57, Tulare County Records;

D10 Thence, southerly, along the East line of said Tract No. 22, a distance of 246 feet, more or less, to the Southeast corner of Lot 9 of said Tract No. 22;

D11 Thence, northwesterly, along the South line of said Lot 9, a distance of 525 feet, more or less, to the East right of way line of State Highway 65, a point on the existing City Limits Line;

D12 Thence, northerly and northeasterly, along the existing City Limits Line and the East right of way line of State Highway 65, a distance of 2,474 feet, more or less, to the South right of way line of State Highway 190, an angle point in the existing City Limits Line;

D13 Thence, easterly, along the existing City Limits Line and the South right of way line of State Highway 190, a distance of 1,644 feet, more or less, to the West line of the Northeast quarter of the Northwest quarter of said Section 2, an angle point in the existing City Limits Line, the POINT OF BEGINNING.

ACREAGE = 88 ± ACRES

Attachment No. 14-5
ORDINANCE NO. ________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE 07-2005 (PRE-ZONING) CONSISTING OF ONE
UNINCORPORATED ISLAND CONSISTING OF 90.8± ACRES AND
APPROXIMATELY 119 PARCELS, GENERALLY LOCATED AT THE
SOUTHEAST CORNER OF STATE ROUTE 65 AND STATE ROUTE 190

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of August 2, 2005, conducted a public hearing to consider Zone Change 07-2005
(Pre-Zoning), to change the existing County R-A-217, R-1, R-1-217 Zone to City R-1 for
the area located at the southeast corner of State Route 65 and State Route 190; and

WHEREAS: In conjunction with Zone Change 07-2005, Annexation 457
proposes to annex one annexation area generally located at the southeast corner of State
Route 65 and State Route 190.

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 the proposed pre-
 zoning from County R-A-217, R-1, R-1-217 Zone to City R-1 for the area located at the
southeast corner of State Route 65 and State Route 190 (90.8± acre area); and

WHEREAS: The City Council made the following findings in support of the
approval of Zone Change 07-2005.

1. That the proposed zoning will conform with the land use designation of the
   General Plan; and

2. That a Negative Declaration was approved for this project in accordance with
   the California Environmental Quality Act based on findings of the
   environmental studies indicating that the Project will not have a negative
   impact on the environment; and

3. That the Negative Declaration prepared for this project was originally made
   available for public review and comment; and

4. That this zoning designation will allow for the logical establishment for future
   Low Density Residential uses as supported by the City of Porterville General
   Plan Land Use Element for the 90.8± acre area; and

5. That this zoning designation 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.

Attachment No. 15-1
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 07-2005, is hereby pre-zoned from County R-A-217, R-1, R-1-217 Zone to City R-1 for the area located at the southeast corner of State Route 65 and State Route 190 (90.8± acre area) more particularly shown on the attached map, incorporated herein by this reference as Exhibit “A”.

Section 2: It is further ordained that upon consummation of Annexation No. 457, 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 rezoned from County R-A-217, R-1, R-1-217 Zone to City R-1 for the area located at the southeast corner of State Route 65 and State Route 190.

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage and upon consummation of Annexation No. 457.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By_________________________________
Georgia Hawley, Deputy
ZONE CHANGE 07-2005 AND ANNEXATION 457 (AREA A) – EXISTING ZONING
ZONE CHANGE 07-2005 AND ANNEXATION 457 (AREA A) – PROPOSED ZONING

EXHIBIT A

Attachment No. 15-4
RESOLUTION NO. _______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA
MAKING APPLICATION FOR CHANGE OF ORGANIZATION OF
TERRITORY KNOWN AS ANNEXATION NO. 458

WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:

   A. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.

   B. The nature of the proposal is a change of organization as follows:

      A description of the exterior boundaries of the territory to be annexed is attached hereto and marked Exhibit “A” and Exhibit “B” and made a part hereof by reference as though set forth herein.

Attachment No. 16-1
C. The reasons for this proposal are as follows:

To provide municipal services including sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in accordance with the City of Porterville General Plan, LAFCo’s Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In accordance with the City Council Resolution No. 6956, adopted on April 3, 1973, and as subsequently modified, the Environmental Coordinator, of the City of Porterville on June 27, 2005, accepted and found to be adequate under the provisions of the California Environmental Quality Act of 1970, as amended, an environmental assessment finding that said annexation will not have a significant effect on the environment, and the City Council of the City of Porterville, does hereby approve a Negative Declaration for the project in accordance with the California Environmental Quality Act.

E. That the environmental assessment and analysis prepared for Annexation No. 458 and Zone Change No. 08-2005 (pre-zoning) supporting the Negative Declaration reflects the independent judgment of the City of Porterville.

F. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act based on findings of the environmental studies indicating that the project will not have a negative impact on the environment.

G. That the Negative Declaration prepared for this project was made available for public review and comment.

H. The subject site is not located within an Agricultural Preserve.

I. The subject area is completely surrounded or substantially surrounded by the City of Porterville and is less than 150 acres in aggregate area.

J. The City of Porterville hereby requests process per the provisions of Government Code Section 56375.3.

K. As the proposed annexation consists of an unincorporated island, per Government Code Section 56375.3, consents to annex are not necessary for this project.

L. That the subject sites consist of 62.8± and 86.2± acre areas.
M. The subject site is not being utilized for agricultural purposes.

N. The subject site is located within Porterville’s Urban Development Boundary and LAFCO’s Sphere of Influence Boundary.

O. Porterville’s General Plan designates the site for Low Density Residential, Medium Density Residential and Neighborhood Commercial uses.

P. In conjunction with the proposed annexation, Zone Change No. 08-2005 (pre-zoning) proposes to change the existing zoning from County R-1, R-2, C-1, A-1, and R-1-217 Zone to City R-1, R-2, and C-1 (D) for the area located south of Morton Avenue and west of Prospect Street, in the westerly portion of the community (62.8± and 86.2± acre areas).

Q. 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.

R. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By_________________________________
Georgia Hawley, Deputy
EXHIBIT “A”
City of Porterville
Annexation No. 458, Area A
Description for Annexation

That portion of Section 27, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Southwest corner of said Section 27, Township 21 South, Range 27 East; thence, easterly along the South line of the Southwest quarter of Section 27, a distance of 40 feet, more or less, to the intersection with the southerly prolongation of the East right of way line of Newcomb Street; thence, northerly, along said southerly prolongation of the East right of way line of Newcomb Street and said East right of way line, a distance of 330 feet, more or less, to an angle point on the existing City Limits Line, the TRUE POINT OF BEGINNING;

A1 Thence, continuing northerly, along the existing City Limits Line and the East right of way line of Newcomb Street, a distance of 299 feet, more or less, to the South right of way line of Tomah Avenue, an angle point in the existing City Limits Line;

A2 Thence, easterly, along the existing City Limits Line and South right of way line of Tomah Avenue, a distance of 354.67 feet, more or less, to an angle point in the existing City Limits Line;

A3 Thence, northerly, along the existing City Limits Line, a distance of 540.91 feet, more or less, to an angle point in the existing City Limits Line;

A4 Thence, westerly, along the existing City Limits Line, a distance of 82 feet, more or less, to an angle point in the existing City Limits Line;

A5 Thence, northerly, along the existing City Limits Line, a distance of 174 feet, more or less, to the North right of way line of Putnam Avenue, an angle point in the existing City Limits Line;

A6 Thence, westerly, along the existing City Limits Line and the North right of way line of Putnam Avenue, a distance of 273 feet, more or less, to the East right of way line of Newcomb Street, an angle point in the existing City Limits Line;

A7 Thence, northerly, along the existing City Limits Line and the East right of way line of Newcomb Street, a distance of 1328 feet, more or less, to the North right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A8 Thence, easterly, along the existing City Limits Line and North right of way line of Morton Avenue, a distance of 1292 feet, more or less, to the intersection with the
northerly prolongation of the East line of Tract 264 as recorded in Volume 22 of Maps, Page 14, Tulare County Records, an angle point in the existing City Limits Line;

A9 Thence, southerly, along the existing City Limits Line and the northerly prolongation of the East line of said Tract 264 and the East line of said Tract 264, a distance of 1394.31, more or less, to the South right of way line of Putnam Avenue, an angle point in the existing City Limits Line;

A10 Thence, westerly, along the existing City Limits Line and the South right of way line of Putnam Avenue, a distance of 199.27 feet, more or less, to an angle point in the existing City Limits Line;

A11 Thence, southerly, along the existing City Limits Line, a distance of 308 feet, more or less, to an angle point in the existing City Limits Line;

A12 Thence, easterly, along the existing City Limits Line, a distance of 66.52 feet, more or less, to an angle point in the existing City Limits Line;

A13 Thence, southerly, along the existing City Limits Line, a distance of 303.44 feet, more or less, to the North right of way line of Tomah Avenue, an angle point in the existing City Limits Line;

A14 Thence, easterly, along the existing City Limits Line and the North right of way line of Tomah Avenue, a distance of 132.85 feet, more or less, to the intersection with the southerly prolongation of the East line of said Tract 264, an angle point in the existing City Limits Line;

A15 Thence, southerly, along the existing City Limits and the southerly prolongation of the East line of said Tract 264, a distance of 50 feet, more or less, to the South right of way line of Tomah Avenue, an angle point in the existing City Limits Line;

A16 Thence, easterly, along the existing City Limits Line and the South right of way line of Tomah Avenue, a distance of 331 feet, more or less, to the intersection with the East line of West half of the East half of the Southwest quarter of said Section 27, an angle point in the existing City Limits Line;

A17 Thence, southerly, along the existing City Limits Line and the East line of West half of the East half of the Southwest quarter of said Section 27, a distance of 254 feet, more or less, to an angle point in the existing City Limits Line;

A18 Thence, easterly, along the existing City Limits Line, a distance of 100 feet, more or less, to an angle point in the existing City Limits Line;

Attachment No. 16-5
A19 Thence, northerly, along the existing City Limits Line, a distance of 254.14 feet, more or less, to the South right of way line of Tomah Avenue, an angle point in the existing City Limits Line;

A20 Thence, westerly, along the existing City Limits Line and the South right of way line of Tomah Avenue, a distance of 129.22 feet, more or less, an angle point in the existing City Limits Line;

A19 Thence, southerly, along the existing City Limits Line, a distance of 254.16 feet, more or less, to an angle point in the existing City Limits Line;

A22 Thence, westerly, along the existing City Limits Line, a distance of 100 feet, more or less, to the intersection with the East line of the Southwest quarter of the Southwest quarter of the Southwest quarter of said Section 27, an angle point in the existing City Limits Line;

A23 Thence, southerly, along the existing City Limits Line and the East line of the Southwest quarter of the Southwest quarter of the Southwest quarter of said Section 27, a distance of 50 feet, more or less, to an angle point in the existing City Limits Line;

A24 Thence, westerly, along the existing City Limits Line, a distance of 200 feet, more or less, to an angle point in the existing City Limits Line, the TRUE POINT OF BEGINNING.

ACREAGE = 63 ± ACRES
EXHIBIT “B”
City of Porterville
Annexation No. 458, Area B
Description for Annexation

That portion of Section 28 and 27, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Southeast corner of said Section 28, Township 21 South, Range 27 East; thence, westerly along the South line of the Southeast quarter of Section 28, a distance of 40 feet, more or less, to the intersection with the southerly prolongation of the West right of way line of Newcomb Street; thence, northerly, along said southerly prolongation of the West right of way line of Newcomb Street and said West right of way line, a distance of 276 feet, more or less, to an angle point on the existing City Limits Line, the Southeast corner of Lot 5 of Tract No. 257 as recorded in Volume 22 of Maps, Page 10, Tulare County Records, the TRUE POINT OF BEGINNING;

B1 Thence, westerly, along the existing City Limits Line and the South line of Lots 5, 9, 10, and 11 of said Tract No. 257, a distance of 388.01 feet, more or less, to an angle point in the existing City Limits Line;

B2 Thence, northwesterly, along the existing City Limits Line and the South line of Lots 11 and 12 of said Tract No. 257, a distance of 49.00 feet, more or less, to an angle point in the existing City Limits Line;

B3 Thence, southwesterly, along the existing City Limits Line, a distance of 20.00 feet, more or less, to an angle point in the existing City Limits Line;

B4 Thence, northwesterly, along the existing City Limits, a distance of 30.00 feet, more or less, to an angle point in the existing City Limits Line;

B5 Thence, southwesterly, along the existing City Limits Line, a distance of 29.75 feet, more or less, to an angle point in the existing City Limits Line;

B6 Thence, northwesterly, along the existing City Limits Line, a distance of 225 feet, more or less, to an angle point in the existing City Limits Line;

B7 Thence, continuing northwesterly, along the existing City Limits Line, a distance of 153.60 feet, more or less, to an angle point in the existing City Limits Line;

B8 Thence, continuing northwesterly, along the existing City Limits Line, a distance of 85.78 feet, more or less, to an angle point in the existing City Limits Line;

B9 Thence, continuing northwesterly, along the existing City Limits Line, a distance of 106.32 feet, more or less, to an angle point in the existing City Limits Line;
B10 Thence, southerly, along the existing City Limits Line, a distance of 93.27 feet, more or less, to an angle point in the existing City Limits Line;

B11 Thence, northwesterly, along the existing City Limits Line, a distance of 178.69 feet, more or less, to an angle point in the existing City Limits Line;

B12 Thence, continuing northwesterly, along the existing City Limits Line, a distance of 337.32 feet, more or less, to an angle point in the existing City Limits Line;

B13 Thence, continuing northwesterly, along the existing City Limits Line, a distance of 72.00 feet, more or less, to an angle point in the existing City Limits Line;

B14 Thence, northerly, along the existing City Limits Line, a distance of 190.00 feet, more or less, to an angle point in the existing City Limits Line;

B15 Thence, westerly, along the existing City Limits Line, a distance of 897.67 feet, more or less, to an angle point in the existing City Limits Line;

B16 Thence, northerly, along the existing City Limits Line, a distance of 395.00 feet, more or less, to an angle point in the existing City Limits Line;

B17 Thence, easterly, along the existing City Limits Line, a distance of 917.03 feet, more or less, to an angle point in the existing City Limits Line;

B18 Thence, northerly, along the existing City Limits Line, a distance of 114 feet, more or less, to the South right of way line of Putnam Avenue, an angle point in the existing City Limits Line;

B19 Thence, easterly, along the existing City Limits Line and the South right of way line of Putnam Avenue, a distance of 80.06 feet, more or less, to the intersection with the southerly prolongation of the West line of Tract No. 14 per map recorded in Volume 19 of maps, at Page 50, Tulare County Records, an angle point in the existing City Limits Line;

B20 Thence, northerly, along the existing City Limits Line, the southerly prolongation of the West line of said Tract No. 14, and said West line, a distance of 1328.80 feet, more or less, to the South right of way line of Morton Avenue, an angle point in the existing City Limits Line;

B21 Thence, easterly, along the existing City Limits Line and the South right of way line of Morton Avenue, a distance of 496.45 feet, more or less, to an angle point in the existing City Limits Line;
B22 Thence, southerly, along the existing City Limits Line and the South right of way line of Morton Avenue, a distance of 5.0 feet, more or less, to an angle point in the existing City Limits Line;

B23 Thence, easterly, along the existing City Limits Line and the South right of way line of Morton Avenue, a distance of 111.58 feet, more or less, to the intersection with the southerly prolongation of the West line of Tract No. 270 as per map recorded in Volume 22 of maps, Page 16, Tulare County Records, an angle point in the existing City Limits Line;

B24 Thence, northerly, along the existing City Limits Line, the southerly prolongation of the West line of said Tract No. 270, and said West line, a distance of 339.5 feet, more or less, to the South right of way line of Morton Avenue, an angle point in the existing City Limits Line;

B25 Thence, easterly, along the existing City Limits Line and the West line of said Tract No. 270, a distance of 16.5 feet, more or less, to an angle point in the existing City Limits Line;

B26 Thence, northerly, along the existing City Limits Line and the West line of said Tract No. 270, a distance of 49.5 feet, more or less, to an angle point in the existing City Limits Line;

B27 Thence, westerly, along the existing City Limits Line and the West line of said Tract No. 270, a distance of 16.5 feet, more or less, to an angle point in the existing City Limits Line;

B28 Thence, northerly, along the existing City Limits Line and the West line of said Tract No. 270, a distance of 560.7 feet, more or less, to the South line of the North half of the North half of the South East quarter of the Northeast quarter of Section 28, an angle point in the existing City Limits Line;

B29 Thence, easterly, along the existing City Limits Line and said South line, a distance of 461 feet, more or less, to the East line of said Tract No. 270, an angle point in the existing City Limits Line;

B30 Thence, southerly, along the existing City Limits Line and the East line of said Tract No. 270, a distance of 25.95 feet, more or less, to the approximate centerline of Porter Slough, an angle point in the existing City Limits Line;

B31 Thence, southeasterly, along the existing City Limits Line and the approximate centerline of Porter Slough, a distance of 179.38 feet, more or less, to an angle point in the existing City Limits Line;
B32 Thence, continuing southeasterly, along the existing City Limits Line and the approximate centerline of Porter Slough, a distance of 330.92 feet, more or less, to the East line of the Northeast quarter of said Section 28, an angle point in the existing City Limits Line;

B33 Thence, easterly, along the existing City Limits Line, a distance of 40 feet, more or less, to the East right of way line of Newcomb Street (Road 232), an angle point in the existing City Limits Line;

B34 Thence, southerly, along the existing City Limits Line and East right of way line of Newcomb Street (Road 232), a distance of 653 feet, more or less, to a point being 10 feet North of the North right of way line of Morton Avenue, an angle point in the existing City Limits Line;

B35 Thence, westerly, along the existing City Limits Line, a distance of 80 feet, more or less, to the West right of way line of Newcomb Street (Road 232), an angle point in the existing City Limits Line;

B36 Thence, southerly, along the existing City Limits Line and the West right of way line of Newcomb Street (Road 232), a distance of 1351 feet, more or less, to the North right of way line of Putnam Street, an angle point in the existing City Limits Line;

B37 Thence, westerly, along the existing City Limits Line and the North right of way line of Putnam Street, a distance of 966 feet, more or less, an angle point in the existing City Limits Line;

B38 Thence, southerly, along the existing City Limits, a distance of 727 feet, more or less, to the South right of way line of Tomah Avenue, an angle point in the existing City Limits Line;

B39 Thence, westerly, along the existing City Limits Line and the South right of way line of Tomah Avenue, a distance of 963 feet, more or less, to the West right of way line of Newcomb Street (Road 232), an angle point in the existing City Limits Line;

B40 Thence, southerly, along the existing City Limits Line and the West right of way line of Newcomb Street (Road 232), a distance of 352 feet, more or less, to the South right of way line of Putnam Street, to an angle point on the existing City Limits Line, the Southeast corner of Lot 5 of said Tract No. 257, the TRUE POINT OF BEGINNING;

ACREAGE = 86 ± ACRES
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE 08-2005 (PRE-ZONING) ) TWO
UNINCORPORATED ISLANDS CONSISTING OF 62.8± ACRES AND
APPROXIMATELY 193 PARCELS AND 86.2± ACRES AND APPROXIMATELY
289 PARCELS, LOCATED SOUTH OF MORTON AVENUE AND WEST OF
PROSPECT STREET, IN THE WESTERLY PORTION OF THE COMMUNITY

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of August 2, 2005, conducted a public hearing to consider Zone Change 08-2005
(Pre-Zoning), to change the existing County R-1, R-2, C-1, A-1, and R-1-217 Zone to
City R-1, R-2, and C-1 (D) for the area located south of Morton Avenue and west of
Prospect Street, in the westerly portion of the community; and

WHEREAS: In conjunction with Zone Change 08-2005, Annexation 458
proposes to annex two annexation areas generally located south of Morton Avenue and
west of Prospect Street, in the westerly portion of the community.

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 the proposed pre-
zoning from County R-1, R-2, C-1, A-1, and R-1-217 Zone to City R-1, R-2, and C-1 (D)
for the area located south of Morton Avenue and west of Prospect Street, in the westerly
portion of the community (62.8± and 86.2± acre areas);and

WHEREAS: The City Council made the following findings in support of the
approval of Zone Change 08-2005.

1. That the proposed zoning will conform with the land use designation of the
General Plan; and

2. That a Negative Declaration was approved for this project in accordance with
the California Environmental Quality Act based on findings of the
environmental studies indicating that the Project will not have a negative
impact on the environment; and

3. That the Negative Declaration prepared for this project was originally made
available for public review and comment; and

4. That this zoning designation will allow for the logical establishment for future
Low Density Residential, Medium Density Residential and Neighborhood
Commercial uses as supported by the City of Porterville General Plan Land
Use Element for the 62.8± and 86.2± acre areas; and

Attachment No. 17-1
5. That this zoning designation 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 08-2005, is hereby pre-zoned from County R-1, R-2, C-1, A-1, and R-1-217 Zone to City R-1, R-2, and C-1 (D) for the area located south of Morton Avenue and west of Prospect Street, in the westerly portion of the community (62.8± and 86.2± acre areas) more particularly shown on the attached map, incorporated herein by this reference as Exhibit “A” and Exhibit “B”.

Section 2: It is further ordained that upon consummation of Annexation No. 458, 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 rezoned from County R-1, R-2, C-1, A-1, and R-1-217 Zone to City R-1, R-2, and C-1 (D) for the area located south of Morton Avenue and west of Prospect Street, in the westerly portion of the community.

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage and upon consummation of Annexation No. 458.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By ___________________________________
Georgia Hawley, Deputy
ZONE CHANGE 08-2005 AND ANNEXATION 458 (AREA A) – EXISTING ZONING

EXHIBIT A

Attachment No. 17-3
ZONE CHANGE 08-2005 AND ANNEXATION 458 (AREA A) – PROPOSED ZONING

EXHIBIT A
ZONE CHANGE 08-2005 AND ANNEXATION 458 (AREA B) – PROPOSED ZONING

EXHIBIT B
RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA
MAKING APPLICATION FOR CHANGE OF ORGANIZATION OF TERRITORY KNOWN AS ANNEXATION NO. 459

WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:
   a. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.
   b. The nature of the proposal is a change of organization as follows:
      A description of the exterior boundaries of the territory to be annexed is attached hereto and marked Exhibit “A”, Exhibit “B” and Exhibit “C” and made a part hereof by reference as though set forth herein.
   c. The reasons for this proposal are as follows:

Attachment No. 18-1
To provide municipal services including sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in accordance with the City of Porterville General Plan, LAFCo’s Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In accordance with the City Council Resolution No. 6956, adopted on April 3, 1973, and as subsequently modified, the Environmental Coordinator, of the City of Porterville on June 27, 2005, accepted and found to be adequate under the provisions of the California Environmental Quality Act of 1970, as amended, an environmental assessment finding that said annexation will not have a significant effect on the environment, and the City Council of the City of Porterville, does hereby approve a Negative Declaration for the project in accordance with the California Environmental Quality Act.

E. That the environmental assessment and analysis prepared for Annexation No. 459 and Zone Change No. 09-2005 (pre-zoning) supporting the Negative Declaration reflects the independent judgment of the City of Porterville.

F. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act based on findings of the environmental studies indicating that the project will not have a negative impact on the environment.

G. That the Negative Declaration prepared for this project was made available for public review and comment.

H. The subject site is not located within an Agricultural Preserve.

I. The subject area is completely surrounded or substantially surrounded by the City of Porterville and is less than 150 acres in aggregate area.

J. The City of Porterville hereby requests process per the provisions of Government Code Section 56375.3.

K. As the proposed annexation consists of an unincorporated island, per Government Code Section 56375.3, consents to annex are not necessary for this project.

L. That the subject sites consist of 88.7±, 1.2± and 9.0± acre areas.

M. The subject site is not being utilized for agricultural purposes.

Attachment No. 18-2
N. The subject site is located within Porterville’s Urban Development Boundary and LAFCO’s Sphere of Influence Boundary.

O. Porterville’s General Plan designates the site for Low Density Residential and High Density Residential uses.

P. In conjunction with the proposed annexation, Zone Change No. 09-2005 (pre-zoning) proposes to change the existing zoning from County R-1, R-1-217, C-1 and C-2 to City R-1 and R-3 (D) for the areas generally located west of Matthew Street and east of Westwood Street in the westerly portion of the community (88.7±, 1.2± and 19.0± acre areas).

Q. 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.

R. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By __________________________________
Georgia Hawley, Deputy
EXHIBIT “A”
City of Porterville
Annexation No. 459, Area A
Description for Annexation

That portion of Section 28, Township 21 South, Range 27 East, Mount Diablo Base and
Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Southwest corner of the Northeast quarter of said Section 28; thence,
westerly, along the South line of the Northeast quarter of said Section 28, a distance of 40
feet, more or less, to the intersection with the southerly prolongation of the East right of
way line of Mathew Street; thence, northerly, along said southerly prolongation of the
East right of way line of Mathew Street, a distance of 60 feet, more or less, to the end of
curve / point of tangency on the East right of way line of Mathew Street, an angle point
on the existing City Limits Line, the TRUE POINT OF BEGINNING;

A1 Thence, northerly, along the existing City Limits Line and the East right of way of
Mathew Street, a distance of 1,259.95 feet, more or less, to an angle point in the existing
City Limits Line;

A2 Thence, southwesterly, along the existing City Limits Line, a distance of 410 feet,
more or less, to an angle point in the existing City Limits Line;

A3 Thence, southwesterly, along the existing City Limits Line, a distance of 138.39 feet,
more or less, to an angle point in the existing City Limits Line;

A4 Thence, southwesterly, along the existing City Limits Line, a distance of 71.29 feet,
more or less, to an angle point in the existing City Limits Line;

A5 Thence, southwesterly, along the existing City Limits Line, a distance of 134.84 feet,
more or less, to an angle point in the existing City Limits Line;

A6 Thence, southwesterly, along the existing City Limits Line, a distance of 42.85 feet,
more or less, to an angle point in the existing City Limits Line;

A7 Thence, northwesterly, along the existing City Limits Line, a distance of 83.87 feet,
more or less, to an angle point in the existing City Limits Line;

A8 Thence, northwesterly, along the existing City Limits Line, a distance of 22.00 feet,
more or less, to an angle point in the existing City Limits Line;

A9 Thence, southwesterly, along the existing City Limits Line, a distance of 107.26 feet,
more or less, to an angle point in the existing City Limits Line;

A10 Thence, southwesterly, along the existing City Limits Line, a distance of 112.51
feet, more or less, to an angle point in the existing City Limits Line;
A11 Thence, southwesterly, along the existing City Limits Line, a distance of 81.43 feet, more or less, to the East line of Tract 368 as per Map recorded in Volume 23 of Maps, page 43, Tulare County Records, an angle point in the existing City Limits Line;

A12 Thence, southerly, along the existing City Limits Line and said East line, a distance of 1025 feet, more or less, to the North right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A13 Thence, westerly, along the existing City Limits Line, a distance of 81.43 feet, more or less, to the intersection with the northerly prolongation of the East line of Tract No. 339, per Map recorded in Volume 22 of Maps, at Page 98, Tulare County Records, an angle point in the existing City Limits Line;

A14 Thence, southerly, along the existing City Limits Line and the prolongation of the East line of said Tract No. 339, and said East line, a distance of 1334.76 feet, more or less, to the North right of way line of Putnam Avenue, an angle point in the existing City Limits Line;

A15 Thence, westerly, along the existing City Limits Line and the North right of way line of Putnam Avenue, a distance of 704.04 feet, more or less, to an angle point in the existing City Limits Line;

A16 Thence, southerly, along the existing City Limits Line, a distance of 60.00 feet, more or less, to an angle point in the existing City Limits Line;

A17 Thence, westerly, along the existing City Limits Line, a distance of 40.00 feet, more or less, to the East line of the Southwest quarter of said Section 28, an angle point in the existing City Limits Line;

A18 Thence, northerly, along the existing City Limits Line and the East line of the Southwest quarter of said Section 28, a distance of 30.00 feet, more or less, to the Southeast corner of Tract No. 411, Unit No. 2 as shown on the map thereof recorded in Volume 24 of Maps at page 52, Tulare County Records, an angle point in the existing City Limits Line;

A19 Thence, westerly, along the existing City Limits Line and the South line of said Tract No. 411, Unit No. 2 and the South line of Tract No. 411, Unit No. 1, as shown on the map thereof recorded in Volume 24 of Maps at page 16, Tulare County Records, a distance of 1320.42 feet, more or less, to the East line of the West half of the Southwest quarter of said Section 28, an angle point in the existing City Limits Line;

A20 Thence, northerly, along the existing City Limits Line and the East line of the West half of the Southwest quarter of said Section 28, a distance of 664 feet, more or less, to the North line of the South half of the Northwest quarter of the Southwest quarter of said Section 28, an angle point in the existing City Limits Line;

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A21 Thence, westerly, along the existing City Limits Line and the North line of the South half of the Northwest quarter of the Southwest quarter of said Section 28, a distance of 425.22 feet, more or less, to an angle point in the existing City Limits Line;

A22 Thence, northerly, along the existing City Limits Line, a distance of 617 feet, more or less, to the South right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A23 Thence, westerly, along the existing City Limits Line and the South right of way line of Morton Avenue, a distance of 57 feet, more or less, to the southerly prolongation of the West line of the East 1096 feet of the West three-quarters of the South half of the Northwest quarter of said Section 28, an angle point in the existing City Limits Line;

A24 Thence, northerly, along the existing City Limits Line and said southerly prolongation, a distance of 80.00 feet, more or less, to the North right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A25 Thence, easterly, along the existing City Limits Line and the North right of way line of Morton Avenue, a distance of 1096 feet, more or less, to the East line of the West three-quarters of the South half of the Northwest quarter of said Section 28, an angle point in the existing City Limits Line;

A26 Thence, northerly, along the existing City Limits Line and the East line of the West three-quarters of the South half of the Northwest quarter of said Section 28, a distance of 435 feet, more or less, to the Southwest corner of Parcel 1 of Parcel Map No. 3323 per map recorded in Book 34, page 25, of Parcel Maps, an angle point in the existing City Limits Line;

A27 Thence, easterly, along the existing City Limits Line and the South line of said Parcel 1, a distance of 257.68 feet, more or less, to the West line of the East 402 feet of the Southeast quarter of the Northwest quarter of said Section 28, an angle point in the existing City Limits Line;

A28 Thence, southerly, along the existing City Limits Line and said West line and the southerly prolongation of said West line, a distance of 516 feet, more or less, to the South right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A29 Thence, easterly, along the existing City Limits Line and the South right of way line of Morton Avenue, a distance of 346 feet, more or less, to the beginning of a curve concave to the Southwest having a radius of 20.00 feet, an angle point in the existing City Limits Line;

A30 Thence, southeasterly, along the existing City Limits Line and said curve, a distance of 31.53 feet, more or less, to the West right of way line of Mathew Street, an angle point in the existing City Limits Line;
A31 Thence, southerly, along the existing City Limits Line and the West right of way line of Mathew Street, a distance of 251.10 feet, more or less, to the westerly prolongation of the South line of Lot 1 of Tract No. 477, per map recorded in Volume 25, page 84, of Maps, Tulare County Records, an angle point in the existing City Limits Line;

A32 Thence, easterly, along the existing City Limits Line and the westerly prolongation of the South line of said Lot 1, and said South line, and the easterly prolongation of said South line, a distance of 395.91 feet, more or less, to the East right of way line of Walch Street, an angle point in the existing City Limits Line;

A33 Thence, northerly, along the existing City Limits Line and the East right of way line of Walch Street, and the northerly prolongation of said East right of way line, a distance of 351.00 feet, more or less, to the North right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A34 Thence, westerly, along the existing City Limits Line and the North right of way line of Morton Avenue, a distance of 296.00 feet, more or less, to the beginning of a curve, concave to the Northeast, having a radius of 20.00 feet;

A35 Thence, northwesterly, along the existing City Limits Line and said curve, a distance of 31.53 feet, more or less, to the East right of way line of Mathew Street, the TRUE POINT OF BEGINNING

ACREAGE = 101 ± ACRES
EXHIBIT “B”
City of Porterville
Annexation No. 459, Area B
Description for Annexation

That portion of Section 33, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Northeast corner of the West half of the Northwest quarter of said Section 33; thence, southerly, along the East line of the West half of the Northwest quarter of said Section 33, a distance of 80.00 feet, more or less, to the South right of way line of Olive Avenue, a point on the existing City Limits Line; thence, westerly, along the existing City Limits Line and the South right of way line of Olive Avenue, a distance of 1156 feet, more or less, to the East line of the West 165 feet of the Northwest quarter of said Section 33, an angle point in the existing City Limits Line, the TRUE POINT OF BEGINNING;

B1 Thence, southerly, along the existing City Limits Line and the East line of the West 165 feet of the Northwest quarter of said Section 33, a distance of 448 feet, more or less, to the South line of the North 528 feet of the Northwest quarter of said Section 33, an angle point in the existing City Limits Line;

B2 Thence, westerly, along the existing City Limits Line and the South line of the North 528 feet of the Northwest quarter of said Section 33, a distance of 123 feet, more or less, to the East right of way line of Westwood Street, an angle point in the existing City Limits Line;

B3 Thence, northerly, along the existing City Limits Line and the East right of way line of Westwood Street, a distance of 448 feet, more or less, to the South right of way line of Olive Avenue, an angle point in the existing City Limits Line;

B4 Thence, easterly, along the existing City Limits Line and the South right of way line of Olive Avenue, a distance of 123 feet, more or less, to the East line of the West 165 feet of the Northwest quarter of said Section 33, the TRUE POINT OF BEGINNING.

ACREAGE  = 1.3 ± ACRES
EXHIBIT “C”  
City of Porterville  
Annexation No. 459, Area C  
Description for Annexation

That portion of Section 21, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 21; thence, northerly, along the West line of the Southeast quarter of the Southeast quarter of said Section 21, a distance of 112.61 feet, more or less, to the Northeast corner of Lot 9 of Tract No. 325, recorded in Volume 23 of Maps, Page 4, Tulare County Records, an angle point on the existing City Limits Line, the TRUE POINT OF BEGINNING;

C1 Thence, westerly, along the existing City Limits Line and the South line of said Lot 19, the westerly prolongation of said South line, and the South line of Lot 18 of said Tract No. 325, a distance of 329.90 feet, more or less, to the Southwest corner of said Lot 18, an angle point in the existing City Limits Line;

C2 Thence, northerly, along the existing City Limits Line and the West line of said Tract No. 325, a distance of 1192 feet, more or less, to the South right of way line of Mulberry Avenue, an angle point in the existing City Limits Line;

C3 Thence, easterly, along the existing City Limits Line and the South right of way line of Mulberry Avenue, a distance of 330 feet, more or less, to the West line of the Southeast quarter of the Southeast quarter of said Section 21, an angle point in the existing City Limits Line;

C4 Thence, southerly, along the existing City Limits Line and the West line of the Southeast quarter of the Southeast quarter of said Section 21, a distance of 1192 feet, more or less, to the Northeast corner of said Lot 9, an angle point on the existing City Limits Line, the TRUE POINT OF BEGINNING.

ACREAGE = 9 ± ACRES
ORDINANCE NO. ________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 09-2005 (PRE-ZONING) ) CONSISTING OF THREE UNINCORPORATED ISLANDS CONSISTING OF: 88.7± ACRES AND APPROXIMATELY 363 PARCELS; 1.2± ACRES AND ONE (1) PARCEL; AND 9.0± ACRES AND APPROXIMATELY 33 PARCELS GENERALLY LOCATED WEST OF MATHEW STREET AND EAST OF WESTWOOD STREET IN THE WESTERLY PORTION OF THE COMMUNITY

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of August 2, 2005, conducted a public hearing to consider Zone Change 09-2005 (Pre-Zoning), to change the existing County R-1, R-1-217, C-1, and C-2 Zone to City R-1 and R-3 (D) for the areas generally located west of Mathew Street and east of Westwood Street in the westerly portion of the community; and

WHEREAS: In conjunction with Zone Change 09-2005, Annexation 459 proposes to annex three annexation areas generally located west of Mathew Street and east of Westwood Street in the westerly portion of the community.

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 the proposed pre-zoning from County R-1, R-1-217, C-1, and C-2 Zone to City R-1 and R-3 (D) for the areas generally located west of Mathew Street and east of Westwood Street in the westerly portion of the community (88.7±, 1.2± and 9.0± acre areas); and

WHEREAS: The City Council made the following findings in support of the approval of Zone Change 09-2005.

1. That the proposed zoning will conform with the land use designation of the General Plan; and

2. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act based on findings of the environmental studies indicating that the Project will not have a negative impact on the environment; and

3. That the Negative Declaration prepared for this project was originally made available for public review and comment; and

4. That this zoning designation will allow for the logical establishment for future Low Density Residential and High Density Residential uses as supported by the City of Porterville General Plan Land Use Element for the 88.7±, 1.2± and 9.0± acre areas; and

Attachment No. 19-1
5. That this zoning designation 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 09-2005, is hereby pre-zoned from County R-1, R-1-217, C-1, and C-2 Zone to City R-1 and R-3 (D) for the areas generally located west of Mathew Street and east of Westwood Street in the westerly portion of the community (88.7±, 1.2± and 9.0± acre areas) more particularly shown on the attached map, incorporated herein by this reference as Exhibit “A”, Exhibit “B”, and Exhibit “C”.

Section 2: It is further ordained that upon consummation of Annexation No. 459, 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 rezoned from County R-1, R-1-217, C-1, and C-2 Zone to City R-1 and R-3 (D) for the areas generally located west of Mathew Street and east of Westwood Street in the westerly portion of the community.

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage and upon consummation of Annexation No. 459.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By ________________________________
Georgia Hawley, Deputy
Experience ZONE CHANGE 09-2005 AND ANNEXATION 459 (AREA A) – EXISTING ZONING
ZONE CHANGE 09-2005 AND ANNEXATION 459 (AREA A) – PROPOSED ZONING

EXHIBIT A
ZONE CHANGE 09-2005 AND ANNEXATION 459 (AREA B) – PROPOSED ZONING

EXHIBIT B

Attachment No. 19-6