CITY COUNCIL AGENDA: AUGUST 2, 2005

PUBLIC HEARING

TITLE: ZONE CHANGE 10-2005 (PRE-ZONING) AND ANNEXATION 460 (GIBBONS AND INDIANA)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The applicants propose to annex and pre-zone six parcels and adjacent streets totaling approximately 87 acres located east and west of Indiana Street and North of Gibbons Avenue. The parcels are primarily vacant land with two single family residences and several outbuildings. Portions of the northerly parcel have been in recent cultivation. The parcels are currently within the County AE-20 (Exclusive Agriculture- 20-Acre Minimum) Zone (35 +/- acres; the P-D-R-A-217 (Planned Development-Rural Residential-5 Acre Minimum) Zone (14 +/- acres); and the R-O-43 (Single Family Residential Estate- One Acre Minimum) Zone. The Land Use Element of the General Plan designates the northerly four parcels (52 +/- acres) for Low Density Residential uses which corresponds to the proposed R-1 (One Family Residential) zone. The southerly two parcels (35 +/- acres) are designated for Rural Density Residential uses, which corresponds to the proposed RE (Residential Estate) Zone.

Consents to annex have been received from the owners of three of the six parcels. The additional parcels are owned by the Housing Authority of Tulare County which has also indicated their support of the annexation.

Approximately 35 acres of the subject annexation site are located in Agricultural Preserve 3665. City Council Resolution 7335 originally protested the Agricultural Preserve. The Tulare County Local Agency Formation Commission, by Resolution 74-22, approved the protest. The Department of Conservation has been notified of the proposed project and has not yet responded. Upon consummation of the annexation, the City of Porterville will not succeed to the contract.

ENVIRONMENTAL: The Environmental Coordinator on June 27, 2005 made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review. As of this date, no comments have been received.

Appropriated/Funded CM Acting

Item No. 10
RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the Negative Declaration for Zone Change 10-2005 and Annexation 460.

2. Adopt the draft resolution authorizing initiation of preliminary proceedings and filing of the necessary application with LAFCo.

3. Approve the draft ordinances approving Zone Change 10-2005, waive further reading and order the Ordinances to print.

ATTACHMENT:

1. Complete Staff Report
PROJECT LOCATION: The parcels included in the proposed annexation are located immediately southwest of the City of Porterville in Tulare County generally east and west of Indiana Street, and north of Gibbons Avenue (Attachment 1).

SPECIFIC REQUEST: The applicants have requested annexation and a zone change from County AE-20 (Exclusive Agriculture – 20 Acre Minimum) to City R-1 (One Family Residential) and City RE (One Family Estate) for that site generally located east and west of Indiana Street, and north of Gibbons Avenue. The pre-zoning will become effective upon consummation of Annexation 460.

Annexation No. 460 proposes the inclusion into the City of Porterville of 87 +/- acres for that site generally located east and west of Indiana Street, and north of Gibbons Avenue.

PROJECT DETAILS: The applicants propose to annex and pre-zone six parcels and adjacent streets totaling approximately 87 acres located east and west of Indiana Street and North of Gibbons Avenue. The parcels are primarily vacant land with two single family residences and several outbuildings. Portions of the northerly parcel have been in recent cultivation. The parcels are currently within the County AE-20 (Exclusive Agriculture- 20-Acre Minimum) Zone (35 +/- acres; the P-D-R-A-217 (Planned Development-Rural Residential-5 Acre Minimum) Zone (14 +/- acres); and the R-O-43 (Single Family Residential Estate- One Acre Minimum) Zone. The Land Use Element of the General Plan designates the northerly four parcels (52 +/- acres) for Low Density Residential uses which corresponds to the proposed R-1 (One Family Residential) zone. The southerly two parcels (35 +/- acres) are designated for Rural Density Residential uses, which corresponds to the proposed RE (Residential Estate) Zone.

Consents to annex have been received from the owners of three of the six parcels. Two additional parcels are owned by the Housing Authority of Tulare County which has also indicated their support of the annexation.

Approximately 35 acres of the subject annexation site are located in Agricultural Preserve 3665. City Council Resolution 7335 originally protested the Agricultural Preserve. The Tulare County Local Agency Formation Commission, by Resolution 74-22, approved the protest. The Department of Conservation (Williamson Act) has been notified of the proposed project and has not yet responded. Upon consummation of the annexation the City of Porterville will not succeed to the contract.
GENERAL PLAN LAND USE DESIGNATION: Low Density Residential and Rural Density Residential land uses.

SPHERE OF INFLUENCE: The project site is within the City of Porterville’s Sphere of Influence.

SURROUNDING AREA ZONING AND LAND USE:
- North: Rural and Urban Density Residential Uses
- East: Developing Rural Density Residential Subdivision (Meadow Breeze), Vacant Land
- South: Orchards, Vacant Land, Cemetery, Commercial Business
- West: State Highway 65, Orchards, Vacant Land, Urban Density Residential Use

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. No Project. Denial of proposed Zone Change No. 10-2005 and Annexation No. 460 would preclude the subject site from being incorporated into the City.

2. Approve the project. Approval of the proposed zone change to City R-1 and RE and annexation would be consistent with the designation applicable to the site, bringing the site's zoning and present land use (with exception to the commercial use) into conformity. Approval of the annexation would allow the change of zone to become effective upon consummation of the annexation.

ENVIRONMENTAL: The Environmental Coordinator, on June 27, 2005, made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review. As of this date, no comments have been received.

DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING:
March 19, 2004

DATE ACCEPTED AS COMPLETE: June 27, 2005

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the Negative Declaration for Zone Change 10-2005 and Annexation 460.

2. Adopt a resolution authorizing initiation of preliminary proceedings and filing of the necessary application with LAFCo.
3. Approve the draft ordinance approving Zone Change 10-2005, waive further reading and order the ordinance to print.

ATTACHMENTS:

1. Subject Site and Land Use Map
2. Negative Declaration and Initial Study
3. Draft Resolution approving the Negative Declaration for Zone Change 10-2005 and Annexation 460
4. Draft Resolution authorizing initiation of preliminary proceedings and filing of the necessary application for Annexation 460 with LAFCo.
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

for the

ANNEXATION NO. 460 GIBBONS AND INDIANA

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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## Notice of Intent to Adopt Mitigated Negative Declaration

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Notice of Intent to Adopt Negative Declaration

Lead Agency:

City of Porterville
291 N. Main Street
Porterville, CA 93257
(559) 782-7460

Consulting Firm (if applicable):

Quad Knopf, Inc.
5110 W. Cypress Ave.
Visalia, CA 93277
(559) 733-0440

Bradley Dunlap, Community Development Dir.
Contact
(559) 782-7460

Julie Boyle, Environmental Planner
Contact
(559) 733-0440

The City of Porterville is the lead agency on the project described below and intends to adopt a mitigated negative declaration. The project description, location and the potential environmental effects are contained in the attached initial study.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 20 days after receipt of this notice. The review period for the mitigated negative declaration will be from June 29, 2005 to July 19, 2005. Copies of the negative declaration can be reviewed at the City of Porterville, 291 North Main Street; the Porterville Library, 41 West Thurman Street; and the Tulare County Clerk’s Office, 221, S. Mooney Boulevard, Visalia.

Please send your response to Bradley Dunlap, Community Development Director, at the address shown above. Please provide the name for a contact person in your agency.

Project Title: Annexation No. 460 – Gibbons and Indiana

Project Location: East and west of Indiana Street, north of the Gibbons Avenue alignment in the City of Porterville, Tulare County, California.

Project Description: The proposed project is the annexation of approximately 87 acres of land into the City of Porterville. The mitigated negative declaration will describe the environmental consequences of the annexation. Each of the affected parcels will be pre-zoned to conform to the Land Use Element of the City of Porterville’s General Plan.

Date June 27, 2005

Signature

Title Community Development Director

Telephone (559) 782-7460
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 of six parcels with a combined area of 87± acres. The City has determined that although the project could have a significant effect on the environment, effects would be reduced to less than significant because revisions in the project have been made by or agreed to by the project proponent. 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 immediately southwest of the City of Porterville in Tulare County generally east and west of Indiana Street, north of the Gibbons Avenue alignments (Figure 1-1).

Project Objectives

The City of Porterville is seeking annexation of the subject parcels to facilitate the logical and orderly growth of the city in conformance with the General Plan and adopted Sphere of Influence.

Project Description

The City proposes to annex and pre-zone six parcels and adjacent streets totaling approximately 87 acres. The Land Use Element of the General Plan designates the northerly four parcels (52± acres) for Low Density Residential uses which corresponds to the R-1 (One Family Residential) zone. The southerly two parcels (35± acres) are designated for Rural Density Residential uses, which corresponds to the RE (Residential Estate) zone.

The parcels are currently within the AE-20 (Exclusive Agriculture 20 Acre Minimum) zone (35± acres); the P-D-R-A-217 (Planted Development-Rural Residential-5 Acre Minimum) zone (14± acres); and the R-O-43 (Single Family Residential Estate-One Acre Minimum) zone (Figure 1-2 and Figure 1-3).
PROPOSED ZONING MAP

City of Porterville
Initial Study and Mitigated Negative Declaration
Annexation No. 460

June 2005
1 - 4
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 430 and 450 feet above sea level.

Land Use

Surrounding parcels are primarily developed to the full range of urban land uses, with single family residences predominating.

The subject site is primarily vacant land, with two single family residences and several outbuildings. Portions of the northerly parcel have been in recent cultivation. Surrounding land uses include:

North: Rural and urban Density Residential Uses
East: Developing Rural Density Residential Subdivision (Meadow Breeze), Vacant Land
South: Orchards, Vacant Land, Cemetery, Commercial Business
West: State Highway 65, Orchards, Vacant Land, Urban Density Residential Use

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

Water Quality: 23 CCR Division 3, Division 4; California Water Code, Division, 1, 2, 6, 7, 24, 26

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 No. 460 – Gibbons and Indiana

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 immediately southwest of the City of Porterville, in Tulare County, California.

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

6. County General Plan designation: Rural Residential
   City of Porterville General Plan designation: - Low Density Residential, Rural Density Residential

   Proposed City of Porterville Zoning - R-1, RE

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.)
   The proposed project is the annexation of approximately 87 acres into the City of Porterville. The mitigated negative declaration will describe the environmental consequences of the annexation and development of the parcels. Each of the affected parcels will be pre-zoned to conform to the Land Use Element of the City of Porterville’s General Plan.

   As no specific development has been proposed, the environmental analysis assumes construction to typical densities for the proposed General Plan and Zoning classifications. Approximately 52 acres of the subject site are
designated for Low Density Residential development and will be pre-zoned to R-1 (One Family Residential). The assumed density of development for this portion of the site is four (4) single family residences per acre. The remaining 35 acres of the subject site are designated for Rural Density Residential development and will be pre-zoned to RE (Residential Estate). The assumed density of development in this area is two (2) units per acre. This yields a likely maximum development of 278 single family residences.

9. Surrounding land uses and setting: (Briefly describe the project's surroundings):
   Surrounding land uses include agriculture, predominately orchards; rural residential; urban residential; and State Highway 65.

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
- Biological Resources
- Hazards & Hazardous Materials
- Mineral Resources
- Public Services
- Utilities / Service Systems
- Agriculture Resources
- Cultural Resources
- Hydrology / Water Quality
- Noise
- Recreation
- Mandatory Findings of Significance
- Air Quality
- Geology / Soils
- Land Use / Planning
- Transportation / Traffic
- Population / Housing
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]

6/27/05

[Date]

City of Porterville
Initial Study and Mitigated Negative Declaration
Annexation No. 460

June 2005
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I. AESTHETICS – Would the project:

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

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

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

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

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Response a), b), c): The subject site is not located in the vicinity of a scenic vista, scenic corridor, or other aesthetically sensitive feature.

Response d): The proposed annexation will facilitate residential development of the subject site, such development will include street lighting and outdoor residential lighting to typical urban standards. Such impacts will be less than significant due to the application of City of Porterville design standards and Section 2618(E) of the Zoning Ordinance which requires outdoor lighting to be directed away from adjacent properties and roadways.
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): Two of the affected parcels are of sufficient size to sustain economically viable agricultural production (ten acres of prime farm land and forty acres of non-prime farm land per the Tulare County Rural Valley Lands Plan). The southerly parcel, APN No. 168-110-018 consists of 30± acres of Tujunga Sand and San Joaquin loam. Both soil types are an agricultural capability rating of IIIa, which is non-prime. The northerly parcel, APN No. 269-120-002 consists of 35± acres of Tujunga Sand and San Emigdio Loam. San Emigdio loam has an agricultural capability rating of I, which indicates the site is Prime Agricultural Land. The northerly parcel is also subject to a Williamson Act agricultural preserve (No. 3665) and Land Conservation Contract (No. 10861). The City of Porterville successfully protested the agricultural preserve and land conservation contract upon their formation. Therefore, annexation of the property will automatically terminate the contract.

The subject site is within the Urban Development Boundary (20-year growth line) and the Sphere of Influence of the City of Porterville. The prime agricultural portion of the subject site is surrounded by urban land uses in all four directions. As the proposed conversion of prime agricultural land affects an infill land of modest size, the potential effect is less than significant.
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:

a) Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☒ ☐ ☐

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ☐ ☒ ☐ ☐

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)? ☐ ☒ ☐ ☐

d) Expose sensitive receptors to substantial pollutant concentrations? ☐ ☒ ☐ ☐

e) Create objectionable odors affecting a substantial number of people? ☐ ☐ ☒ ☐

Response a), b), c), and d): The project will facilitate the development of several vacant or cultivated properties for residential uses in conformance with the residential densities permitted by the Porterville General Plan. Such development has the potential to impact air quality both through short term construction activities, primarily through the generation of dust (PM$_{10}$). In addition, residential development is accompanied by additional traffic generation, which is a primary source of smog precursors such as Reactive Organic Gasses (ROG) and Nitrogen Oxides (NOx).

The anticipated development of the subject site was analyzed in accordance with the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI). As noted, in the project description, the proposed pre-zoning may accommodate additional development of up to 278 dwelling units as provided by the City of Porterville General Plan.

The GAMAQI establishes a maximum of 152 single family residences to qualify for consideration at the Small Project Analysis Level (SPAL). Projects exceeding this limit are analyzed using the Cursory
Analysis Level (CAL) which requires the following steps:

- Conduct URBEMIS model run.
- Screen project for CO impact.
- Perform screening analysis of potential toxics, hazardous materials, and odor impacts.
- If demolition or renovation of existing buildings is proposed, contact the District for asbestos requirements.
- Identify mitigation measures.

If the above process indicates that the project will have a potentially significant impact on air quality, a Full Analysis Level (FAL) Air Quality Study is performed.

The project was analyzed using URBEMIS, a modeling program developed by the California Air Resources Board for this purpose. Based on the expected development, the model yielded the following predictive results:

- ROG 24.47 tons/yr
- NOx 9.91 tons/yr
- CO 115.69 tons/yr
- SO2 0.17 tons/yr
- PM10 12.13 tons/yr

The thresholds of significance set by the SJVUAPCD for ROG and NOx are 10 tons/year for each constituent. Mitigation measures will be required in order to avoid a finding of a potentially significant effect. The default values used by the URBEMIS 2000 model assume that 35% of new homes will be equipped with wood stoves and that 10% of the homes will be equipped with wood burning fireplaces. Changes in the marketplace and evolving regulation of the SJVUAPCD have made such features less common. The model was run a second time assuming that none of the 278 homes will be equipped with wood stoves or wood burning fireplaces. The results were as follows:

- ROG 8.73 tons/yr
- NOx 9.30 tons/yr
- CO 77.71 tons/yr
- SO2 0.07 tons/yr
- PM10 6.3 tons/yr

The GAMAQI suggests that a formal CO study is only necessary where an intersection in the project vicinity will be reduced to Level of Service E or F. The traffic analysis (See Section XV) for this project does not indicate that such a result is likely.

There is no adopted numerical threshold of significance for PM10. As the project does not require unusual grading practices, and does not violate the thresholds of significance for other, vehicle related...
emissions, the project may be determined to have a less than significant effect from operations. Construction related impacts to PM\textsubscript{10} are controlled through the enforcement of SJVUAPCD Regulation VIII which establishes a number of mandatory construction practices. Compliance with Regulation VIII is sufficient to reduce the potential impact of development of the subject site to less than significant levels.

Mitigation Measures:

1. Discretionary approvals of development proposals within the subject area shall include conditions of approval prohibiting the installation of wood stoves and wood burning fireplaces. Upon review of future proposals, alternative mitigation measures may be designed and adopted, provided that such measures are adequate to reduce the total impact of development on the subject site to less than 10 tons per year of ROG and 10 tons per year of NO\textsubscript{x}.

2. All development on the subject site shall be conducted in compliance with the standard and optional sections of SJVUAPCD Regulation VIII with regard to the control of fugitive dust and PM\textsubscript{10} generation.

Development of the site was environmentally assessed for air quality impacts as part of the Porterville General Plan EIR (see SCH #89081408, page 36). Cumulative impacts were determined to be significant and they remain so.

Response e): The proposed project will not create objectionable odors, nor are such odors present in areas proposed for development.
IV. BIOLOGICAL RESOURCES  –
Would the project:

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<td>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?</td>
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<td>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?</td>
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<td>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?</td>
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<td>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?</td>
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<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
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<td>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?</td>
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Response a), b), c), d), e), f): The subject site is largely surrounded by urban development with State Hwy 65 acting as a substantial barrier to wildlife migration to the west. The subject site has been in active agricultural production for many years and has been regularly disced for weed control. Such activity typically precludes the establishment of natural habitat or wildlife corridors. However, the City is aware of prior reports of the presence of San Joaquin Kit Fox in the general vicinity of the annexation area.

Mitigation Measures:

1. Prior to development, a reconnaissance biological survey shall be conducted to determine the presence or absence of any species of concern. Appropriate mitigation measures should be integrated into the project at the time of project design and implemented with construction of the project.
V. CULTURAL RESOURCES – Would the project:

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<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</td>
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<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
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<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
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<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
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Response a), b), c), d): The proposed project site has been previously graded for agriculture, and there will be minimal disturbance of the land to implement the project. As per the CEQA Guidelines, if, in the course of project 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 Coordinator, 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?
Response a)i), 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 new development 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 subject site is relatively flat, and all affected soils are associated with a slight risk of erosion. In addition, all development on the subject site will be required to comply with local, state and federal grading regulations. Compliance with such regulations is 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.
### VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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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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<tr>
<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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</table>
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?

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

Response e): The southerly portions of Annexation #460 are located with the H (Horizontal) Zone of the Porterville Municipal Airport Land Use Plan. The northerly portions of the subject site are within the C (Conical) Zone. 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): Development of the subject site will include improvements to Indiana Street, which will improve access to State Highway 65, which is a designated evacuation route. There is no potential for the project or subsequent development to interfere with an emergency response plan.

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 Map or other flood hazard delineation map?</td>
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<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
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<td>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?</td>
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<td>j) Inundation by seiche, tsunami, or mudflow?</td>
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Response a) b) c) d) e) f): The subject site is within the boundaries of the City of Porterville Water Master Plan. Adequate water supplies have been identified and water infrastructure has been installed or planned to accommodate full development of the site as designated by the City of Porterville General Plan. Funding mechanisms, including the imposition of developer impact fees have been identified to ensure the timely construction of facilities required by the Master Plan but not yet constructed. The portion of the subject site north of the Poplar Ditch is within the City of Porterville Storm Drain Master Plan. Appropriate infrastructure has been planned to accommodate full development of that portion of the subject site as designated by the City of Porterville General Plan. The portion of the subject site south of the Poplar Ditch (the Rural Density Residential area) is outside of the boundaries of the Storm Drain Master Plan. In such cases, the Subdivision Ordinance requires a developer to design on-site or private off-site drainage facilities, including piping, drainage basins and other features, as necessary. Specific design of storm drainage facilities in this area is deferred to the Tentative Subdivision Map stage so that an accurate assessment of the potential impact and appropriate mitigation measures may be designed.

Response g) h) i): Portions of Annexation No. 460 are identified on the FEMA F.I.R.M. maps as being within Flood Zone A, the 100-year flood. The affected area is adjacent to and south of the Poplar Ditch, along a naturally depressed drainage running south and southeast. No alteration to the flood carrying capacity of Poplar Ditch is proposed. Any development on the subject site will be required to comply with the City of Porterville Flood Damage Prevention Ordinance which requires residential development to be raised above the base flood elevation. On site drainage and/or extension of the municipal storm drainage system will be required upon development.

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

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<tr>
<td>a) Physically divide an established community?</td>
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<td>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?</td>
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<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
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Response a): Development of the subject site will extend and integrate existing and developing neighborhoods.

Response b): Annexation and development of the subject site is consistent with the Porterville General Plan and the adopted Sphere of Influence.

Response c): There are no conservation plans in effect 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 area.

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 area.
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): Portions of the subject site are adjacent to State Highway 65 and the Gibbons Avenue/Indiana Street intersection. Both routes are sources of potentially significant traffic noise impacts to the anticipated residential development following annexation. The noise impact from Gibbons Avenue and Indiana Street will primarily result from the anticipated improvement of the corridor along Jaye Street, Gibbons Avenue, Indiana Street, and Scranton Avenue to State Highway 65 as a major truck route. The Noise Element of the General Plan identifies the 60 dB contour of State Highway 65 as 542 feet from the centerline of the highway in 2010.

The Zoning Ordinance requires the construction of a concrete block wall to a minimum height of ten feet along the boundary between a state highway and a residential subdivision. In addition, the Noise City of Porterville

Initial Study and Mitigated Negative Declaration

Annexation No. 460
Element of the General Plan prohibits the construction of new noise generating uses or noise sensitive uses, which would result in a noise impact greater than 60 dB at a residential property line.

In order to determine the magnitude of the potential impact and the appropriate design of mitigation measures, it is necessary to evaluate the roadways in context with the proposed residential development. For example, the effectiveness of sound attenuation walls varies according to their placement between noise generators and noise receptors.

Mitigation Measure:

1) The City of Porterville shall impose the minimum requirement of a ten foot tall concrete block wall along the boundary of any proposed subdivision adjacent to State Highway 65.

2) The City of Porterville shall require a site specific noise impact study to be performed prior to the consideration of any proposed discretionary development permit any parcel within 600 feet of the centerline of State Highway 65 and/or the intersection of Gibbons Avenue and Indiana Street.

Response e): Portions of the subject site are with the Horizontal (H) Zone and the Conical (C) Zone of the Porterville Municipal Airport Land Use Plan. Single family residential development is identified as an appropriate land use in those zones. No significant noise impact from aircraft will occur.

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

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

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Response a): The proposed project would accommodate growth as anticipated in the City of Porterville General Plan. Historically, the City of Porterville has grown at a rate of approximately 2.5% per year. The project will not induce unanticipated or accelerated growth.

Response b), c): No substantial displacement of existing housing or people, which would necessitate the construction of replacement housing, will occur.
### Issues

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### 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:

- Fire protection? □ □ □ ☒
- Police protection? □ □ □ ☒
- Schools? □ □ □ ☒
- Parks? □ □ □ ☒
- Other public facilities? □ □ □ ☒

**Response:** Annexation of the subject sites will transfer responsibility for providing basic governmental services from the County of Tulare to the City of Porterville. The demand for services will increase as development occurs. Development of the subject site is anticipated in the General Plan. 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. Development related improvements are fueled through the imposition of development impact fees for schools, sewer, water, storm drainage and traffic.

**City of Porterville**  
*Initial Study and Mitigated Negative Declaration*  
*Annexation No. 460*  
*June 2005*  
*3 - 23*
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 proposed annexation of the proposed sites will not induce significant growth and will not substantially alter the need or demand for recreational facilities.

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): The proposed annexation of the proposed sites will not induce significant growth and will not substantially alter the need or demand for recreational facilities.
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**XV. TRANSPORTATION/TRAFFIC**

Would the project:

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)?

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

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?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e) Result in inadequate emergency access?

f) Result in inadequate parking capacity?

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
Response a) b): Eventual development of the site with single family residential uses is anticipated to result in additional daily drips. Based on the Circulation Element of the City of Porterville General Plan, single family residential uses are assumed to generate 9.55 daily trips per unit. Based on the permitted residential densities and typical development patterns within the City of Porterville, it is anticipated that the annexation will accommodate approximately 278 single family residences. This development will generate approximately 2,655 daily trips. Each of the subject parcels will have primary access from Indiana Street. As a condition of development, Indiana Street will be improved to full Collector standards (a sixty foot right of way with one travel lane and one parking lane in each direction) along the developed frontage. Southbound traffic will follow Indiana Street to Scranton Avenue, then to State Highway 65 along existing streets which are anticipated to be developed to arterial standards. Some northbound traffic will follow Indiana Street to Poplar Avenue (a designated Collector) and then to Jaye Street. Indiana Street and Gibbons Avenue are currently operating at Level of Service A.

The Poplar Avenue/Jaye Street intersection is currently operating at an unacceptable Level of Service due to traffic volume, intersection geometry and the mix of truck and auto traffic. Road improvement projects have been identified by the City of Porterville as necessary and appropriate to correct the existing and anticipated intersection failures along Jaye Street. Funding for such improvements is anticipated from a combination of sources as identified in the Circulation Element.

Although a detailed analysis of the potential traffic impacts of development cannot be carried out until a specific development plan has been submitted, impacts may occur to the Poplar Avenue/Jaye Street intersection.

Mitigation Measures:

1. Any development on the subject site will be required to pay the adopted development impact fees for traffic. Such fees will be used to fund a portion of the road improvements necessary to accommodate planned growth in the community.

2. Prior to the consideration of discretionary permits for development, including Tentative Subdivision Maps, projects will be evaluated for traffic impacts and a project specific Traffic Impact Study will be performed based upon the number of trips expected to be generated and to identify short-term improvements that are needed to accommodate the project.

Response c): The subject site is within the Horizontal (H) Zone and the Conical (C) Zone as designated by the Porterville Municipal Airport Master Plan. Residential development is identified as an acceptable use in both zones.
Response d) e) f) g): All on-site and off-site road improvements, including pedestrian and parking facilities, will be required to be designed and constructed in accordance with the City of Porterville Zoning Ordinance, Subdivision Ordinance, Municipal Code and adopted Plans and Specifications. Such standards provide adequate protection for motorists, pedestrians, and bicyclists as well as sufficient parking capacity, emergency access and transit facilities where needed.


XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

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?

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?

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

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?

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Response a) b) d) e): The subject site is within the boundaries of the Sewer and Water 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 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.

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 c): The northerly portion of the subject site (north of the Poplar Ditch) is within the boundary of the Storm Drain Master Plan. Infrastructure to serve this area has been designated and funding sources have been identified to ensure that construction occurs as needed to serve additional development. The parcels south of the Poplar Ditch (in the area designated for Rural Density Residential development) are outside the boundary of the Storm Drain Master Plan. In that area, the Municipal Code requires that all drainage be accommodated on-site whenever new development is proposed.

Response f) g): All areas proposed for annexation currently receive 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.
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 hydrology and water quality. No natural habitat occurs on the subject site.

Response b): The project does not create or contribute to cumulatively considerable impacts with the mitigation measures as identified.

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

Air Quality URBEMIS Model Results
On-Road Motor Vehicle Emissions Based on EMPAC2002 version 2.2

**SUMMARY REPORT**  
(Pounds/Day - Summer)

### AREA SOURCE EMISSION ESTIMATES

<table>
<thead>
<tr>
<th></th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTALS</td>
<td>14.22</td>
<td>3.53</td>
<td>4.57</td>
<td>0.10</td>
<td>0.01</td>
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</tbody>
</table>

### OPERATIONAL (VEHICLE) EMISSION ESTIMATES

<table>
<thead>
<tr>
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<th>ROG</th>
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<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTALS (lbs/day, unmitigated)</td>
<td>32.55</td>
<td>40.42</td>
<td>410.29</td>
<td>0.35</td>
<td>34.51</td>
</tr>
<tr>
<td>TOTALS (lbs/day, mitigated)</td>
<td>32.24</td>
<td>39.99</td>
<td>405.85</td>
<td>0.35</td>
<td>34.13</td>
</tr>
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</table>

### SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

<table>
<thead>
<tr>
<th></th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTALS (lbs/day, unmitigated)</td>
<td>46.77</td>
<td>43.95</td>
<td>414.87</td>
<td>0.45</td>
<td>34.52</td>
</tr>
</tbody>
</table>

Both Area and Operational Mitigation must be turned on to get a combined mitigated total.
URBEMIS 2002 For Windows 7.5.0

File Name: L:\Projects\2004\04617\BG04a Gibbons-Indiana\UrbemisRun.urb
Project Name: Annexation 460 - Indiana and Gibbons
Project Location: San Joaquin Valley
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Tons/Year)

AREA SOURCE EMISSION ESTIMATES

<table>
<thead>
<tr>
<th></th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTALS</td>
<td>18.31</td>
<td>1.25</td>
<td>38.53</td>
<td>0.11</td>
<td>5.83</td>
</tr>
</tbody>
</table>

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

<table>
<thead>
<tr>
<th></th>
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<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTALS</td>
<td>6.16</td>
<td>8.66</td>
<td>77.16</td>
<td>0.06</td>
<td>6.30</td>
</tr>
<tr>
<td>TOTALS</td>
<td>6.10</td>
<td>8.56</td>
<td>76.33</td>
<td>0.06</td>
<td>6.23</td>
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SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

<table>
<thead>
<tr>
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<th>PM10</th>
</tr>
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<tbody>
<tr>
<td>TOTALS</td>
<td>24.47</td>
<td>9.91</td>
<td>115.69</td>
<td>0.17</td>
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Both Area and Operational Mitigation must be turned on to get a combined mitigated total.
### AREA SOURCE EMISSION ESTIMATES

<table>
<thead>
<tr>
<th>Source</th>
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<td>Natural Gas</td>
<td>0.05</td>
<td>0.64</td>
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<tr>
<td>Wood Stoves</td>
<td>2.98</td>
<td>0.47</td>
<td>23.90</td>
<td>0.08</td>
<td>3.90</td>
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<tr>
<td>Fireplaces</td>
<td>12.77</td>
<td>0.14</td>
<td>14.08</td>
<td>0.02</td>
<td>1.93</td>
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<tr>
<td>Landscaping</td>
<td>0.03</td>
<td>0.00</td>
<td>0.28</td>
<td>0.01</td>
<td>0.00</td>
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<tr>
<td>Consumer Prdcts</td>
<td>2.48</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>TOTALS (tpy, unmitigated)</td>
<td>18.31</td>
<td>1.25</td>
<td>38.53</td>
<td>0.11</td>
<td>5.83</td>
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</table>
## UNMITIGATED OPERATIONAL EMISSIONS

<table>
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</thead>
<tbody>
<tr>
<td>Single family housing</td>
<td>6.16</td>
<td>8.66</td>
<td>77.16</td>
<td>0.06</td>
<td>6.30</td>
</tr>
</tbody>
</table>

**TOTAL EMISSIONS (tons/yr)**

<table>
<thead>
<tr>
<th></th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6.16</td>
<td>8.66</td>
<td>77.16</td>
<td>0.06</td>
<td>6.30</td>
</tr>
</tbody>
</table>

Does not include correction for passby trips.
Does not include double counting adjustment for internal trips.

## OPERATIONAL (Vehicle) EMISSION ESTIMATES

**Analysis Year:** 2005  **Temperature (F):** 85  **Season:** Annual

**EMFAC Version:** EMFAC2002 (9/2002)

### Summary of Land Uses:

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Trip Rate</th>
<th>Size</th>
<th>Total Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family housing</td>
<td>9.55 trips / dwelling units</td>
<td>278.00</td>
<td>2,654.90</td>
</tr>
</tbody>
</table>

### Vehicle Assumptions:

#### Fleet Mix:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Percent Type</th>
<th>Non-Catalyst</th>
<th>Catalyst</th>
<th>Diesel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light Auto</td>
<td>56.10</td>
<td>2.30</td>
<td>97.10</td>
<td>0.60</td>
</tr>
<tr>
<td>Light Truck &lt; 3,750 lbs</td>
<td>15.10</td>
<td>4.00</td>
<td>93.40</td>
<td>2.60</td>
</tr>
<tr>
<td>Light Truck 3,751-5,750</td>
<td>15.50</td>
<td>1.90</td>
<td>96.80</td>
<td>1.30</td>
</tr>
<tr>
<td>Med Truck 5,751-8,500</td>
<td>6.80</td>
<td>1.50</td>
<td>95.60</td>
<td>2.90</td>
</tr>
<tr>
<td>Lite-Heavy 8,501-10,000</td>
<td>1.00</td>
<td>0.00</td>
<td>80.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Lite-Heavy 10,001-14,000</td>
<td>0.30</td>
<td>0.00</td>
<td>66.70</td>
<td>33.30</td>
</tr>
<tr>
<td>Med-Heavy 14,001-33,000</td>
<td>1.00</td>
<td>10.00</td>
<td>20.00</td>
<td>70.00</td>
</tr>
<tr>
<td>Heavy-Heavy 33,001-60,000</td>
<td>0.80</td>
<td>0.00</td>
<td>12.50</td>
<td>87.50</td>
</tr>
<tr>
<td>Line Haul &gt; 60,000 lbs</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Urban Bus</td>
<td>0.10</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>1.60</td>
<td>87.50</td>
<td>12.50</td>
<td>0.00</td>
</tr>
<tr>
<td>School Bus</td>
<td>0.30</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motor Home</td>
<td>1.40</td>
<td>14.30</td>
<td>78.60</td>
<td>7.10</td>
</tr>
</tbody>
</table>

### Travel Conditions

<table>
<thead>
<tr>
<th></th>
<th>Residential</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home-Work Urban Trip Length (miles)</td>
<td>10.8</td>
<td>10.8</td>
</tr>
<tr>
<td>Home-Work Rural Trip Length (miles)</td>
<td>16.8</td>
<td>16.8</td>
</tr>
<tr>
<td>Home-Work Trip Speeds (mph)</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>Home-Other Urban Trip Length (miles)</td>
<td>7.3</td>
<td>7.3</td>
</tr>
<tr>
<td>Home-Other Rural Trip Length (miles)</td>
<td>7.1</td>
<td>7.1</td>
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<tr>
<td>Home-Other Trip Speeds (mph)</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>Home-Commute Urban Trip Length (miles)</td>
<td>9.5</td>
<td>9.5</td>
</tr>
<tr>
<td>Home-Commute Rural Trip Length (miles)</td>
<td>14.7</td>
<td>14.7</td>
</tr>
<tr>
<td>Home-Commute Trip Speeds (mph)</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>Home-Non-Work Urban Trip Length (miles)</td>
<td>7.4</td>
<td>7.4</td>
</tr>
<tr>
<td>Home-Non-Work Rural Trip Length (miles)</td>
<td>6.6</td>
<td>6.6</td>
</tr>
<tr>
<td>Home-Non-Work Trip Speeds (mph)</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>Home-Customer Urban Trip Length (miles)</td>
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<td>7.4</td>
</tr>
<tr>
<td>Home-Customer Rural Trip Length (miles)</td>
<td>6.6</td>
<td>6.6</td>
</tr>
<tr>
<td>Home-Customer Trip Speeds (mph)</td>
<td>35.0</td>
<td>35.0</td>
</tr>
</tbody>
</table>

### % of Trips - Residential

<table>
<thead>
<tr>
<th></th>
<th>Residential</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Trip Length (%)</td>
<td>32.9</td>
<td>32.9</td>
</tr>
<tr>
<td>Rural Trip Length (%)</td>
<td>18.0</td>
<td>18.0</td>
</tr>
<tr>
<td>Trip Speeds (%)</td>
<td>49.1</td>
<td>49.1</td>
</tr>
</tbody>
</table>
MITIGATED OPERATIONAL EMISSIONS

<table>
<thead>
<tr>
<th></th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
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<td>8.56</td>
<td>76.33</td>
<td>0.06</td>
</tr>
<tr>
<td>TOTAL EMISSIONS (tons/yr)</td>
<td>6.10</td>
<td>8.56</td>
<td>76.33</td>
<td>0.06</td>
</tr>
</tbody>
</table>

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2005  Temperature (F): 85  Season: Annual


Summary of Land Uses:

<table>
<thead>
<tr>
<th>Unit Type</th>
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<th>Size</th>
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Vehicle Assumptions:

Fleet Mix:

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<th>Vehicle Type</th>
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<th>Catalyst</th>
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<tbody>
<tr>
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<td>2.90</td>
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<tr>
<td>Lite-Heavy 8,501-10,000</td>
<td>1.00</td>
<td>0.00</td>
<td>80.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Lite-Heavy 10,001-14,000</td>
<td>0.30</td>
<td>0.00</td>
<td>86.70</td>
<td>33.30</td>
</tr>
<tr>
<td>Med-Heavy 14,001-33,000</td>
<td>1.00</td>
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<td>80.00</td>
<td>30.00</td>
</tr>
<tr>
<td>Heavy-Heavy 33,001-60,000</td>
<td>0.80</td>
<td>0.00</td>
<td>89.50</td>
<td>87.50</td>
</tr>
<tr>
<td>Line Haul &gt; 60,000 lbs</td>
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<td>0.00</td>
<td>99.60</td>
<td>100.00</td>
</tr>
<tr>
<td>Urban Bus</td>
<td>0.10</td>
<td>0.00</td>
<td>99.60</td>
<td>100.00</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>1.60</td>
<td>87.50</td>
<td>12.50</td>
<td>0.00</td>
</tr>
<tr>
<td>School Bus</td>
<td>0.30</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motor Home</td>
<td>1.40</td>
<td>14.30</td>
<td>86.60</td>
<td>7.10</td>
</tr>
</tbody>
</table>

Travel Conditions

<table>
<thead>
<tr>
<th></th>
<th>Residential</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Home-Work</td>
<td>Home-Shop</td>
</tr>
<tr>
<td>Urban Trip Length (miles)</td>
<td>10.8</td>
<td>7.3</td>
</tr>
<tr>
<td>Rural Trip Length (miles)</td>
<td>16.8</td>
<td>7.1</td>
</tr>
<tr>
<td>Trip Speeds (mph)</td>
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<tr>
<td>% of Trips - Residential</td>
<td>32.9</td>
<td>18.0</td>
</tr>
</tbody>
</table>
ENVIRONMENTAL FACTORS APPLICABLE TO THE PROJECT

Pedestrian Environment

2.0  Side Walks/Paths: Most Destinations Covered
1.0  Street Trees Provide Shade: Moderate Coverage
1.0  Pedestrian Circulation Access: Few Destinations
0.0  Visually Interesting Uses: No Uses within Walking Distance
0.5  Street System Enhances Safety: Few Streets
0.5  Pedestrian Safety from Crime: Some Degree of Safety
0.5  Visually Interesting Walking Routes: Minor Level

5.5  <- Pedestrian Environmental Credit
5.5  /19 = 0.3  <- Pedestrian Effectiveness Factor

Transit Service

0.0  Transit Service: Dial-A-Ride or No Transit Service
0.0  <- Transit Effectiveness Credit
5.5  <- Pedestrian Factor
5.5  <-Total
5.5  /110 = 0.1  <-Transit Effectiveness Factor

Bicycle Environment

0.0  Interconnected Bikeways: No Bikeway Coverage
0.0  Bike Routes Provide Paved Shoulders: No Routes
0.0  Safe Vehicle Speed Limits: No Routes Provided
0.0  Safe School Routes: No Schools
1.0  Uses w/in Cycling Distance: Some Uses
0.0  Bike Parking Ordinance: No Ordinance or Unenforceable

1.0  <- Bike Environmental Credit
1.0  /20 = 0.1  <- Bike Effectiveness Factor
MITIGATION MEASURES SELECTED FOR THIS PROJECT
(All mitigation measures are printed, even if
the selected land uses do not constitute a mixed use.)

Transit Infrastructure Measures

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>15.0</td>
<td>Credit for Existing or Planned Community Transit Service</td>
<td>15.0</td>
</tr>
</tbody>
</table>

Pedestrian Enhancing Infrastructure Measures (Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0</td>
<td>Credit for Surrounding Pedestrian Environment</td>
<td>2.0</td>
</tr>
<tr>
<td>1.0</td>
<td>Provide Sidewalks and/or Pedestrian Paths</td>
<td>1.0</td>
</tr>
<tr>
<td>0.5</td>
<td>Provide Pedestrian Safety</td>
<td>0.5</td>
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<tr>
<td>3.5</td>
<td>&lt; Totals</td>
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</table>

Pedestrian Enhancing Infrastructure Measures (Non-Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0</td>
<td>Credit for Surrounding Pedestrian Environment</td>
<td>2.0</td>
</tr>
<tr>
<td>0.5</td>
<td>Provide Street Lighting</td>
<td>0.5</td>
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<tr>
<td>0.5</td>
<td>Project Provides Shade Trees to Shade Sidewalks</td>
<td>0.5</td>
</tr>
<tr>
<td>3.0</td>
<td>&lt; Totals</td>
<td>3.0</td>
</tr>
</tbody>
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Bicycle Enhancing Infrastructure Measures (Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>7.0</td>
<td>Credit for Surrounding Bicycle Environment</td>
<td>7.0</td>
</tr>
</tbody>
</table>

Bike Enhancing Infrastructure Measures (Non-Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5.0</td>
<td>Credit for Surrounding Area Bicycle Environment</td>
<td>5.0</td>
</tr>
</tbody>
</table>

Operational Measures (Applying to Commute Trips)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
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<tr>
<td>0.0</td>
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Operational Measures (Applying to Employee Non-Commute Trips)

<table>
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Operational Measures (Applying to Customer Trips)

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Measures Reducing VMT (Non-Residential)

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Measures Reducing VMT (Residential)

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<td>Travel Mode</td>
<td>Home-Work Trips</td>
<td>Home-Shop Trips</td>
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<td>Pedestrian</td>
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<tr>
<td>Bicycle</td>
<td>0.35</td>
<td>0.35</td>
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<table>
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<th>Travel Mode</th>
<th>Work Trips</th>
<th>Employee Trips</th>
<th>Customer Trips</th>
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<td>Bicycle</td>
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<td>Totals</td>
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Changes made to the default values for Land Use Trip Percentages

Changes made to the default values for Area

The landscape year changed from 2004 to 2005.

Changes made to the default values for Operations

The operational emission year changed from 2004 to 2005.
The default/nodefault travel setting changed from nodefault to: nodefault
Side Walks/Paths: No Sidewalks
   changed to: Side Walks/Paths: Most Destinations Covered
Street Trees Provide Shade: No Coverage
   changed to: Street Trees Provide Shade: Moderate Coverage
Pedestrian Circulation Access: No Destinations
   changed to: Pedestrian Circulation Access: Few Destinations
Visually Interesting Uses: No Uses Within Walking Distance
   changed to: Visually Interesting Uses: No Uses within Walking Distance
Street System Enhances Safety: No Streets
   changed to: Street System Enhances Safety: Few Streets
Pedestrian Safety from Crime: No Degree of Safety
   changed to: Pedestrian Safety from Crime: Some Degree of Safety
Visually Interesting Walking Routes: No Visual Interest
   changed to: Visually Interesting Walking Routes: Minor Level
Uses w/in Cycling Distance: No Uses w/in Cycling Distance
   changed to: Uses w/in Cycling Distance: Some Uses
Mitigation measure Provide Sidewalks and/or Pedestrian Paths: 1
   has been changed from off to on.
Mitigation measure Provide Pedestrian Safety: 0.5
   has been changed from off to on.
Mitigation measure Provide Street Lighting: 0.5
   has been changed from off to on.
Mitigation measure Project Provides Shade Trees to Shade Sidewalks: 0.5
   has been changed from off to on.
Appendix B

Bibliography
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


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 ZONE CHANGE 10-2005 (PRE-ZONING) AND ANNEXATION 460.

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 10-2005 (Pre-Zoning), to change the existing County AE-20 (Exclusive Agriculture 20 Acre Minimum) Zone and the R-O-43 (Single Family Residential Estate-One Acre Minimum) Zone to City R-1 (One Family Residential) and R-E (Residential Estate) Zone for the area located east and west of Indiana Street and north of Gibbons Avenue; and

WHEREAS: Annexation No. 460 consists of 87± acres and contains approximately six (6) parcels. The Land Use Element of the General Plan designates the northerly four parcels (52 +/- acres) for Low Density Residential uses and the southerly two parcels (35 +/- acres) for Rural Density Residential uses. The subject site will be pre-zoned to R-1 (One Family Residential) and R-E (Residential Estate) 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 the subject project will not create significant adverse environmental impacts.
3. That the City Council is the decision-making body for the project.
4. That the Negative Declaration prepared for this project was made available for public review and comment, for a period prescribed by State law. As of this date, no comments have been received.
5. That review of the environmental circumstances regarding this project indicates that no significant 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.

Attachment 3-1
NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Negative Declaration prepared for Zone Changes 10-2005 and Annexation 460 and adopts the Mitigation Monitoring Report attached hereto as Exhibit “A”

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By_________________________________
   Georgia Hawley, Deputy
### Summary of Potential Impacts, Mitigation Measures, and Mitigation Monitoring Program

#### III. AIR QUALITY

<table>
<thead>
<tr>
<th>Impact No.</th>
<th>Impact Description</th>
<th>Page Number in Initial Study</th>
<th>Mitigation Number</th>
<th>Mitigation Measure</th>
<th>Level of Significance After Mitigation</th>
<th>Monitoring Agency</th>
</tr>
</thead>
</table>
| a, b, c    | Violation of Air Quality Standards | 3-6 a, b, c | PM<sub>10</sub> and PM<sub>2.5</sub> | PM<sub>10</sub> and PM<sub>2.5</sub> air quality impacts will be mitigated with implementation of the applicable Regulation VIII procedures of the SJVAPCD. These provisions are:  
1. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizers/ suppressants, covered with a tarp or other similar cover, or vegetative ground cover.  
2. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer suppressant.  
3. All land clearing, grubbing, scraping, excavating, land leveling, grading, demolition and cut and fill activities shall be effectively controlled to minimize fugitive dust emissions utilizing application of water or by pre-soaking.  
4. When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from top of the container shall be maintained.  
5. All operations shall limit the use of, or expeditiously remove the accumulation of mud or dirt from, adjacent public streets at the end of each workday when operations are occurring (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit visible dust emissions; use of blower devices is expressly forbidden).  
6. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/ suppressant. | Less than Significant | City of Porterville |
<table>
<thead>
<tr>
<th>Impact No.</th>
<th>Impact</th>
<th>Page Number in Initial Study</th>
<th>Mitigation Number</th>
<th>Mitigation Measure</th>
<th>Level of Significance After Mitigation</th>
<th>Monitoring Agency</th>
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<td>The following measures are appropriately enhanced and additional dust control strategies that are to be implemented beyond the requirements of SJVAPCD Regulation VIII:</td>
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<td></td>
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<td>7. Limit construction traffic speeds on unpaved roads to 15 mph.</td>
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<td>8. Suspend excavation and grading activities when winds exceed 20 mph.</td>
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<td></td>
<td>9. Limit area subject to excavation, grading or other construction activity at any one time.</td>
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<td>10. Install wheel washers for all exiting trucks or wash off all trucks and equipment leaving the site.</td>
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<td></td>
<td>IV. BIOLOGICAL RESOURCES</td>
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<tr>
<td>a, d, e</td>
<td>Impacts to Resident Sensitive, Threatened, and Endangered Species</td>
<td>3-9 -3-10</td>
<td>a, d, e</td>
<td>The subject site is largely surrounded by urban development with State Hwy 65 acting as a substantial barrier to wildlife migration to the west. The subject site has been in active agricultural production for many years and has been regularly disked for weed control. Such activity typically precludes the establishment of natural habitat or wildlife corridors. However, the City is aware of prior reports of the presence of San Joaquin Kit Fox in the general vicinity of the annexation area. Prior to development, a reconnaissance biological survey shall be conducted to determine the presence or absence of any species of concern. Appropriate mitigation measures should be integrated into the project at the time of project design and implemented with construction of the project.</td>
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<td>City of Porterville</td>
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<td></td>
<td>V. CULTURAL RESOURCES</td>
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<tr>
<td>a, b, c, d</td>
<td>Cultural and Historic Resources</td>
<td>3-11</td>
<td>a, b, c, d</td>
<td>The proposed project site has been previously graded for agriculture, and there will be minimal disturbance of the land to implement the project. As per the CEQA Guidelines, if, in the course of project 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</td>
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Attachment 3-4
### Impact Mitigation

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- **Significance**: If the findings are deemed significant by the City’s Environmental Coordinator, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the project.

### XI. NOISE

- **3-20 a** Portions of the subject site are adjacent to State Highway 65 and the Gibbons Avenue/Indiana Street intersection. Both routes are sources of potentially significant traffic noise impacts to the anticipated residential development following annexation. The noise impact from Gibbons Avenue and Indiana Street will primarily result from the anticipated improvement of the corridor along Jaye Street, Gibbons Avenue, Indiana Street, and Scranton Avenue to State Highway 65 as a major truck route. The Noise Element of the General Plan identifies the 60 dB contour of State Highway 65 as 542 feet from the centerline of the highway in 2010.

  The City of Porterville shall impose the minimum requirement of a ten foot tall concrete block wall along the boundary of any proposed subdivision adjacent to State Highway 65. In addition, the City of Porterville shall require a site specific noise impact study to be performed prior to the consideration of any proposed discretionary development permit any parcel within 600 feet of the centerline of State Highway 65 and/or the intersection of Gibbons Avenue and Indiana Street.

### XV. TRANSPORTATION/TRAFFIC

- **3-25-3-26 a, b** The Poplar Avenue/Jaye Street intersection is currently operating at an unacceptable Level of Service due to traffic volume, intersection geometry and the mix of truck and auto traffic. Road improvement projects have been identified by the City of Porterville as necessary and appropriate to correct the existing and anticipated intersection failures along Jaye Street. Funding for such improvements is anticipated from a combination of sources as identified in the Circulation Element.

  Although a detailed analysis of the potential traffic impacts of development cannot be carried out until a specific development plan has been submitted, impacts may occur to the Poplar Avenue/Jaye Street intersection. Any development on the subject site will be required to pay the adopted development

**Attachment 3-5**
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<th>Impact No.</th>
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<th>Page Number in Initial Study</th>
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<td>impact fees for traffic. Such fees will be used to fund a portion of the road improvements necessary to accommodate planned growth in the community. Prior to the consideration of discretionary permits for development, including Tentative Subdivision Maps, projects will be evaluated for traffic impacts and a project specific Traffic Impact Study will be performed based upon the number of trips expected to be generated and to identify short-term improvements that are needed to accommodate the project.</td>
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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. 460

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.

   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. 460 and Zone Change No. 10-2005 (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. Approximately 35 acres of the subject annexation site is located in Agricultural Preserve 3665. City Council Resolution 7335 originally protested the Agricultural Preserve. The Tulare County Local Agency Formation Commission by Resolution 74-22 approved the protest.

I. The City of Porterville hereby exercises its option to not succeed to the Agricultural Preserve No. 3665 Contract pursuant to government Code Section 51243.5 upon annexation of said site into the City of Porterville.

J. That the subject site consists of 87± acres.

K. The northerly parcel has recently been used for agricultural production.

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

M. Porterville’s General Plan designates the site for Low Density Residential and Residential Estate uses.

N. In conjunction with the proposed annexation, Zone Change No. 10-2005 (pre-zoning) proposes to change the existing zoning from County AE-20 (Exclusive Agriculture 20 Acre Minimum) zone (35 +/- acres), the P-D-R-A-217
(Planned Development-Rural Residential-5 Acre Minimum) zone (14+/- acres), and the R-O-43 (Single Family Residential Estate-One Acre Minimum) zone to the City R-I and R-E zones for the area located generally east and west of Indiana Street, north of the Gibbons Avenue alignments.

O. 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.

P. 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
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 Northeast corner of the Southwest 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 East line of the Southwest quarter of the Northwest quarter of said Section 2, a distance of 1323 feet, more or less, to the Southeast corner of the Southwest quarter of the Northwest quarter of said Section 2, an angle point in the existing City Limits Line;

D2 Thence, westerly, along the existing City Limits Line and along the South line of the Southwest quarter of the Northwest quarter of said Section 2, a distance of 1327 feet, more or less, to the Southwest corner of the Southwest quarter of the Northwest quarter of said Section 2, the East quarter corner of said Section 3, a point on the existing City Limits Line;

D3 Thence, continuing westerly, along the existing City Limits Line and along the North line of the Southeast quarter of said Section 3, a distance of 25 feet, more or less, to the West right of way line of Indiana Street (County Road 240), an angle point in the existing City Limits Line;

D4 Thence, southerly, along the existing City Limits Line and West right of way line of Indiana Street (County Road 240), a distance of 1330 feet, more or less, to the South line of the Northeast quarter of the Southeast quarter of said Section 3, a point in the existing City Limits Line;

D5 Thence, westerly, leaving the existing City Limits Line and along the South line of the Northeast quarter of the Southeast quarter of said Section 3, a distance of 1138 feet, more or less, to the East right of way line of State Highway 65, a point on the existing City Limits Line;

D6 Thence, northerly, along the existing City Limits Line and East right of way line of State Highway 65, a distance of 1,753 feet, more or less, to the westerly prolongation of the South line of Lot 9 of Tract No. 22, recorded in Book 19, Page 57, of Maps, Tulare County Records, a point on the existing City Limits Line;

D7 Thence, southeasterly, leaving the existing City Limits Line, along the South line of said Lot 9, a distance of 525 feet, more or less, to the Southeast corner of said Lot 9;

D8 Thence, northerly, along the East line of said Lot 9, a distance of 246 feet, more or less, to the intersection of the South and West right of way line of Wisconsin;

Attachment 4-4
D9 Thence, easterly, leaving the West right of way line of said street along the South right of way line of Wisconsin Street, a distance of 38 feet, more or less, to the East right of way line of Wisconsin Street;

D10 Thence, northerly, along the East right of way line of Wisconsin Street, a distance of 182 feet, more or less, to the North line of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 3;

D11 Thence, easterly, along the North line of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 3 and along the prolongation of the North line of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 3 across Indiana Street, a distance of 641 feet, more or less, to the East right of way line of Indiana;

D12 Thence, northerly, along the East right of way line of Indiana Street, a distance of 648 feet, more or less, to the North line of the Southwest quarter of the Northwest quarter of said Section 2;

D13 Thence, easterly, along the North line of the Southwest quarter of the Northwest quarter of said Section 2, a distance of 1290 feet, more or less, to the Northeast corner of the Southwest quarter of the Northwest quarter of said Section 2, an angle point on the existing City Limits Line, the POINT OF BEGINNING.

ACREAGE = 88 ± ACRES
ORDINANCE NO. _______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE 10-2005 (PRE-ZONING) CONSISTING OF 87± ACRES AND
CONTAINING SIX (6) PARCELS LOCATED GENERALLY EAST AND WEST OF
INDIANA STREET AND NORTH OF GIBBONS AVENUE.

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of July 19, 2005, conducted a public hearing to consider Zone Change 10-2005
(Pre-Zoning), being a change from County AE-20 (Exclusive Agriculture-20-Acre Minimum);
P-D-R-A-217 (Planned Development-Rural Residential-5 Acre Minimum), and R-O-43 (Single
Family Residential Estate- One Acre Minimum) Zones to City R-1 (One Family Residential),
and RE (Residential Estate) Zones; and

WHEREAS: In conjunction with Zone Change 10-2005, Annexation 460, proposes to
annex a single unincorporated island located generally east and west of Indiana Street and north
of Gibbons Avenue; and

WHEREAS: The City Council of the City of Porterville, after conducting a duly noted
public hearing, 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, P-D-R-A-217, and R-O-43 Zone to R-1 and RE
zoning for the area located generally east and west of Indiana Street and north of Gibbons
Avenue consisting of Assessor’s Parcel Numbers 268-100-001, 268-100-005, 268-110-017,
268-110-018, 269-120-001 and 269-120-002 as shown in Exhibit A attached hereto; and

WHEREAS: The City Council made the following findings in support of the approval of
Zone Change 10-2005.

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 Low
Density Residential and Rural Density Residential uses as supported by the City of
Porterville General Plan Land Use Element for the 87± acre site; 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 5-1
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 10-2005, is hereby pre-zoned from County AE-20, P-D-R-A-217, and R-O-43 Zone to R-1 and RE zoning for the area located east and west of Indiana Street and north of Gibbons Avenue 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. 460, 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, P-D-R-A-217, and R-O-43 Zone to R-1 and RE zoning.

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. 460.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By_________________________________
Georgia Hawley, Deputy
Exhibit A

EXISTING ZONING

Attachment 5-3
Exhibit A
PROPOSED ZONING
Attachment 5-4
PUBLIC HEARING

TITLE: ZONE CHANGE 10-2005 (PRE-ZONING) AND ANNEXATION 460 (GIBBONS AND INDIANA)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The applicants propose to annex and pre-zone six parcels and adjacent streets totaling approximately 87 acres located east and west of Indiana Street and north of Gibbons Avenue. The parcels are primarily vacant land with two single family residences and several outbuildings. Portions of the northerly parcel have been in recent cultivation. The parcels are currently within the County AE-20 (Exclusive Agriculture- 20-Acre Minimum) Zone (35 +/- acres); the P-D-R-A-217 (Planned Development-Rural Residential-5 Acre Minimum) Zone (14 +/- acres); and the R-O-43 (Single Family Residential Estate- One Acre Minimum) Zone. The Land Use Element of the General Plan designates the northerly four parcels (52 +/- acres) for Low Density Residential uses which corresponds to the proposed R-1 (One Family Residential) zone. The southerly two parcels (35 +/- acres) are designated for Rural Density Residential uses, which corresponds to the proposed RE (Residential Estate) Zone.

Consents to annex have been received from the owners of three of the six parcels. The additional parcels are owned by the Housing Authority of Tulare County which has also indicated their support of the annexation.

Approximately 35 acres of the subject annexation site are located in Agricultural Preserve 3665. City Council Resolution 7335 originally protested the Agricultural Preserve. The Tulare County Local Agency Formation Commission, by Resolution 74-22, approved the protest. The Department of Conservation has been notified of the proposed project and has not yet responded. Upon consummation of the annexation, the City of Porterville will not succeed to the contract.

ENVIRONMENTAL: The Environmental Coordinator on June 27, 2005 made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review. As of this date, no comments have been received.
RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the Negative Declaration for Zone Change 10-2005 and Annexation 460.

2. Adopt the draft resolution authorizing initiation of preliminary proceedings and filing of the necessary application with LAFCo.

3. Approve the draft ordinances approving Zone Change 10-2005, waive further reading and order the Ordinances to print.

ATTACHMENT:

1. Complete Staff Report
PROJECT LOCATION: The parcels included in the proposed annexation are located immediately southwest of the City of Porterville in Tulare County generally east and west of Indiana Street, and north of Gibbons Avenue (Attachment 1).

SPECIFIC REQUEST: The applicants have requested annexation and a zone change from County AE-20 (Exclusive Agriculture – 20 Acre Minimum) to City R-1 (One Family Residential) and City RE (One Family Estate) for that site generally located east and west of Indiana Street, and north of Gibbons Avenue. The pre-zoning will become effective upon consummation of Annexation 460.

Annexation No. 460 proposes the inclusion into the City of Porterville of 87 +/- acres for that site generally located east and west of Indiana Street, and north of Gibbons Avenue.

PROJECT DETAILS: The applicants propose to annex and pre-zone six parcels and adjacent streets totaling approximately 87 acres located east and west of Indiana Street and north of Gibbons Avenue. The parcels are primarily vacant land with two single family residences and several outbuildings. Portions of the northerly parcel have been in recent cultivation. The parcels are currently within the County AE-20 (Exclusive Agriculture- 20-Acre Minimum) Zone (35 +/- acres; the P-D-R-A-217 (Planned Development-Rural Residential-5 Acre Minimum) Zone (14 +/- acres); and the R-O-43 (Single Family Residential Estate- One Acre Minimum) Zone. The Land Use Element of the General Plan designates the northerly four parcels (52 +/- acres) for Low Density Residential uses which corresponds to the proposed R-1 (One Family Residential) zone. The southerly two parcels (35 +/- acres) are designated for Rural Density Residential uses, which corresponds to the proposed RE (Residential Estate) Zone.

Consents to annex have been received from the owners of three of the six parcels. Two additional parcels are owned by the Housing Authority of Tulare County which has also indicated their support of the annexation.

Approximately 35 acres of the subject annexation site are located in Agricultural Preserve 3665. City Council Resolution 7335 originally protested the Agricultural Preserve. The Tulare County Local Agency Formation Commission, by Resolution 74-22, approved the protest. The Department of Conservation (Williamson Act) has been notified of the proposed project and has not yet responded. Upon consummation of the annexation the City of Porterville will not succeed to the contract.
GENERAL PLAN LAND USE DESIGNATION:  Low Density Residential and Rural Density Residential land uses.

SPHERE OF INFLUENCE:  The project site is within the City of Porterville’s Sphere of Influence.

SURROUNDING AREA ZONING AND LAND USE:
- North: Rural and Urban Density Residential Uses
- East: Developing Rural Density Residential Subdivision (Meadow Breeze), Vacant Land
- South: Orchards, Vacant Land, Cemetery, Commercial Business
- West: State Highway 65, Orchards, Vacant Land, Urban Density Residential Use

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:
1. No Project. Denial of proposed Zone Change No. 10-2005 and Annexation No. 460 would preclude the subject site from being incorporated into the City.

2. Approve the project. Approval of the proposed zone change to City R-1 and RE and annexation would be consistent with the designation applicable to the site, bringing the site's zoning and present land use (with exception to the commercial use) into conformity. Approval of the annexation would allow the change of zone to become effective upon consummation of the annexation.

ENVIRONMENTAL: The Environmental Coordinator, on June 27, 2005, made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review. As of this date, no comments have been received.

DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING:
March 19, 2004

DATE ACCEPTED AS COMPLETE: June 27, 2005

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the Negative Declaration for Zone Change 10-2005 and Annexation 460.

2. Adopt a resolution authorizing initiation of preliminary proceedings and filing of the necessary application with LAFCo.
3. Approve the draft ordinance approving Zone Change 10-2005, waive further reading and order the ordinance to print.

ATTACHMENTS:

1. Subject Site and Land Use Map

2. Negative Declaration and Initial Study

3. Draft Resolution approving the Negative Declaration for Zone Change 10-2005 and Annexation 460

4. Draft Resolution authorizing initiation of preliminary proceedings and filing of the necessary application for Annexation 460 with LAFCo.

Insert Neg Dec
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 ZONE CHANGE 10-2005
(PRE-ZONING) AND ANNEXATION 460.

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 10-2005
(Pre-Zoning), to change the existing County AE-20 (Exclusive Agriculture 20 Acre Minimum)
Zone and the R-O-43 (Single Family Residential Estate-One Acre Minimum) Zone to City R-1
(One Family Residential) and R-E (Residential Estate) Zone for the area located east and west of
Indiana Street and north of Gibbons Avenue; and

WHEREAS: Annexation No. 460 consists of 87± acres and contains approximately six
(6) parcels. The Land Use Element of the General Plan designates the northerly four parcels (52
+- acres) for Low Density Residential uses and the southerly two parcels (35 +- acres) for Rural
Density Residential uses. The subject site will be pre-zoned to R-1 (One Family Residential) and
R-E (Residential Estate) 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 the subject project will not create significant adverse environmental impacts.

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

4. That the Negative Declaration prepared for this project was made available for public
review and comment, for a period prescribed by State law. As of this date, no
comments have been received.

5. That review of the environmental circumstances regarding this project indicates that
no significant 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.

Attachment 3-1
NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Negative Declaration prepared for Zone Changes 10-2005 and Annexation 460 and adopts the Mitigation Monitoring Report attached hereto as Exhibit “A”

_______________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By_______________________________
Georgia Hawley, Deputy
### Summary of Potential Impacts, Mitigation Measures, and Mitigation Monitoring Program

<table>
<thead>
<tr>
<th>Impact No.</th>
<th>Impact</th>
<th>Page Number in Initial Study</th>
<th>Mitigation Number</th>
<th>Mitigation Measure</th>
<th>Level of Significance After Mitigation</th>
<th>Monitoring Agency</th>
</tr>
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<tbody>
<tr>
<td>III. AIR QUALITY</td>
<td>a, b, c Violation of Air Quality Standards</td>
<td>3-6</td>
<td>a, b, c</td>
<td>PM$<em>{10}$ and PM$</em>{2.5}$ air quality impacts will be mitigated with implementation of the applicable Regulation VIII procedures of the SJVAPCD. These provisions are:</td>
<td>Less than Significant</td>
<td>City of Porterville</td>
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<td></td>
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<td>1. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizers/ suppressants, covered with a tarp or other similar cover, or vegetative ground cover.</td>
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<td>2. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer suppressant.</td>
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<td>3. All land clearing, grubbing, scraping, excavating, land leveling, grading, demolition and cut and fill activities shall be effectively controlled to minimize fugitive dust emissions utilizing application of water or by pre-soaking.</td>
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<td>4. When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from top of the container shall be maintained.</td>
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<td>5. All operations shall limit the use of, or expeditiously remove the accumulation of mud or dirt from, adjacent public streets at the end of each workday when operations are occurring (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit visible dust emissions; use of blower devices is expressly forbidden).</td>
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<td>6. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/ suppressant.</td>
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Attachment 3-3
The following measures are appropriately enhanced and additional dust control strategies that are to be implemented beyond the requirements of SJVAPCD Regulation VIII:

7. Limit construction traffic speeds on unpaved roads to 15 mph.
8. Suspend excavation and grading activities when winds exceed 20 mph.
9. Limit area subject to excavation, grading or other construction activity at any one time.
10. Install wheel washers for all exiting trucks or wash off all trucks and equipment leaving the site.

IV. BIOLOGICAL RESOURCES

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<thead>
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<th>Mitigation Measure</th>
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<tr>
<td>a, d, e</td>
<td>a, d, e</td>
<td>3-9, 3-10</td>
<td>The subject site is largely surrounded by urban development with State Hwy 65 acting as a substantial barrier to wildlife migration to the west. The subject site has been in active agricultural production for many years and has been regularly disked for weed control. Such activity typically precludes the establishment of natural habitat or wildlife corridors. However, the City is aware of prior reports of the presence of San Joaquin Kit Fox in the general vicinity of the annexation area. Prior to development, a reconnaissance biological survey shall be conducted to determine the presence or absence of any species of concern. Appropriate mitigation measures should be integrated into the project at the time of project design and implemented with construction of the project.</td>
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V. CULTURAL RESOURCES

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<th>Mitigation Measure</th>
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<td>a, b, c, d</td>
<td>a, b, c, d</td>
<td>3-11</td>
<td>The proposed project site has been previously graded for agriculture, and there will be minimal disturbance of the land to implement the project. As per the CEQA Guidelines, if, in the course of project 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</td>
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City of Porterville

Less than Significant

Attachment 3-4
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<th>Impact No.</th>
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<td>Less than Significant</td>
<td>City of Porterville</td>
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XI. NOISE

a Exceedance of Applicable Noise Standards 3-20 a Portions of the subject site are adjacent to State Highway 65 and the Gibbons Avenue/Indiana Street intersection. Both routes are sources of potentially significant traffic noise impacts to the anticipated residential development following annexation. The noise impact from Gibbons Avenue and Indiana Street will primarily result from the anticipated improvement of the corridor along Jaye Street, Gibbons Avenue, Indiana Street, and Scranton Avenue to State Highway 65 as a major truck route. The Noise Element of the General Plan identifies the 60 dB contour of State Highway 65 as 542 feet from the centerline of the highway in 2010.

The City of Porterville shall impose the minimum requirement of a ten foot tall concrete block wall along the boundary of any proposed subdivision adjacent to State Highway 65. In addition, the City of Porterville shall require a site specific noise impact study to be performed prior to the consideration of any proposed discretionary development permit any parcel within 600 feet of the centerline of State Highway 65 and/or the intersection of Gibbons Avenue and Indiana Street.

XV. TRANSPORTATION/TRAFFIC

a, b Substantial Traffic Increase vs. Road Capacity/Exceedance of Level of Service Standard 3-25-3-26 a, b The Poplar Avenue/Jaye Street intersection is currently operating at an unacceptable Level of Service due to traffic volume, intersection geometry and the mix of truck and auto traffic. Road improvement projects have been identified by the City of Porterville as necessary and appropriate to correct the existing and anticipated intersection failures along Jaye Street. Funding for such improvements is anticipated from a combination of sources as identified in the Circulation Element.

Although a detailed analysis of the potential traffic impacts of development cannot be carried out until a specific development plan has been submitted, impacts may occur to the Poplar Avenue/Jaye Street intersection. Any development on the subject site will be required to pay the adopted development

Attachment 3-5
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impact fees for traffic. Such fees will be used to fund a portion of the road improvements necessary to accommodate planned growth in the community. Prior to the consideration of discretionary permits for development, including Tentative Subdivision Maps, projects will be evaluated for traffic impacts and a project specific Traffic Impact Study will be performed based upon the number of trips expected to be generated and to identify short-term improvements that are needed to accommodate the project.
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. 460

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.

   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.
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. 460 and Zone Change No. 10-2005 (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. Approximately 35 acres of the subject annexation site is located in Agricultural Preserve 3665. City Council Resolution 7335 originally protested the Agricultural Preserve. The Tulare County Local Agency Formation Commission by Resolution 74-22 approved the protest.

I. The City of Porterville hereby exercises its option to not succeed to the Agricultural Preserve No. 3665 Contract pursuant to government Code Section 51243.5 upon annexation of said site into the City of Porterville.

J. That the subject site consists of 87± acres.

K. The northerly parcel has recently been used for agricultural production.

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

M. Porterville’s General Plan designates the site for Low Density Residential and Residential Estate uses.

N. In conjunction with the proposed annexation, Zone Change No. 10-2005 (pre-zoning) proposes to change the existing zoning from County AE-20 (Exclusive Agriculture 20 Acre Minimum) zone (35 +/- acres), the P-D-R-A-217

Attachment 4-2
(Planned Development-Rural Residential-5 Acre Minimum) zone (14+/- acres), and the R-O-43 (Single Family Residential Estate-One Acre Minimum) zone to the City R-I and R-E zones for the area located generally east and west of Indiana Street, north of the Gibbons Avenue alignments.

O. 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.

P. 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. 460  
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 Northeast corner of the Southwest 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 East line of the Southwest quarter of the Northwest quarter of said Section 2, a distance of 1323 feet, more or less, to the Southeast corner of the Southwest quarter of the Northwest quarter of said Section 2, an angle point in the existing City Limits Line;

D2 Thence, westerly, along the existing City Limits Line and along the South line of the Southwest quarter of the Northwest quarter of said Section 2, a distance of 1327 feet, more or less, to the Southwest corner of the Southwest quarter of the Northwest quarter of said Section 2, the East quarter corner of said Section 3, a point on the existing City Limits Line;

D3 Thence, continuing westerly, along the existing City Limits Line and along the North line of the Southeast quarter of said Section 3, a distance of 25 feet, more or less, to the West right of way line of Indiana Street (County Road 240), an angle point in the existing City Limits Line;

D4 Thence, southerly, along the existing City Limits Line and West right of way line of Indiana Street (County Road 240), a distance of 1330 feet, more or less, to the South line of the Northeast quarter of the Southeast quarter of said Section 3, a point in the existing City Limits Line;

D5 Thence, westerly, leaving the existing City Limits Line and along the South line of the Northeast quarter of the Southeast quarter of said Section 3, a distance of 1138 feet, more or less, to the East right of way line of State Highway 65, a point on the existing City Limits Line;

D6 Thence, northerly, along the existing City Limits Line and East right of way line of State Highway 65, a distance of 1,753 feet, more or less, to the westerly prolongation of the South line of Lot 9 of Tract No. 22, recorded in Book 19, Page 57, of Maps, Tulare County Records, a point on the existing City Limits Line;

D7 Thence, southeasterly, leaving the existing City Limits Line, along the South line of said Lot 9, a distance of 525 feet, more or less, to the Southeast corner of said Lot 9;

D8 Thence, northerly, along the East line of said Lot 9, a distance of 246 feet, more or less, to the intersection of the South and West right of way line of Wisconsin;

Attachment 4-4
D9 Thence, easterly, leaving the West right of way line of said street along the South right of way line of Wisconsin Street, a distance of 38 feet, more or less, to the East right of way line of Wisconsin Street;

D10 Thence, northerly, along the East right of way line of Wisconsin Street, a distance of 182 feet, more or less, to the North line of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 3;

D11 Thence, easterly, along the North line of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 3 and along the prolongation of the North line of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 3 across Indiana Street, a distance of 641 feet, more or less, to the East right of way line of Indiana;

D12 Thence, northerly, along the East right of way line of Indiana Street, a distance of 648 feet, more or less, to the North line of the Southwest quarter of the Northwest quarter of said Section 2;

D13 Thence, easterly, along the North line of the Southwest quarter of the Northwest quarter of said Section 2, a distance of 1290 feet, more or less, to the Northeast corner of the Southwest quarter of the Northwest quarter of said Section 2, an angle point on the existing City Limits Line, the POINT OF BEGINNING.

ACREAGE = 88 ± ACRES
ORDINANCE NO. ______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 10-2005 (PRE-ZONING) CONSISTING OF 87± ACRES AND CONTAINING SIX (6) PARCELS LOCATED GENERALLY EAST AND WEST OF INDIANA STREET AND NORTH OF GIBBONS AVENUE.

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of July 19, 2005, conducted a public hearing to consider Zone Change 10-2005 (Pre-Zoning), being a change from County AE-20 (Exclusive Agriculture-20-Acre Minimum); P-D-R-A-217 (Planned Development-Rural Residential-5 Acre Minimum), and R-O-43 (Single Family Residential Estate- One Acre Minimum) Zones to City R-1 (One Family Residential), and RE (Residential Estate) Zones; and

WHEREAS: In conjunction with Zone Change 10-2005, Annexation 460, proposes to annex a single unincorporated island located generally east and west of Indiana Street and north of Gibbons Avenue; and

WHEREAS: The City Council of the City of Porterville, after conducting a duly noted public hearing, 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, P-D-R-A-217, and R-O-43 Zone to R-1 and RE zoning for the area located generally east and west of Indiana Street and north of Gibbons Avenue consisting of Assessor’s Parcel Numbers 268-100-001, 268-100-005, 268-110-017, 268-110-018, 269-120-001 and 269-120-002 as shown in Exhibit A attached hereto; and

WHEREAS: The City Council made the following findings in support of the approval of Zone Change 10-2005.

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 Low Density Residential and Rural Density Residential uses as supported by the City of Porterville General Plan Land Use Element for the 87± acre site; 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 5-1
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 10-2005, is hereby pre-zoned from County AE-20, P-D-R-A-217, and R-O-43 Zone to R-1 and RE zoning for the area located east and west of Indiana Street and north of Gibbons Avenue 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. 460, 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, P-D-R-A-217, and R-O-43 Zone to R-1 and RE zoning.

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. 460.

_________________________________
Kelly E. West, Mayor

ATTEST:
John Longley, City Clerk

By_________________________________
Georgia Hawley, Deputy
ZONE CHANGE 09-2005 AND ANNEXATION 459 (AREA C) – PROPOSED ZONING

EXHIBIT C