Call to Order
Roll Call

Adjourn to a Joint Meeting of the Porterville City Council and Porterville Redevelopment Agency.

JOINT CITY COUNCIL/PORTERVILLE REDEVELOPMENT AGENCY AGENDA

Roll Call: Agency Members

ORAL COMMUNICATIONS

This is the opportunity to address the City Council and/or Redevelopment Agency on any matter scheduled for Closed Session.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:

A. Closed Session Pursuant to:

Adjourned to a meeting of the Porterville City Council.

CLOSED SESSION:

B. Closed Session Pursuant to:
   2- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – One Case.

7:00 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL OR AGENCY ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Council Member Brian Ward
Invocation

PROCLAMATIONS

Elder Abuse Awareness Week – June 20 – July 5, 2008
Healthy Air Living Week – July 7-13, 2008

PRESENTATIONS

Employee of the Month – Nathan Delk
Police Department Briefing on Sector Program
Recognition of Art Cardell and Ken Goodwin
ORAL COMMUNICATIONS

This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time.

CONSENT CALENDAR

All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar.


2. Award of Contract – Police Department Sprayed Polyurethane Roofing Project
   Re: Awarding contract to George Roofing, Inc. of Visalia in the amount of $71,825.00 for project consisting of the installation of sprayed polyurethane foam roofing system and related appurtenances at the Porterville Police Department.

3. Approval of Amendment to Comprehensive Zoning Ordinance Update Contract to Include a Downtown Overlay and an Airport Overlay Zoning District
   Re: Considering approval of an amendment to the service agreement with Dyett and Bhatia Urban and Regional Planners to include the Downtown Overlay Zoning District in the amount of $73,821, and the Airport Overlay Zoning Districts in the amount of $60,685.

4. Approval of On-Call Service Agreement Contract
   Re: Considering approval of a 24-month service agreement with Provost and Pritchard for on-call consulting services.

5. This Item has been removed.

6. This Item has been removed.

7. Acceptance of Project – Fire Station No. 2 Training Room
   Re: Accepting project as complete from Dayco Construction, Inc., and authorizing the filing of the Notice of Completion, for the project consisting of the construction of a 5,000 sq. ft. combination training room and office facility.

8. Acceptance of Project – Air Conditioning Replacement Project
   Re: Accepting project as complete from Morris Levin & Son, and authorizing the filing of the Notice of Completion, for the project consisting of two three-ton air conditioning units with economizers for the Wastewater Treatment Facility.

9. Emergency Repair of Fire Department Apparatus
   Re: Ratification of $7,700 expenditure for the immediate repair of a Fire Department engine damaged on June 15, 2008 by a hit and run drunk driver while the vehicle was parked at Fire Station No. 1.

    Re: Considering adoption of a resolution approving a twelve month extension of time for the Royal Oaks vesting tentative subdivision map, for the site generally located north of the Poplar Ditch, south of Highway 190, west of Jaye Street, and east of Indiana Avenue.

Re: Ordering the preparation of an Engineer’s Report, giving preliminary approval to said report, declaring the intent to levy and collect assessments for FY 2008/2009, and setting June 15, 2008 for the public hearing for proposed assessments.

A Council Meeting Recess Will Occur at 8:30 p.m., or as Close to That Time as Possible

PUBLIC HEARINGS
12. Conditional Use Permit 6-2008 (Villa Siena Family Apartments)
   Re: Considering approval of CUP 6-2008, to allow for the development of 70 affordable housing apartment units and an office building on 2.7± acres, located on the southeast corner of Putnam Avenue and “E” Street in the R-3 (Multiple Family) and C-2 (Central Commercial) Zone.

13. Zone Change Amendment 2-2008
   Re: Considering adoption of an ordinance approving Zone Change Amendment 2-2008 establishing a “D” Overlay Zone to the properties located in Downtown Porterville, between Morton and Olive Avenues and Second and Hocket Streets.

   Re: Considering adoption of a resolution approving the Zone Variance 1-2008, and a resolution approving Tentative Parcel Map 1-2008, at 816 North Division Street, in the R-1 (One Family Residential) Zone.

SECOND READINGS
15. Ordinance 1741, Non-Driveway Parking
   Re: Second Reading of Ordinance No. 1741, an Ordinance of the City Council of the City of Porterville Amending Section 18-25 of Chapter 18, Article I of the Porterville Municipal Code Regarding Non-Driveway Parking.

16. Ordinance 1742, Development Standards in Residential Zones
   Re: Second Reading of Ordinance No. 1742, an Ordinance of the City Council of the City of Porterville Amending Appendix A (Zoning), Article 26, Section 2621 of the Porterville Municipal Code Regarding Development Standards in Residential Zones.

17. Ordinance 1743, Establishing a Rotation List for Towing Services
   Re: Second Reading of Ordinance 1743, an Ordinance of the City Council of the City of Porterville Adding Article VII, Rotational Tow Services, to Chapter 15 of the Porterville Municipal Code Regarding the Establishment of a Rotation List for Towing Services.

SCHEDULED MATTERS
18. This Item has been removed.

19. Re-consideration to Allow Connection to City Water in County
   Re: Re-consideration of a request for connection to City water for a 4.75 acre parcel in the county single family residential homes located at 1910 and 1950 E. Roby Avenue.

20. Request to Set a Public Hearing to Consider Modification or Revocation of Conditional Use Permit 5-2007 (Seafood Café/El Reventon)
   Re: Consideration of a modification or revocation of Conditional Use Permit 5-2007 for the property located at 1091 W. Olive Avenue.
21. Ordinance Setting Limits for City Expenditures, Indebtedness, and Revolving Cash Fund
   Re: Considering approval of an ordinance which would set a limit for City expenditures at $5,000, the limit for indebtedness at $5,000, and a limit for the revolving cash fund of $1,000 that could take place without specific prior Council approval.

22. Setting Process for City Budget Process Ratification

23. Redevelopment Advisory Committee Membership
   Re: Considering the appointment of nine individuals to serve on the Redevelopment Advisory Committee for three-year terms ending July 10, 2011.

24. Council Member Appointments on Various Boards & Committees
   Re: Considering the appointment of Council members to fill existing vacancies, or change appointments, on various Boards and Committees.

25. AB1234 Training
   Re: Consideration of a report regarding ethics training for public officials as required by AB1234.

ORAL COMMUNICATIONS
OTHER MATTERS

CLOSED SESSION
   Any Closed Session Items not completed prior to 7:00 p.m. will be considered at this time.

ADJOURNMENT - to the meeting of July 15, 2008 at 6:00 p.m.

   It shall be the policy of the City Council to complete meetings, including closed sessions, by 11:00 p.m. unless, upon consensus, Council elects to continue past the adjournment hour.

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the Chief Deputy City Clerk at (559) 782-7442. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.

Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection at the Office of City Clerk, 291 North Main Street, Porterville, CA 93257, during normal business hours.
Roll Call: Council Member McCracken, Council Member P. Martinez, Council Member Hernandez, Mayor Pro Tem F. Martinez, Mayor Hamilton

Pledge of Allegiance led by Mayor Pro Tem Felipe Martinez

Invocation – A moment of silence was observed.

ORAL COMMUNICATIONS

• Greg Woodard, 1055 W. Morton, came forward to state that he had some questions that would probably be answered by staff during the study session.

SCHEDULED MATTER

1. STUDY SESSION ON GENERAL PLAN CIRCULATION POLICY CONCEPTS

City Manager Longley explained that the purpose of the meeting was to consider and discuss the draft set of Goals and Policy Initiatives that would guide the development of the future circulation system. Community Development Director Brad Dunlap then proceeded with his presentation to the Council.

Mr. Dunlap stated that the policies that would be presented had been presented to the General Plan Update Advisory Committee, and represented the general consensus of what had developed thus far. He indicated that he had put together some slides that represented some of the concepts that were presented in the General Plan, and his presentation would consist of a quick overview of particular types of policies and a walkthrough of significant draft policies.

Mr. Dunlap presented to the Council a copy of the General Plan Concept Drawing, and explained that the concentric rings were representative of neighborhood centers; a concept of Neo-traditional type development. He then explained, at Mayor Hamilton’s request, what the different colors on the map represented.

Mr. Dunlap introduced the concept of Multiple Modes of Transportation. He spoke of bicycle and pedestrian pathways, and referenced slides of Visalia as examples. He then mentioned other aspects of Multimodal Transportation, which included: transit, trucking and goods movement, as well as the City’s airport.

Mr. Dunlap stated that he wanted Council to be aware of a policy to improve the appearance of the City’s arterial and collector street corridors. He added that another component for discussion was that the concept or policies promoted a distribution of traffic that allows for reducing overall street widths. He then indicated that he would be addressing a policy to consider alternative orientation of new residential development, adjacent to arterial and collector streets; limiting the number of cul-de-sacs that may be included in new subdivisions which
promotes the connectivity; using traffic calming measures and new developments to include narrowing of the streets, bulbs and signage; establishing guiding policies for implementation of an expanded transit system; the incorporation of transportation demand management strategies and new developments; enhancing landscaping requirements and new parking lots, directing new parking lots away from the street; and promoting the intensification of the airport through new policy initiatives.

Mr. Dunlap highlighted specific draft policies for the Council from Attachment 1; and explained that the “G” numbers represented goals, while the “I” numbers represented an implementing measure to attain the goals. He provided slides of existing residential developments in reference to Policy 4.2-I-3; which addressed access points or outlets in subdivisions, limiting the number of cul-de-sacs and providing stubs in new residential communities on undeveloped land. Mayor Hamilton inquired why the number of outlets in a development was determined by acreage as opposed to density. Mr. Dunlap responded that it could be calculated by density as well. Mayor Pro Tem Felipe Martinez asked Mr. Dunlap how the amount of access points would apply to a certain new development near Highway 190, and if the concept of the neighboring center could be implemented in that same area. Mr. Dunlap responded by explaining how density could be a factor in determining the amount of necessary outlets, and that the implementation of neighborhood centers was intended for areas moving toward development. A discussion ensued regarding the disadvantages of cul-de-sacs and the benefits of managing the number of them.

Mr. Dunlap spoke briefly of studies that found that fewer accidents occurred on narrower streets, because the narrower streets helped to keep speeds down.

Mr. Dunlap presented the Council with slides that demonstrated the layouts for different street types: collector streets, residential streets, commercial streets and arterial streets. He pointed out that the trees were beneficial in regard to Global Warming, and mentioned that the concept is addressed in the General Plan. He then provided the Council with pictures of streets in Visalia and Bakersfield for reference.

- Mr. Woodard asked if it would be possible to move the bike lanes from the street to the sidewalk. Parks & Leisure Services Director Perrine stated that moving the bike lane from the street creates a hazardous situation for the bicyclists, especially in intersections and driveways.

Council Member Pedro Martinez raised the issue of water conservation in relation to the planting of additional trees. Mr. Dunlap explained how the type of tree planted, and the way in which they were maintained would address the issue of water usage. A brief discussion ensued regarding landscape planter and sidewalk width.

- Mr. Greg Shelton, 888 N. Williford, inquired about the maintenance of the landscaped areas.

Mr. Dunlap continued to go through slides of different streets and developments, which demonstrated the concepts that were contained within the draft set of Goals and Policy Initiatives.
Some of the examples included: the positioning of public space in homes; use of alleys in residential areas; openings of cul-de-sacs to allow for pedestrian and bicycle access; use of trees in parking lots; and screening of parking lots from streets.

Mr. Dunlap spoke of additional issues such as: the accentuation of transit aspects in the plan; encouraging bus stops in neighboring centers; a two-tiered transportation impact fee; a better system of frontage roads to allow for dispersal of traffic; the coordination of City Transportation Demand Management programs with other public and private agencies; promotion of the use of bicycles to alleviate vehicle traffic and improve public health; promoting pedestrian activity; amending the Zoning Ordinance to require bicycle facilities at large commercial and industrial employer sites; giving bikes equal treatment in terms of provisions for safety and comfort on arterials and collectors as motor vehicles; requiring all new parking lots to include tree plantings; directing new parking lots away from the streets; designation of truck and tractor vehicle overnight parking at key freeway oriented locations; increasing the availability of City owned aircraft canopy and hangar facilities to facilitate the commercial stability of the Porterville Airport; developing an action plan for the planned improvements in the 2006 Airport Layout Plan; and to evaluate – and where necessary, upgrade – pedestrian, bicycle and automobile at-grade railroad crossings, that meet California Public Utilities Commission’s standards for increased traffic volumes and safety.

A brief conversation ensued in regard to the frontage roads systems and how they would pertain to traffic between Main Street and Plano. Also discussed were Vandalia Street, Jaye Street and Poplar Avenue.

Public Works Director Baldo Rodriguez commented on the concept of the use of alleyways. A discussion ensued regarding the use of alleyways, and the rehabilitation of streets. Mr. Dunlap pointed out that the proposed use of alleyways was an example of how to accommodate houses or buildings fronting on arterial or collector streets in lieu of driveways, so it wouldn’t be used everywhere. He noted that Jaye Street, north of Orange Avenue was a good example of an instance where the implementation of an alleyway would be beneficial. Mr. Woodard mentioned that putting front-loaded houses along collector streets presented the ability to develop affordable and possibly higher density product along high traffic areas. Mr. Rodriguez indicated that refuse trucks sustained the most damage in cul-de-sacs.

- Mr. Woodard commented that the use of alleys could open up possibilities for properties that would normally be considered problematic properties.

Mr. Dunlap addressed Council Member Pedro Martinez’s concerns about traffic jams by stating that the intent of the plan was to provide for better distribution of traffic. He stated that in that type of plan, putting a signal at each intersection would not work, and that right turn only lanes may need to be implemented.

Mr. Woodard requested clarification from Mr. Dunlap regarding Section 4.1-I-19, which covered the Lake Success Planning Area, which was then provided.
Mayor Hamilton asked if Police and Fire took part in developing the Goals and Policy Initiatives, to which Mr. Dunlap answered that all the departments had provided input. The Mayor then indicated that he was not a fan of narrow streets. In response, Mayor Pro Tem Felipe Martinez re-iterated some of the benefits of the narrower streets. Council Member Pedro Martinez agreed that he did not favor the narrower streets. Mayor Hamilton stated that he would need to go out and drive some of the narrower streets to figure out how he felt about them.

Mr. Dunlap suggested a field trip to Bakersfield or Visalia in order to view some of the areas presented as examples in his presentation. He indicated that he, with consideration to Council’s comments, would continue to move forward with the concepts presented. Council agreed that they were comfortable with moving forward.

Council Member Pete McCracken commended staff on a job well done. He stated that he did not feel the need for a field trip, and that he was in support of what staff had proposed.

ORAL COMMUNICATIONS
None

OTHER MATTERS
None

ADJOURNMENT

The Council adjourned at 8:53 p.m. to the Council Meeting of June 19, 2007.

Patrice Hildreth, Deputy City Clerk
By: Luisa Herrera

SEAL

Cameron Hamilton, Mayor
PORTERVILLE CITY COUNCIL MINUTES
ADJOURNED MEETING – OCTOBER 17, 6:30 P.M.
LA BARCA CONFERENCE ROOM, CITY HALL
291 NORTH MAIN STREET, PORTERVILLE

Call to Order at 6:30 p.m.
Roll Call: Council Member McCracken, Council Member P. Martinez, Mayor Pro Tem Felipe Martinez, Council Member Hernandez, Mayor Hamilton

ORAL COMMUNICATIONS
None

CLOSED SESSION:
A. Closed Session Pursuant to:

7:10 P.M. RECONVENE OPEN SESSION

REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
The City Attorney reported that no action had been taken.

Pledge of Allegiance led by Mayor Pro Tem Felipe Martinez
Invocation – A moment of silence was observed.

ORAL COMMUNICATIONS
None

SCHEDULED MATTERS
1. CONSIDERATION OF SINGLE PARTY COMPENSATION AGREEMENT RELATED TO THE POTENTIAL SALE OF CITY PROPERTY

Recommendation: That the City Council approve a single party compensation agreement with Melson Realty, Inc., with the seller agreeing to pay the broker, respective of agency relationship, 6% of the sales price, if the seller accepts an offer from the State of California Court Construction and Management to purchase or exchange the property, known as the Fairgrounds, during the period commencing October 12, 2007, and expiring April 12, 2008.

City Manager Longley presented staff’s recommendation to the Council. Council Member Pedro Martinez made a motion to accept staff’s recommendation. Council Member McCracken asked if it could be clarified that the recommendation included that the agreement state “not applicable to other terms and conditions”. The City Manager indicated that “other terms and conditions” should have a “none” next to them.
COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Mayor Pro Tem Felipe Martinez that the Council approve a single party compensation agreement with Melson Realty, Inc., with the seller agreeing to pay the broker, respective of agency relationship, 6% of the sales price, if the seller accepts an offer from the State of California Court Construction and Management to purchase or exchange the property, known as the Fairgrounds, during the period commencing October 12, 2007, and expiring April 12, 2008; and that “other terms and conditions” within the agreement have a “none” next to them. The motion carried unanimously.

Disposition: Approved

ORAL COMMUNICATIONS

- Dick Eckhoff inquired about the reasons for addressing the item as an urgency item, and stated that he did not hear the item being scheduled at the City Council Meeting the night before.

OTHER MATTERS

- Mayor Pro Tem Felipe Martinez reported on the visit of Shelly Abajian, District Director for U.S. Senator Dianne Feinstein. He stated that Mrs. Abajian, Deputy City Manager John Lollis, Fire Chief Garcia, Council Member Hernandez and he had toured the dam, and discussed the spillway issue. He concluded by stating that she liked Porterville's Downtown Area and showed an interest in the forest area.
- City Manager Longley stated that he would be flying to Sacramento to meet Public Works Director Baldo Rodriguez for the CIEDB meeting on Thursday.
- Council Member Pedro Martinez requested information regarding the Farmersville meeting.
- Deputy City Manager Lollis reported on the meeting, and stated that a letter would be drafted concerning impact fees, which would go before all Tulare County City Councils for approval and transmittal to the Board of Supervisors.
- Mayor Pro Tem Felipe Martinez stated that a concern raised at the meeting was the media's lack of interest in attending TCAG meetings.
- Council Member Hernandez reported on the Youth Commission, and stated that an update would be on the next City Council Meeting as an agenda item.

ADJOURNMENT

The Council adjourned at 7:30 p.m. to the meeting of October 30, 2007 at 6:00 p.m.

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Patrice Hildreth, Acting Chief Deputy City Clerk
By: Luisa Herrera

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Cameron Hamilton, Mayor
PORTERVILLE CITY COUNCIL MINUTES  
ADJOURNED MEETING – OCTOBER 30, 6:00 P.M.  
CITY HALL COUNCIL CHAMBERS  
291 NORTH MAIN STREET, PORTERVILLE

Call to Order at 6:00 p.m.  
Roll Call: Council Member McCracken, Council Member P. Martinez, Mayor Pro Tem F. Martinez, Council Member Hernandez, Mayor Hamilton

Pledge of Allegiance led by Council Member Eddie Hernandez  
Invocation – A moment of silence was observed.

ORAL COMMUNICATIONS  
None

SCHEDULED MATTERS
1. APPROVAL OF PROPOSED TRIP BY MAYOR PRO TEM FELIPE MARTINEZ

Recommendation: That the Council authorize the expenditure of funds for Mayor Pro Tem Felipe Martinez to travel to Washington D.C., as the representative of the City of Porterville to attend a meeting regarding the Success Dam Remediation Project.

City Manager Longley introduced the item and presented the staff report. Mr. Longley suggested that the item be approved in concept due to the possibility of the meeting being rescheduled.

COUNCIL ACTION: MOVED by Council Member Hernandez, SECONDED that the Council authorize, in concept, the expenditure of funds for the Mayor or Mayor Pro Tem to travel to Washington D.C., to attend a meeting regarding the Success Dam Remediation Project.

AYES: McCracken, P. Martinez, Hernandez, Hamilton  
NOES: None  
ABSTAIN: F. Martinez  
ABSENT: None

Disposition: Approved, as amended.

2. STUDY SESSION ON CASE STUDY FOR THE HILLSIDE DEVELOPMENT ORDINANCE (ZONING ORDINANCE AMENDMENT 2006-8)

Recommendation: That the City Council provide direction to staff on the direction of the Draft Hillside Development Ordinance based on the results of the case study.
City Manager Longley introduced the item, and Community Development Director Brad Dunlap presented the staff report. He then introduced Mr. Mark Rogers, from TRG Land, to share the results of the case study.

During his presentation, Mr. Rogers reviewed the following case study information: Opportunities and Constraints, General Plan Land Use Projections, Assumptions, Slope Zone Analysis, Land Use Analysis, Earthwork Analysis, Project Land Use Plan, Economic Analysis, and Visual Analysis. He concluded his presentation by inviting questions from the Council.

Council Member Pedro Martinez inquired about lighting standards and how it would appear at night. Mr. Rogers stated that the lighting standards were low, which was great from a planning and offsite perspective, but considered insufficient from a community perspective. He then offered to provide samples of lighting standards for the Council’s review.

Mayor Pro Tem Felipe Martinez inquired about the water service to the area addressed in the study and utilization by the Fire Department for fire suppression. Community Development Director Brad Dunlap briefly explained that an adequate water infrastructure would have to be in place prior to any development, which would include compliance with fire flow rating requirements. Mr. Rogers spoke of the benefits of the placement of roadways along wildland interfaces, which included fuel modification and access/circulation.

Council Member Pedro Martinez inquired about the effects of water runoff, and its impact on lower levels. Mr. Rogers explained that they had provided for adequate space to retain the on-site water, and discharge it at a rate equal to or less than the natural occurrence. Community Development Director Dunlap noted that the City’s Storm Drain Master Plan was designed to accommodate one hundred percent runoff.

Mr. Dunlap pointed out the absence of biological and/or archeological studies that were called for in the draft ordinance viewed by Council, which were to be submitted at the time of application. He indicated that staff was modifying the draft ordinance to address the timing of those requirements without compromising the integrity of the ordinance.

Mayor Hamilton asked when the ordinance would be brought before Council. Community Development Director Dunlap stated that the process would parallel the General Plan, and that staff would attempt to adopt them concurrently to ensure consistency. He estimated a January timeframe.

**ORAL COMMUNICATIONS**

None

**OTHER MATTERS**

- Council Member Pedro Martinez
  1. Thanked Fire Chief Mario Garcia for speaking to Channel 59 in his absence;
  2. Inquired about the return of the City’s firefighters; and
  3. Spoke of a City Council in California that presented a proclamation for a month of prayer and asked the City to research if it would be possible to do the same.
• Council Member Hernandez spoke of his attendance at the meeting with the school districts, and the discussion of joint-use athletic facilities with lit fields and tennis courts.

• Mayor Pro Tem Felipe Martinez
  1. Spoke of pictures in the Porterville Recorder of Fire and Police Departments “Battle of the Badges” Blood Drive;
  2. Thanked the Police Department for their participation in meetings regarding gang abatement; and
  3. Spoke of a list of jobs from the Chamber of Commerce put together to show potential gang members the job opportunities available.

• Mayor Hamilton asked if someone would be able to attend a press conference for the gang task force, and Mayor Pro Tem Felipe Martinez stated that he would be able to attend.

• Mayor Pro Tem Felipe Martinez stated that he had the opportunity to attend a ground breaking ceremony in Visalia, and requested a congratulatory letter be sent to the Camacho family.

**ADJOURNMENT**

The Council adjourned at 7:13 p.m. to the meeting of November 6, 2007 at 6:00 p.m.

SEAL

Patrice Hildreth, Acting Chief Deputy City Clerk
By: Luisa Herrera

______________________________
Cameron Hamilton, Mayor
COUNCIL AGENDA: JULY 1, 2008

SUBJECT: AWARD OF CONTRACT – POLICE DEPARTMENT SPRAYED POLYURETHANE ROOFING PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: On June 5, 2008, staff received three (3) bids for the Police Department Sprayed Polyurethane Roofing Project. The project includes installation of sprayed polyurethane foam roofing system and related appurtenances at the Porterville Police Department.

The estimate of probable cost for the project is $109,850. The low bid is 34.6% below the Engineer’s estimate. An additional $7,182.50 is required for the construction contingency (10%). An additional $10,000.00 is required for construction management, quality control and inspection. The total estimated cost associated with the project is $89,007.50.

Staff has researched Council’s concern regarding the Elk’s Lodge foam roof currently in litigation. Jake’s Roofing completed construction of the foam roof at the Elk’s Lodge. The owner of Jake’s Roofing, Darin Garrett, is currently employed by George Roofing as an estimator and project manager. George Roofing is not involved in the Elk’s Lodge project. George Roofing is a contractor in good standing with the Contractor’s State Licensing Board, has been in business for over 70 years and meets the requirements specified in the Porterville Police Department Project.

Funding is provided by general fund carryover and was approved in the 07/08 Annual Budget.

The bids are as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>1. George Roofing, Inc. Visalia</td>
<td>$71,825.00</td>
</tr>
<tr>
<td>2. Phoenix Coatings, Inc. Madera</td>
<td>$83,000.00</td>
</tr>
<tr>
<td>3. Universal Coatings, Inc. Fresno</td>
<td>$89,401.00</td>
</tr>
</tbody>
</table>
SUBJECT: APPROVAL OF AMENDMENT TO COMPREHENSIVE ZONING ORDINANCE UPDATE CONTRACT TO INCLUDE A DOWNTOWN OVERLAY AND AN AIRPORT OVERLAY ZONING DISTRICT

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: Staff is proposing an amendment to the existing contract with Dyett and Bhatia Urban and Regional Planners for a Comprehensive Zoning and Subdivision Ordinance Update to include a Downtown Overlay Zoning District in the amount of $73,821, and an Airport Overlay Zoning District in the amount of $60,685. Both amounts include the consultant’s proposed fees and a 10% contingency amount.

The purpose of the Downtown Overlay Zone is intended to serve the purposes of the previously proposed Courthouse Commons Master Plan. Although this creates a different mechanism, it allows for the incorporation of unique standards to implement the vision of the General Plan to establish downtown as a vibrant, mixed-use, retail and cultural center and to incorporate a proposed courthouse and other major projects into the area in a way that complements the downtown vision. These unique standards will serve to protect existing historical structures and maintain a consistent historical architecture for new development. In addition to architectural standards, guidelines for streetscape and public improvements will be addressed.

The existing Downtown Porterville Architectural Design Guidelines for the Redevelopment Project Area #1, adopted in May 1994 would be incorporated into the standards and amended, if necessary.

The overlay zone would serve as an extension of the new Zoning Ordinance and serve to help implement the newly adopted General Plan and implement airport land use compatibility measures for lands around the Porterville Municipal Airport that are within the city limits. Guidance from the California Division of Aeronautics in its California Airport Land Use Planning Handbook indicates that compatibility planning for an airport should address four factors: noise, safety, airspace protection and over flight. Each of these factors would be covered by the Airport Overlay Zone addition to the Zoning Ordinance

BACKGROUND:

On November 6, 2007, the City Council approved an amendment to the General Plan contract with Dyett & Bhatia Urban and Regional Planners to include a comprehensive Zoning Ordinance Update that would be an

[Signature]

Item No. 3
implementation tool for the General Plan. At that time there was a parallel effort underway, with a separate consultant and agreement, to begin work on the creation of a Downtown Commons Master Plan. Several options had been considered regarding how to go about this work and a Request for Proposals was sent out on January 29, 2008. Proposals for the Downtown Master Plan were received by the Planning Center and RRM Design Group. During the course of recruitment, this alternative concept was developed.

In addition, an updated airport layout plan (ALP) was completed in 2006, adopted by the City, approved by the Federal Aviation Administration and generally incorporated in the General Plan Update. A major feature of the plan is a proposed southeastward extension of the runway. An airspace plan reflecting the runway extension is included as part of the ALP drawing set. Accompanying the ALP is a narrative report which contains activity forecasts through 2025. The report, though, does not include noise contours and does not address land use compatibility.

Meanwhile, the Tulare County Airport Land Use Commission (ALUC) is seeking to update its compatibility plans for the Porterville Municipal and other airports in the county, but this work is not expected to be completed within the next two years. In order to begin implementation of the General Plan, and properly incorporate the needed airport standards into current efforts with the Zoning Ordinance Update, the City needs to begin now, rather than wait for the County.

DISCUSSION:

During this process, additional options for carrying out the work were discussed by staff. Chief among these was the idea that a Downtown Overlay Zone would be a more appropriate tool to accomplish that objective and could substitute for a Master Plan in creating the type of downtown environment that is described in our General Plan. With Dyett and Bhatia already under contract to complete a zoning ordinance update, the creation of a downtown overlay could be rolled into that effort, allowing us to accomplish our goals for downtown and save both time and money.

Dyett and Bhatia provides a comprehensive list of services, and has substantial experience throughout California. Staff is confident that Dyett and Bhatia will offer quality service to the City. Funding for the proposed Downtown Overlay Zone is included in the 2008-2009 10-year Capital Improvement Plan.

Regarding the airport, staff is currently working with the County to establish a collaborative process in which the County can participate in our efforts and include the areas around the airport that are currently outside of the city limits.
The funding source for the Airport Overlay Zone is proposed from the sale of residual funds from the property located at the West Street Industrial Park. As Council will recall, $190,000 was allocated from the property sale to purchase credits to relocate the Kit Fox habitat. The cost of the Kit Fox mitigation totaled $130,000 resulting in a remainder of $60,000. This is sufficient to fund the effort with an approximate 10% contingency.

RECOMMENDATION: That City Council authorize the Mayor to sign the service agreement amendment to add the Downtown Overlay and Airport Overlay Zoning Districts to the Dyett and Bhatia service agreement.

ATTACHMENTS: Zoning and Subdivision Ordinance Agreement Contract Amendment
DATE: July 2, 2008

PARTIES: City of Porterville, a California municipal corporation, hereinafter referred to as "CITY"; and Dyett and Bhatia, hereinafter referred to as "CONSULTANT".

RECITALS: CITY has undertaken a project on which it is seeking assistance from CONSULTANT. Said project which will hereinafter be referred to as "project" is described as follows:

- Project Name: General Plan, Zoning and Subdivision Ordinance Update Contract Amendment to add a Downtown and an Airport Overlay Zone
- Description of Project: The project consists of the addition of a Downtown and an Airport Overlay Zoning District to the proposed Zoning Ordinance to implement the new General Plan and make other needed changes.

AGREEMENTS:

IN CONSIDERATION OF MUTUAL COVENANTS AND AGREEMENTS HEREAFTER set forth the parties hereto do contract and agree as follows:

SECTION 1. CONTRACT SERVICES: CONSULTANT hereby agrees to provide the following services and materials, in a timely manner as described in Exhibit “A”, Additional Services Proposal, in connection with the above described project.

SECTION 2. PAYMENT: In consideration for said services and materials, CITY shall pay CONSULTANT on a time and materials basis, not to exceed Sixty Seven Thousand, One Hundred and Ten Dollars ($67,110) According to the following schedule:

1. $67,110 – to Conduct Studies and Prepare Downtown Overlay Zone
2. $54,617 – to Conduct Studies and Prepare Airport Overlay Zone

TIME OF PAYMENT: Progress payment requests shall be submitted by the 25th of each month. CONSULTANT should receive payment within 30 days of the date the bill is received.

SECTION 3. COMPLETION DATE: The services to be performed by CONSULTANT will be commenced upon execution of this agreement and all “work directives” shall be completed by July 30, 2009 unless extensions are mutually agreed upon by the CITY and CONSULTANT in advance.

The parties agree that time is of the essence under this contract. Inasmuch as it would be difficult to ascertain the actual amount of damages sustained by delay in performance of said contract, the amount of $500.00 per calendar day shall be deducted from the contract price for liquidated damages for each calendar day beyond the completion date listed above. Said deduction will not be made if CONSULTANT submits proof in writing that delay in completion was due to a cause beyond its control.

SECTION 4. FAMILIARITY WITH PROJECT: CONSULTANT certifies and agrees that it is fully familiar with all of the details of the project required to perform its services. CONSULTANT agrees it will not rely upon any opinions and representations of CITY unless CITY is the only available source of said information.

SECTION 5. INDEPENDENT CONTRACTOR: It is expressly understood that CONSULTANT is entering into this contract and will provide all services and materials required hereunder as an independent contractor and not as an employee
of CITY. CONSULTANT specifically warrants that it will have in full force and effect, valid insurance covering:

(i) Full liability under worker's compensation laws of the State of California; and

(ii) Bodily injury and property damage insurance in the amount not less than One Million Dollars ($1,000,000) per occurrence; and

(iii) Errors and Omissions insurance of One Million Dollars ($1,000,000) minimum per occurrence, if deductible for Errors and Omissions insurance is Fifty Thousand Dollars ($50,000) or more, the City may require a Surety Bond for the deductible; and

(iv) Automotive liability in the amount not less than One Million Dollars ($1,000,000) per occurrence;

fully protecting CITY, its elected and appointed officers, employees, agents and assigns, against all claims arising from the negligence of CONSULTANT and any injuries to third parties, including employees of CITY and CONSULTANT.

CONSULTANT agrees to indemnify, defend (at CITY’S election), and hold harmless the CITY against any claims, actions or demands against CITY, and against any damages, liabilities for personal injury or death or for loss or damage to property, or any of them arising out of negligence of CONSULTANT or any of its employees or agents.

SECTION 6. WORKMANSHIP AND MATERIALS: Every part of the work herein described shall be executed in a professional manner with competent, experienced personnel. Finished or unfinished material prepared under the agreement, prepared
by CONSULTANT, shall become property of CITY. CONSULTANT hereby warrants that any materials prepared under this agreement shall be fit for the intended use contemplated by the parties.

SECTION 7. ASSIGNMENT OF CONTRACT: It is acknowledged by the parties that CITY has entered into this contract with the express understanding that all work will be performed by CONSULTANT. No changes in the consulting team (including sub-consultants) as outlined in Exhibit “A” shall be made without the prior written approval by CITY. CONSULTANT shall not, without the written consent of CITY, assign, transfer or sublet any portion or part of this work, nor assign any payments to others.

SECTION 8. AFFIRMATIVE ACTION. CONSULTANT will not discriminate against any employee, or applicant for employment because of race, color, religion, gender, marital status, or national origin.

SECTION 9. CONFLICT OF INTEREST CODE: CONSULTANT agrees to comply with the regulations of CITY’S “Conflict of Interest Code”. Said code is in accordance with the requirements of the Political Reform Act of 1974. CONSULTANT covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of service required hereunder. The term "conflict" shall include, as a minimum, the definition of a "conflict of interest" under the California Fair Political Practices Act and the City of Porterville Conflict of Interest Code, as that term is applied to consultants.
SECTION 10. TERMINATION: This contract may be terminated by either party for just cause by giving seven (7) days written notice to the other party. Upon termination by CITY, CITY shall be relieved of any obligation to pay for work not completed including profit and overhead. CONSULTANT may be entitled to just and equitable compensation for satisfactory work completed, except CITY can withhold damages incurred as a result of the termination.

SECTION 11. ENTIRE CONTRACT: It is understood and agreed that this Service Agreement represents the entire Agreement between the parties. Should it be necessary to institute legal proceedings to enforce any and all of the covenants and conditions of this Agreement, the prevailing party shall be entitled to recover attorneys’ fees and costs.

SECTION 12. DISPUTES; VENUE: If either party initiates an action to enforce the terms hereof or declare rights hereunder, the parties agree that the venue thereof shall be the County of Tulare, State of California. CONSULTANT hereby waives any rights it might have to remove any such action pursuant to California Code of Civil Procedure Section 394.

IN WITNESS WHEREOF, the parties have executed this Service Agreement on the date and year first above written.

CITY OF PORTERVILLE

By ____________________________
Cameron Hamilton, Mayor

CONSULTANT

By ____________________________
Michael V. Dyett, Principal

Date __________________________

Date __________________________
Dyett & Bhatia’s Additional Services Proposal: Porterville Zoning and Subdivision Ordinances Update

Prepared by Dyett & Bhatia, June 11, 2008

Following adoption of the new 2030 General Plan in early March and subsequent study by City staff, the scope of work for the zoning and subdivision ordinance update needs to be expanded; additional time will be needed to develop a Downtown Overlay District and design standards and guidelines to support the redevelopment project area expansion and ensure that potential development of the Fairgrounds is integrated into Downtown. Also, additional technical work is needed to implement the updated Airport Layout Plan, recently adopted by the City and approved by the Federal Aviation Administration and ensure land use compatibility in the Airport envisions. This is because noise contours and land use compatibility maps have not been prepared for the Airport Layout Plan with the southeastward extension of the runway. These ordinances will be carried forward separately, a process that was not originally envisioned.

Technical work on airport-related studies will be done by Mead & Hunt. Their proposed scope of work is described in the attached June 10th letter. We have worked with the predecessor to this firm Airport planning in Redding, and we believe that they have the right blend of qualifications and experience needed for this assignment.

The specific work associated with these tasks is as follows; costs are on page 5.

**TASK DESCRIPTION**

**TASK A-1:** Reconnaissance; Issues and Options

The recommendations in the General Plan will be critically reviewed with City staff and refined based on redevelopment project area plans and potential uses for the fairgrounds. We will tour the Downtown area with City staff and also discuss issues and options to be addressed in the Airport environs planning to be undertaken by Mead & Hunt. Following a working session with City, a memorandum on specific issues and options will be prepared for City staff review. We also will compile additional map data for analysis of design standards and options and prepare base maps for Mead & Hunt’s use in their work.

**TASK A-2:** Prepare Downtown Overlay District

An overlay district will be outlined for City staff review and then draft regulations and standards prepared. The need for regulations for specific corridors, including Main Street, Olive, Orange, Putnam, Garden and Plano, will be analyzed. To focus on specific standards that might apply we will development illustrative graphics, as shown on the following page.

EXHIBIT A to the contract
Example of Illustrative Graphics for Downtown Porterville

Block Standards and Public Open Space Requirements

Public street and park locations established by Specific Plan

Connected Open Space/Storm Water Retention Corridor:
- Minimum average 50 foot width.
- Must connect to adjacent properties to create continuous pedestrian pathways; otherwise, locations are flexible.

Maximum block dimension 450 feet; 600 feet with mid-block pedestrian way

Parking and Building Frontage

Open surface parking – maximum 20% of site area in mixed use areas

Max. 30% of X+Y

Buildings must occupy at least 70% of the lot frontage along streets.

Y Surface parking may not occupy more than 30% of the lot frontage, and may not exceed 20 feet of lot frontage facing the street.

Minimum 60% of parking garage perimeter must be wrapped with occupiable space

Parking open so that it may be built with natural ventilation

Locate parking behind buildings to minimize visibility from pedestrian streets

Maximum one curb cut per lot or street frontage

Maximum 40% of parking structure perimeter may be visible from street
Example of Illustrative Graphics for Downtown Porterville [2]

**Landscaping and Private Open Space**

- Public plaza: Common open space in mixed-use areas
- Common open space: Landscaped courtyard on top level of parking structure
- Public open space: Linear park
- Private open space: Rear yards

**Site landscaping:** Minimum 20% of site area

**Site landscaping/common open space:** Residential courtyards

**Common open space/storm water retention corridor:** Minimum average 50 foot width

Must connect to adjacent properties to create continuous pedestrian pathways.

**Private open space:** Balconies

**Private open space:** Patios

**Building Form: Employment Mixed Use**

*(shown on a Pedestrian Retail Street)*

- Mix of building heights - 2-10 stories
- Parking located behind buildings
- Outdoor dining encouraged along sidewalks and open spaces
- Mid-block pedestrian connection/open space
- Limited surface parking
- Parking access away from pedestrian retail areas

- Building projections such as bay windows may overhang sidewalk to provide shade
- Street trees and building awnings to shade sidewalks
- Public plaza with shade, seating, and other amenities

- Active uses required on the ground floor - retail, restaurants, and services
- 0-8' setback on pedestrian retail streets. Setback area for cafes, arcades, or widened sidewalks.
Overlay district standards may include, but not necessarily limited to: block standards, open space and streetscape standards, standards for off-street parking and loading, curb cuts and open surface parking, common and private open space for residential units in mixed use buildings, building height, building form and building setbacks or "build to" lines. Ground floor and upper-story use regulations also will be drafted for City staff review. An administrative draft of the zoning overlay district will be prepared for City staff review, and additional revisions will be made, as appropriate, prior to preparing a PowerPoint presentation for a Zoning Update Advisory Committee workshops and Council study session.

**TASK A-3: Design Standards and Guidelines**

Using the conceptual streetscape and corridor design concepts prepared in Task A-2, design standards and guidelines will be prepared. These may include but not be limited to provisions for sidewalk shade, ground floor building design, building orientation, massing and articulation, building entries, windows and fenestration, building materials and colors and pedestrian amenities and connections. These standards and guidelines will be supplemental to normal zoning standards that otherwise would apply. The zoning ordinance also might need to provide ways for approving "alternative compliance" with this Downtown design policy to allow for unique, diverse and creative design solutions for neighborhood compatibility.

**TASK A-4: Revisions; Hearing Draft; Changes for Adoption**

Following public review, we will assist City staff in revisions or preparation of an "addendum" for the City Council hearing on adoption and then make necessary changes in the adopted ordinance to reflect Council action. This will include any necessary changes to M&H graphics. (Depending on the scope of changes, the M&H contingency funds may need to be used.)

**TASK A-5: Airport Overlay Zoning**

The original scope of work did not provide for preparation of noise contours and airport land use compatibility criteria that conform to FAA requirements and local needs. The technical work for this task will be done by Mead & Hunt (M&H), as described in the attached letter. We will supervise their work, provide needed maps and technical information, coordinate with the City and then draft regulations using criteria and maps M&H will provide. An administrative draft will be submitted for City staff review and then revised based on staff comments. We also will assist the City take the draft through the City review process. We assume City staff would make any presentations to the County, the County ALUC or other agencies.
BUDGET

The total cost of this additional work, including a $5,000 contingency for M&H, is $127,795. An estimate of hours and costs for this additional work is provided below. A large portion of these additional costs relates to technical analysis of airport-related noise and safety issues and preparing design standards and guidelines for the overlay districts and specified corridors. The need for more City staff review time and for our time to respond to staff concerns also contributed to overall costs.

<table>
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<tr>
<th>HOURS BY TASK</th>
<th>Task A-1</th>
<th>Task A-2</th>
<th>Task A-3</th>
<th>Task A-4</th>
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June 10, 2008

Mr. Michael Dyett
Dyett & Bhatia
755 Sansome Street, Suite 400
San Francisco, CA 94111

Subject: Proposed Scope of Work
Porterville Municipal Airport Overlay Zoning Ordinance

Dear Michael:

Thank you for contacting us to assist you with regard to the airport-related elements of the Porterville city zoning ordinance that you are preparing under contract to the city. The scope of work in this letter is revised based upon your comments on the draft scope we previously submitted to you. A proposed budget is included as well.

Project Understanding

Our proposal is based upon our conversations with you and Michael Dyett, the conference call held with city staff, and various documents that we had in our library or which you provided. From these sources we have gleaned these key pieces of information pertinent to the project.

► Project Objective: The Mead & Hunt assignment will be to draft an airport overlay zoning ordinance that will become part of the new city zoning code currently being prepared by Dyett & Bhatia. The overlay zone would implement airport land use compatibility measures for lands around Porterville Municipal Airport that are within the city limits. Guidance from the California Division of Aeronautics in its California Airport Land Use Planning Handbook indicates that compatibility planning for an airport should address four factors: noise, safety, airspace protection, and overflight. We recommend that each of these factors be covered by the airport overlay zoning ordinance.

► General Plan: The city recently adopted a new general plan. The current Dyett & Bhatia work on the city's zoning ordinance is intended to bring it into conformance with the new general plan. The general plan indicates the land use designations planned for the airport environs, but does not address compatibility issues in detail. We have not seen the accompanying environmental document, but understand that it likewise contains little analysis of airport land use compatibility matters.

► Airport Layout Plan: An updated airport layout plan (ALP) was completed in 2006, adopted by the city, and approved by the Federal Aviation Administration. A major feature of the plan is a proposed southeastward extension of the runway. An airspace plan reflecting the runway extension is included as part of the ALP drawing set. Accompanying the ALP is a narrative report which contains activity forecasts through 2025. The report, though, does not include noise contours and does not address land use compatibility. We understand that the environmental document prepared for the plan adoption also does not depict noise contours. The last noise contours prepared for the airport are ones contained in the 1990 airport master plan (AMP).
► **Tulare County Airport Land Use Commission:** Local government actions to prepare an airport overlay zoning ordinance are often triggered by adoption of an airport land use compatibility plan (ALUCP) by the county airport land use commission (ALUC). The Tulare County ALUC is seeking to update its compatibility plans for Porterville Municipal and other airports in the county, but this work is not expected to be completed within the next year or two. The city of Porterville wishes to define compatibility criteria for its jurisdiction sooner and therefore intends to proceed on its own to do so. We envision coordinating with the ALUC during the airport overlay zoning ordinance preparation so that ordinance could serve as the city’s recommendation to the ALUC as to appropriate compatibility criteria for Porterville Municipal Airport. Also, prior to city adoption of the new zoning ordinance, state law requires that it be submitted to the ALUC for a determination of consistency with the ALUC’s plan. This step will be necessary with regard to the entire zoning ordinance, not just the airport overlay zone, regardless of the status of the ALUCP update at that time.

► **Current Status of Land Use Compatibility:** Land uses around the airport are at present predominantly agricultural. No major compatibility problems are evident. The city’s general plan calls for industrial park and recreational facilities adjacent to the airport with lands to the northwest beyond the runway ends to remain agricultural. Southeast of the runway is unincorporated county territory also expected to remain agricultural. Although some limitations on these uses may be appropriate, they are all generally compatible with airport activities.

**Proposed Scope of Work**

Given the above project understanding, Mead & Hunt proposes to accomplish the following tasks.

1. **Determine Airport Impacts:** We will evaluate the impacts generated by Porterville Municipal Airport under each of the four impact categories described in the *California Airport Land Use Planning Handbook* (Handbook).

   a. **Noise:** Utilizing the 2025 activity forecasts in the *Airport Layout Plan Narrative Report* together with supplemental information to be obtained from airport management and others, we will prepare new Community Noise Equivalent Level (CNEL) noise contours. The current version of the Federal Aviation Administration’s Integrated Noise Model (INM) will be used for the computation. Noise levels down to CNEL 55 dB will be calculated.

   b. **Safety:** Relying upon national general aviation aircraft accident data document in the *Handbook* together with specific information regarding Porterville Municipal Airport (runway configuration, visual and instrument approach procedures, normal flight tracks, fleet mix, etc.), we will identify the locations where a heightened risk of aircraft accidents exists.

   c. **Airspace Protection:** The airspace plan in the airport layout plan set will be used to define areas where height limits on structures, trees, and other objects are necessary. Information on other types of hazards to aircraft operations (land uses that attract birds, for example) will be summarized from federal guidelines.

   d. **Overflight:** Locations commonly overflown by aircraft approaching, departing, or conducting training at Porterville Municipal Airport will be identified with the assistance of airport
management and others familiar with the airport. The emphasis will be on locations where aircraft fly at or below traffic pattern altitude.

Staff Hours: 50
Expenses: $50
Task Cost: $7,000

2. Prepare Compatibility Maps: We will prepare maps, suitable for inclusion in the zoning ordinance, depicting the locations where each of the above airport impacts warrant some form of restrictions on land use. Dyett & Bhatia will be responsible for providing base maps on which the airport impacts can be presented.

Staff Hours: 65
Expenses: $200
Task Cost: $7,990

3. Identify Compatibility Strategies and Develop Criteria: In this task, we will:
   a. Outline the basic strategies within each of the above impact categories that can be used to ensure that land uses near the airport are developed in a manner compatible with airport activities. Where options are available, the tradeoffs will be described.
   b. Develop criteria indicating what types of land uses or land use features are or are not compatible with the preceding airport impacts. Where a land use may be made compatible through compliance with specific limitations or by incorporation of mitigating features, these conditions will be described. The intent is for these criteria to be consistent with the General Plan criteria, but may be more stringent in some cases.

Staff Hours: 40
Task Cost: $5,900

4. Prepare Discussion Paper: The outcome of Tasks 1 through 3 will be presented to Dyett & Bhatia in a discussion paper. After review, and revisions as necessary, the paper will be submitted to the city. Emphasis in the paper will be on choices that the city will need to make with regard to compatibility strategies and the degree of compatibility that is desired for airport-area land uses.

Staff Hours: 75
Task Cost: $9,365

5. Draft Airport Overlay Zone Language: In this task, we will work with Dyett & Bhatia to prepare a draft airport overlay zoning ordinance.
   a. Initial Input: Once we have obtained feedback from the city regarding the topics covered in the discussion paper, we will offer technical input to an initial draft of the ordinance. Our input will pertain to compatibility criteria addressing each of the four impact categories. We also will offer input regarding variances, enforcement, and other basic zoning actions to the extent that issues unique to airport compatibility are not covered elsewhere in the zoning
code and need to be included. Our material will be submitted to Dyett & Bhatia which will then be responsible for preparing the draft ordinance.

b. Review of Draft: We will review the draft ordinance prepared by Dyett & Bhatia and offer comments.

c. Final Draft: After the draft has been made available for public review, we will assist Dyett & Bhatia is responding to comments and in preparation of a final draft. A single iteration of the final draft is budgeted.

Staff Hours: 25
Task Cost: $4,750

6. Meetings, Reproduction, Coordination, and Project Administration: This task includes the following work.

a. Meetings: The data gathering efforts and coordination with Dyett & Bhatia and the city during the initial three phases of the project is expected to be accomplished via telephone, mail, and e-mail. A meeting with city staff to present the discussion paper and obtain guidance for drafting the ordinance is expected to be beneficial. After completion of the public draft ordinance, we will join Dyett & Bhatia for a presentation to the Porterville Zoning Update Advisory Committee (ZUAC). For budgeting purposes, it is assumed that city staff will handle meetings with the Tulare County ALUC, the Porterville City Council, and any other bodies or affected parties as necessary. The budget allows for two trips to Porterville during the course of the project. The city will be responsible for all meeting arrangements.

b. Reproduction: Up to 10 copies of the discussion paper and will be provided along with an electronic copy in the original document format.

c. Project Administration: Monthly invoices and a short project status report will be submitted to Dyett & Bhatia during the course of the project.

Staff Hours: 50
Expenses: $1,100
Task Cost: $9,500

7. Contingency: We suggest that an unallocated contingency budget equal to approximately 10% of the Task 1-6 costs be included in the total project budget. The contingency budget would cover additional iterations of the draft ordinance and additional meetings if necessary.

Task Cost: $4,500

Project Totals: The total costs for Tasks 1-6 is a lump sum amount of $45,205. This total covers 305 hours of staff time plus expenses. The contingency task would be on a time-and-expense basis billed in accordance with the attached billing rate schedule. As proposed, our total project budget is $49,705.
Mr. Michael Dyett  
June 10, 2008  
Page 5 of 5  

The Scope of Services and Compensation stated in this proposal are valid for a period of thirty (30) days from date of submission. If authorization to proceed is not received during this period, this proposal may be reviewed and modified by Mead & Hunt.

Schedule: We will complete Tasks 1-4 within ten (10) weeks of receiving a notice to proceed. This schedule assumes that base maps and other information required from Dyett & Bhatia, the city of Porterville, and other sources will be provided in a timely manner. The initial draft airport overlay zoning ordinance will be completed within four (4) weeks following the meeting on the discussion paper and the public draft within three (3) weeks of our receipt of Dyett & Bhatia comments on the initial draft. The timing for the remaining tasks will be coordinated with Dyett & Bhatia work on the zoning ordinance as a whole.

Please do not hesitate to contact me if you should have any questions regarding this proposed scope of work. We look forward to working with you on this endeavor.

Sincerely,

Kenneth A. Brody  
Senior Project Manager

Jon J. Faucher  
Vice President

Attachment: Mead & Hunt 2008 Standard Billing Rate Schedule, Western U.S.
MEAD & HUNT, Inc.
Standard Billing Rate Schedule
Western United States
Effective January 1, 2008

Standard Billing Rates

Clerical .................................................................................................................. $63.00 / hour
Interior Designer, Technical Editor ................................................................. $85.00 / hour
Senior Editor ...................................................................................................... $130.00 / hour
Registered Land Surveyor .................................................................................. $100.00 / hour
Accounting, Administrative Assistant ............................................................. $80.00 / hour
Technician I, Technical Writer .......................................................................... $72.00 / hour
Technician II, Surveyor - Instrument Person .................................................... $88.00 / hour
Technician III .................................................................................................... $100.00 / hour
Technician IV .................................................................................................... $110.00 / hour
Senior Technician ............................................................................................. $150.00 / hour
Engineer I, Scientist I, Architect I, Planner I ..................................................... $105.00 / hour
Engineer II, Scientist II, Architect II, Planner II .............................................. $115.00 / hour
Engineer III, Scientist III, Architect III, Planner III ....................................... $130.00 / hour
Senior Engineer, Senior Scientist, Senior Architect, Senior Planner, Senior Economist... $150.00 / hour
Project Engineer, Project Scientist, Project Architect, Project Planner ............... $165.00 / hour
Senior Project Engineer, Senior Project Scientist, Senior Project Architect, Senior Project Planner ........................................... $190.00 / hour
Senior Project Planner ....................................................................................... $190.00 / hour
Senior Associate ............................................................................................... $230.00 / hour
Principal ........................................................................................................... $245.00 / hour
Senior Client/Project Manager .......................................................................... $245.00 / hour

Expenses

Geographic Information or GPS Systems .......................................................... $32.00 / hour
Total Station Survey Equipment ........................................................................ $16.00 / hour
Charges for other equipment may appear in a proposal
Out-Of-Pocket Direct Job Expenses ................................................................... cost plus 15%
Such as reproductions, sub-consultants / contractors, etc.

Travel Expense

Company or Personal Car Mileage .................................................................... $0.75 / mile
Air and Surface Transportation .......................................................................... cost plus 15%
Lodging and Sustenance ................................................................................... cost plus 15%

Billing & Payment

Travel time is charged for work required to be performed out-of-office. A minimum of two hours will be billed for any work out-of-office.

Invoicing is on a monthly basis for work performed. Payment for services is due within 30 days from the date of the invoice. An interest charge of 1.5% per month is made on the unpaid balance starting 30 days after the date of invoice.

This schedule of billing rates is effective January 1, 2008, and will remain in effect until December 31, 2008, unless unforeseen increases in operational costs are encountered. We reserve the right to change rates to reflect such increases.
SUBJECT: APPROVAL OF ON-CALL SERVICE AGREEMENT CONTRACT

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: On March 18, 2008, the City Council ratified distribution of the Request for Proposals (RFP) for an on-call services contract. Proposals were sent to all consultants who had previously shown interest in completing this type of contract for the City, as well as a clearinghouse, which sent notice to additional consulting firms. In response to the City’s Request for Proposals, fifteen (15) consulting firms submitted proposals.

Staff evaluated all submittals, and the three highest-ranking firms were asked to interview with the Community Development Department. A significant separation existed between the scores of the three highest-ranking firms and the other twelve. Scores were based on the City’s standard Consultant Selection Rating Form.

After meeting with key team members from each firm and contacting references, City Staff selected Provost and Pritchard to provide on-call consulting services. In the event of non-performance, staff is seeking authorization to negotiate with the second-ranked consultant, which is URS.

The contract will be for a duration of 24 months with the option of extending upon the mutual agreement of both parties.

Provost and Pritchard provides a comprehensive list of services and has experience throughout the Central Valley resolving planning and engineering-related issues. Staff is confident that Provost and Pritchard will offer high-quality service to the City as an extension of staff.

RECOMMENDATION: That the City Council:

1) Authorize the Mayor to sign the service agreement with Provost and Pritchard; and
2) Authorize staff to negotiate a service agreement with URS, second-ranked consultant, should the need arise.

ATTACHMENTS: On-Call Service Agreement Contract

[Signature] Appropriated/Funded

[Signature] CM

Item No. 4
ON-CALL ENVIRONMENTAL CONSULTANT
SERVICE AGREEMENT

DATE: July 1, 2008

PARTIES: City of Porterville, a California municipal corporation, hereinafter referred to as "CITY"; and Provost and Pritchard Engineering Group, hereinafter referred to as "CONSULTANT".

RECITALS: CITY has undertaken a project on which it is seeking assistance from CONSULTANT. Said project which will hereinafter be referred to as "project" is described as follows:

Project Name: On-call Environmental Services.

Description of Project: The project consists of the assistance with the preparation of environmental documents including Initial Studies, Negative Declarations, EIR’s, notices, technical studies and where appropriate, Categorical Exclusions, Environmental Assessments, EIS’s and other documents as necessary to comply with state and federal environmental guidelines/regulations and mitigation measure monitoring. Other services offered by Provost and Pritchard Engineering Group, or their sub-consultants, may be provided through this contract.

AGREEMENTS:

IN CONSIDERATION OF MUTUAL COVENANTS AND AGREEMENTS HEREINAFTER set forth the parties hereto do contract and agree as follows:

SECTION 1. CONTRACT SERVICES: CONSULTANT hereby agrees to provide the following services and materials, in a timely manner as described in Exhibit “A”, Scope of Services (Proposal for On-Call Environmental Services), as provided by Consultant in connection with the above described project.

SECTION 2. CONTRACT SERVICES: In consideration for said services and materials, CITY shall pay CONSULTANT on an hourly basis as defined in Exhibit A (specifically, Professional Fee Schedule, effective May 15, 2008). Direct costs such as travel, telephone, postage, printing, etc. are incorporated into the hourly rates. In the event the contract is extended for any period of time, the cost for services must be agreed upon by both parties.

TIME OF PAYMENT: Progress payment requests shall be itemized, identify the project budget, budget balance and shall reference the completion of tasks associated with the billable hours, and submitted by the 25th of each month. CONSULTANT should receive payment within 30 days of the date the bill is received.
SECTION 3. COMPLETION DATE: The services to be performed by CONSULTANT will be commenced upon execution of this agreement and all work directives shall be completed in a timely manner. This contract will be in effect for two (2) years from July 1, 2008. This contract can be extended after the expiration date, upon mutual agreement by both parties.

SECTION 4. FAMILIARITY WITH PROJECT: CONSULTANT agrees that it will rely on its own findings and research to perform the services required under this agreement and will not rely solely upon opinions or representations of CITY unless CITY is the only available source of said information. CONSULTANT shall become familiar enough with project details to independently perform its services in conformance with the normal standard of care for such projects.

SECTION 5. INDEPENDENT CONTRACTOR: It is expressly understood that CONSULTANT is entering into this contract and will provide all services and materials required hereunder as an independent contractor and not as an employee of CITY. CONSULTANT specifically warrants that it will have in full force and effect, valid insurance covering:

(i) Full liability under worker's compensation laws of the State of California; and

(ii) Bodily injury and property damage insurance in the amount not less than One Million Dollars ($1,000,000) per occurrence; and

(iii) Automotive liability in the amount not less than One Million Dollars ($1,000,000) per occurrence; fully protecting CITY, its elected and appointed officers, employees, agents and assigns, against all claims arising from the negligence of CONSULTANT and any injuries to third parties, including employees of CITY and CONSULTANT. CONSULTANT agrees to indemnify, defend (at CITY's election), and hold harmless the CITY against any claims, actions or demands against CITY, and against any damages, liabilities for personal injury or death or for loss or damage to property, or any of them arising out of negligence of CONSULTANT or any of its employees or agents.

As an independent contractor, the consultant will obtain and maintain an active City business license.

SECTION 6. WORKMANSHIP AND MATERIALS: Every part of the work herein described shall be executed in a professional manner with competent, experienced personnel. Finished or unfinished material prepared under the agreement, prepared by CONSULTANT, shall become property of CITY. CONSULTANT hereby warrants that any materials prepared under this agreement shall be fit for the intended use contemplated by the parties.

SECTION 7. ASSIGNMENT OF CONTRACT: It is acknowledged by the parties that CITY has entered into this contract with the express understanding that all work will be performed by CONSULTANT or CITY approved sub-consultant. CONSULTANT shall not, without the written consent of CITY, assign, transfer or sublet any portion or part of
this work, nor assign any payments to others. Further, the principals involved and identified in the proposal are integral to the performance of the scope of services and shall not change or be replaced without first obtaining prior written approval from the City of a replacement(s) in the completion of the work effort. All sub-consultants shall be approved by the City, prior to commencement of work on any project.

SECTION 8. AFFIRMATIVE ACTION. CONSULTANT will not discriminate against any employee, or applicant for employment because of race, color, religion, gender, marital status, or national origin.

SECTION 9. CONFLICT OF INTEREST CODE: CONSULTANT agrees to comply with the regulations of CITY’S Conflict of Interest Code. Said code is in accordance with the requirements of the Political Reform Act of 1974. The CONSULTANT shall sign and file a City of Porterville Consultant Conflict of Interest Questionnaire with the City Clerk.

CONSULTANT covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of service required hereunder. The term "conflict" shall include, as a minimum, the definition of a "conflict of interest" under the California Fair Political Practices Act and the City of Porterville Conflict of Interest Code, as that term is applied to consultants.

SECTION 10. TERMINATION: This contract may be terminated by either party for just cause by giving thirty (30) days written notice by either party except that City may cancel contract upon five (5) days written notice in the event of nonperformance by Contractor. Nonperformance by the contractor or repeated lack of response or attention to responsibilities and/or directions and requests of City shall be considered adequate cause for termination of contract and/or withholding of funds to contractor which City must pay to third party or parties to correct deficiencies due to lack of performance as determined by City. Upon termination by CITY, CITY shall be relieved of any obligation to pay for work not completed. CONSULTANT may be entitled to just and equitable compensation for satisfactory work completed.

SECTION 11. ENTIRE CONTRACT: It is understood and agreed that this Service Agreement represents the entire Agreement between the parties. Should it be necessary to institute legal proceedings to enforce any and all of the covenants and conditions of this Agreement, the prevailing party shall be entitled to recover attorneys' fees and costs.

SECTION 12. DISPUTES; VENUE: If either party initiates an action to enforce the terms hereof or declare rights hereunder, the parties agree that the venue thereof shall be the County of Tulare, State of California. CONSULTANT hereby waives any rights it might have to remove any such action pursuant to California Code of Civil Procedure Section 394.
IN WITNESS WHEREOF, the parties have executed this Service Agreement on the date and year first above written.

CITY OF PORTERVILLE

CONSULTANT

Provost and Pritchard Engineering Group, Inc.
286 W. Cromwell Ave.
Fresno, CA 93711-6162
(559) 449-2700

By ____________________________ By ____________________________
Cameron Hamilton, Mayor Donald Ikemiya, PE, Vice President

Date __________________________ Date __________________________
May 15, 2008

Benjamin A. Kimball  
City Planner  
Community Development Department  
City of Porterville, Planning Division  
291 North Main Street  
Porterville, CA 93257

Dear Mr. Kimball,

Provost & Pritchard is excited to present this proposal for On-call Environmental Consulting Services to provide the City of Porterville with a true extension of staff. We have enjoyed working with you and your staff and maintaining close ties with the City of Porterville since 2006. It would be a pleasure to assist the City with preparation of environmental documents, studies and many other consulting services as requested.

Provost & Pritchard has appreciated the opportunity to work with the City of Porterville on environmental and other planning projects in the last 19 months. Our strong staff relationships with the City would result in a nearly seamless integration of our team with yours. Specifically, we enjoyed the opportunity to assist in completion of the General Plan Update. Helping you, Brad, your consultant, and the rest of your team was an extremely enjoyable experience. We hope to bring the knowledge and experience achieved through that effort to the City on day one of this contract.

Thank you for considering the Provost & Pritchard team and we look forward to the opportunity of working together. If you have any questions or requests, please don’t hesitate to contact us.

Respectfully,

Julie D. Boyle, AICP  
Planning Group Manager

Donald Ikemiya, PE  
Vice President

Enclosure: Proposal for Environmental Consulting Services
PROPOSAL

Environmental Consulting Services

Submitted to:

City of Porterville
Benjamin A. Kimball, City Planner
291 North Main Street
Porterville, CA 93257

Submitted by:

Provost & Pritchard Engineering Group, Inc.
3500 W. Orchard Court
Visalia, CA 93277
(559) 636-1166

May 16, 2008
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  Insight Environmental Services Resumes
  Brown-Buntin Associates Resume
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FIRM PROFILE

In 1968, Provost & Pritchard Engineering Group began establishing a tradition of engineering excellence in Central California. With this foundation of excellence, Provost & Pritchard expanded to provide additional technical and consulting services to our numerous municipal, agricultural, and land development clients. Throughout the past 40 years, Provost & Pritchard has grown in size, services offered, and in geography. The culture of our firm is to work with our clients to prioritize needs and goals through developing long term business relationships. We are proud of our 40-year reputation for integrity and technical competence. Provost & Pritchard appreciates the opportunity to provide the City of Porterville with technical excellence and the highest in client service.

To meet a growing demand for full service consulting firms, Provost & Pritchard has over 150 staff and offices in Visalia, Fresno, Clovis, and Bakersfield. Our Visalia office is less than 35 miles from Porterville City Hall. Provost & Pritchard has the ability to provide most all the services for this contract in house, and with a few key sub-consultants we are able to meet all of the City’s environmental planning needs.

Provost & Pritchard specializes in:

- **Environmental Planning and Permitting** - Entitlements, master planning, environmental impact reports, CEQA / NEPA compliance, environmental assessment and engineering.
- **Municipal Infrastructure** - Streets and roads, parking lots, storm drainage, industrial, hospital and school site civil engineering, construction inspection and observation.
- **Municipal Water and Wastewater** - Water distribution facilities, fire water systems, wastewater treatment plants, tanks, storage infrastructure.
- **Land Development** - Residential, commercial, and industrial.
- **Land Surveying** - Topographic surveys, legal descriptions, parcel maps.
- **Geographic Information Systems** - Mapping, database creation.
- **Natural Resources** - Air District permitting, Regional Board permitting, municipal and industrial wastewater reclamation, erosion protection, constructed wetlands, stream restoration, renewable energy projects, digesters.
- **Agricultural Water and Wastewater** - Water rights, drainage facilities, irrigation systems, reservoir feasibility and design, well design, groundwater banking programs, wastewater reclamation, water distribution infrastructure, water district management.
Dairy Design and Regulatory Compliance - Complete dairy facility design, dairy waste management infrastructure, comprehensive nutrient management plans, wastewater irrigation systems, regulatory permitting and compliance.

ENVIRONMENTAL SERVICES APPROACH

The following is Provost & Pritchard’s approach for completing key tasks as defined in the City’s Request for Proposals:

- **Compile background data** necessary for the preparation of the appropriate environmental documents: Provost & Pritchard currently maintains a library of multiple planning and engineering reports, including an extensive selection of City of Porterville documents. Further, Provost & Pritchard’s familiarity with the City’s background data will require minimal effort from City staff.

- **Prepare various environmental documents, including** Initial Study Checklists, technical studies, categorical exemptions, negative declarations, mitigated negative declarations, environmental impact reports, environmental assessments, categorical exclusions, and environmental impact statements: Our team has hands-on experience preparing these environmental documents, and has worked directly within the City of Porterville’s environmental process and structure.

- **Develop timelines and work hour estimates** necessary for the preparation of the environmental documents based on specific projects: The Provost & Pritchard team has worked with the City of Porterville on a variety of projects and have established a high level of reliability in meeting schedules and budgets.

- **Identify key factors that need to be evaluated and that may require hiring a specialist in a particular area of analysis.** This may be addressed through services normally rendered by the consultant under this contract: Understanding that certain projects or requests may require a high level of analysis, Provost & Pritchard has diverse internal expertise in all the services described in our Firm Profile. We retain strong relationships with local consultants practicing in a wide variety of specialized fields. This includes economic analysts, landscape architects, air quality experts and others as needed.
Coordinate early consultation and ongoing meetings with City Staff and staff at other agencies: The Provost & Pritchard team has worked with numerous local, state and federal agencies, including Tulare County, the San Joaquin Valley Air Pollution Control District, Caltrans, the Department of Fish and Game, the Regional Water Quality Control Board, the Army Corps of Engineers, the Fish and Wildlife Service, and the Federal Aviation Administration, and others. Our existing relationships with those agencies would benefit the City by simplifying the efforts associated with multi-agency coordination.

Prepare appropriate forms associated with the applicable environmental document such as public hearing notices, notices of determination, negative declarations, notices of completion, etc.: The Provost & Pritchard team has completed a significant number of these documents, including many for the City of Porterville. In addition, our services can include completion of staff reports, resolutions, and if necessary, ordinances.

Prepare requests for proposals for the preparation of technical studies to be utilized in the preparation of the environmental documents: Whether the City requires a formal Request for Proposals or if technical studies are coordinated directly with the proposed team of sub-consultants, Provost & Pritchard staff has the knowledge and abilities to facilitate the initiation of technical studies.

Provide biological and archaeological staff for project site monitoring during construction activities in response to project specific mitigation measures: Biological construction monitoring could be provided by Provost & Pritchard staff or Live Oak Associates, as deemed appropriate for the project. Our team also includes a qualified archaeologist available to provide construction monitoring needs. Further, our team has coordinated with local tribal governments for re-internment processes and SB 17 requirements.

Provide other consulting services as available through the selected firm: In addition to planning, Provost & Pritchard provides quality engineering and technical consulting services to numerous municipal, agricultural, and land development clients. Some of the related services we provide include Air District permitting, Regional Board permitting, municipal and industrial wastewater reclamation, erosion protection, constructed wetlands, stream restoration, and renewable energy projects.
STATEMENT OF QUALIFICATIONS

With a comprehensive understanding of the City of Porterville’s vision and planning process, Provost & Pritchard has assembled a team of highly qualified professionals that can provide a level of client service not readily available from other consultants. Our integrated team consists of the following consultants:

- **Provost & Pritchard** will provide On-Call Environmental Consultant Services;
- **Peters Engineering Group** will provide Traffic Impact Studies;
- **Live Oak Associates** will provide Biological Studies;
- **Insight Environmental Services** will provide Air Quality Studies;
- **Brown-Buntin Associates** will provide Noise Studies; and
- **CSUB center for Archaeological Research** will provide Cultural Resource Studies.

The professionals compiled to respond to the City of Porterville’s needs include Planners, Registered Environmental Assessors, Biologists, Archaeologists, and Engineers specializing in Traffic, Noise, and Air Quality. Almost every member of this team has successfully completed projects in or with the City of Porterville within the last three years and has exhibited the level of client service and technical efficiency expected by the City.

The Provost & Pritchard team has experience completing CEQA and NEPA compliant documents including Initial Studies, Environmental Assessments, Negative Declarations, Mitigated Negative Declarations, Findings of No Significant Impact, Environmental Impact Reports/Studies, and reevaluations of previously completed documents. Our environmental engineering staff is highly experienced with the “due diligence” and “all appropriate inquiry” process as well as soil and groundwater assessment and remediation. Our staff has worked with other municipalities on environmental engineering projects including:

- Phase I and II Environmental Site Assessments (ESA) for due diligence. This practice is intended to satisfy the requirements for the innocent landowner under CERCLA.
- Redevelopment of Brownfields Sites - real property complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.
- PCE assessment and remediation associated with the dry cleaning industry.
- Leaky underground storage tank (Gasoline & Diesel) site assessment and remediation
- Asbestos and lead paint evaluations.
Provost & Pritchard understands that City projects are often sensitive and confidential in nature. We have expertise at conducting workshops and informational meetings for elected officials and staff for policy and decision making. We pride ourselves with our ability to make complex environmental regulations and objectives clear and concise.

In addition, our team has completed biological evaluations, traffic reports, acoustical analyses, Cultural Resource Studies, and Air Quality Reports. The team of professionals presented to the City of Porterville for this service term have worked with various state and federal agencies, including Caltrans, the Department of Fish and Game, the Army Corps of Engineers, the Fish and Wildlife Service, and the Federal Aviation Administration, and our existing relationships with those agencies would benefit the City by simplifying the efforts associated with multi-agency coordination.

RELEVANT EXPERIENCE

Provost & Pritchard has an extensive history of providing our clients with the products they want in the timeframe they need. Included below is some relevant experience as it pertains to this project:

**On-Call Planning Services, City of Porterville, CA.** The City of Porterville approved a contract to Provost & Pritchard to provide On-Call Planning Services in October 2006. This contract allowed Provost & Pritchard staff to use our familiarity with Porterville to help bolster Staff’s efforts to complete projects in various stages of completion. Some of these projects included:

- **General Plan Update assistance** – Helped to guide the 2030 General Plan Update to adoption by working as an extension of City Staff, facilitating public and Advisory Committee meetings, and by reviewing and providing commentary on policies, figures, and the Environmental Impact Report. Because of our extensive involvement with the entire 2-1/2 year process of the General Plan update, our Project team has a unique and intimate knowledge of not only the document, but also the decision-making process that lead to its adoption.

- **NEPA Documents** – Provost & Pritchard has worked on behalf of the City with a variety of Federal agencies to comply with the National Environmental Policy Act. While various agencies maintain different NEPA regulations, the Provost & Pritchard has exhibited the ability to coordinate with each agency to complete the process. The
Environmental Assessment for the Valley Elderberry Longhorn Beetle Habitat Conservation Plan, the West Street Industrial Park Federal Aviation Administration and Fish and Wildlife Service coordination, and the review of the Murry Park joint NEPA/CEQA are examples of successes of the Provost & Pritchard and City of Porterville team.

♦ **CEQA Documents** – The Provost & Pritchard team has prepared environmental documents pursuant to CEQA, and in some cases has reviewed documents prepared by City staff or other consultants to provide input consistent with the City’s environmental review process. Some of the projects completed by Provost & Pritchard for the City of Porterville include the Indiana & Scranton Road Widening Project, including coordination and review through Caltrans; the Riverwalk EIR Addendum; and the review of the Canyon Springs environmental document and administrative record.

♦ **Ordinances** – In response to requests from City Council, the Community Development Department initiated preparation of a Sign Ordinance and a Noise Ordinance, and asked Provost & Pritchard to complete these important efforts.

**Planning Services, Tulare County, CA.** Provost & Pritchard has prepared over 15 environmental documents and staff reports for the Tulare County Resource Management Agency. These projects included application processing of proposed general plan amendments, zone changes, lot line adjustments, and special use permits.

**Planning Services, City of Mendota, CA.** Provost & Pritchard currently serves as City Planner encompassing a variety of duties including the General Plan oversight committee, preparing environmental documents and staff reports as needed, and other staff obligations.

**Urban Water Management Plan, City of Porterville, CA.** Provost & Pritchard provided services to update the City of Porterville’s Urban Water Management Plan to comply with California State guidelines. Along with evaluating over 20 water management components in the plan, Provost & Pritchard additionally recommended alternatives to increase water conservation and reduce groundwater overdraft.

**New Office & Shop Buildings, Golden Hills Community Services District, Tehachapi, CA.** Provost & Pritchard prepared a mitigated negative declaration to comply with CEQA regarding a proposed conditional use permit. The project included navigation of the CEQA process, processing the conditional use permit, and frequent communication between agencies.

**Boundary Reorganization, North Kern South Tulare Hospital District, Delano, CA.** Provost & Pritchard is providing a host of services related to a special district’s proposed boundary
reorganization in Kern County. The related services include a Sphere of Influence Amendment, a Municipal Service Review, and CEQA compliance. Additionally, Provost & Pritchard facilitated a series of public information meetings and has coordinated staff interaction between council members from various cities.

QUALIFICATIONS OF PERSONNEL

PROVOST & PRITCHARD CONSULTING SERVICES ORGANIZATIONAL STRUCTURE

Benjamin Kimball, City Planner
City of Porterville

Julie Boyle, AICP
Project Manager
Provost & Pritchard

Donald Ikemiya, PE
Principal in Charge
Provost & Pritchard

Jennifer Byers
Assistant Project Manager
Provost & Pritchard

Emily Magill, LEED AP
Biology Studies & Mitigation Monitoring
Provost & Pritchard

Jeff O'Neal, AICP
Population & Land Use Analysis
Provost & Pritchard

David Norman, REA
Technical Consultation
Provost & Pritchard

John Rowland, PE
Traffic Impact Studies
Peters Engineering

Westley Rhodeshamel
Biology Studies
Live Oak & Associates

Robert Brown
Noise Impact Studies
Buntin-Brown Associates

Rebecca Strickland Orfilla
Cultural Resource Impact Studies
CSUB CAR

Kathy Parker
Air Quality Studies
Insight Environmental Services
Brief biographies of each key staff member are listed below. Complete resumes are included in the Appendix of this proposal.

**PROVOST & PRITCHARD KEY STAFF**

*Julie Boyle, AICP – Project Manager*

Ms. Boyle will be the point of contact for this contract, and has extensive experience in the planning field. This experience includes her familiarity with local and state regulatory requirements. She is an excellent communicator with strong writing skills, as well as an experienced Project Manager, working effectively to move projects forward while involving large groups of diverse interests.

Ms. Boyle has prepared and processed multiple planning documents of varying complexity including ordinance preparation, permit processing, and environmental documents compliant with the CEQA/NEPA.

As a lifelong resident of the Central Valley, she is familiar with the natural resources specific to this area, and as a planner with experience at the state and local agency level, she is aware of the many laws and regulations that govern those resources. Additionally, as the previous Senior Planner with the City of Porterville, Ms. Boyle has a broad understanding of the necessities and requirements needed for a successful developmental future.

*Donald Ikemiya, PE – Principal in Charge*

Mr. Ikemiya serves Provost & Pritchard as Vice President and Principal Engineer with over twenty-one years of engineering and planning experience. Currently leading the Planning and Resource Management Department, Mr. Ikemiya has direct experience in local, State, and Federal governments and businesses. Mr. Ikemiya’s experience as a former city council member for the City of Reedley provides a unique perspective to local city processes, needs, and vision.

*Jennifer Byers – Environmental Planner, Assistant Project Manager*

With a large range of planning experience, Ms. Byers is familiar with agency planning as well as project consulting. As an effective public facilitator, she is able to proficiently guide large
projects through the public review process all the way through to project approval. In addition to her planning experience, she has also prepared as well as processed several documents compliant with CEQA, representing both agencies and applicants. Ms. Byers is also well-known for her communication efforts with the public. She has coordinated various public meetings for the City of Porterville’s General Plan Update. Additionally, she coordinated public meetings for walkable communities and island annexations.

**Emily Magill, LEED AP – Environmental Planner, Biological Studies, Mitigation Monitoring**

Ms. Magill is an Associate Environmental Planner with experience providing CEQA related work to agencies in Kings, Tulare, Fresno, Merced, and Stanislaus Counties. As a Planning Specialist, she assists the planning departments with multiple environmental planning projects such as preparing EIR and Negative Declarations including Air Quality Impact Analyses and AB 32 compliance documents. She has conducted wildlife population surveys for avians, herps, small mammals, and invertebrates, including the special status species Blunt-nosed Leopard Lizard, Riparian Woodrat and Valley Elderberry Longhorn Beetle. She has also conducted vegetation surveys to determine productivity, species richness and percent cover.

**Jeff O’Neal, AICP – Planner, Population and Land Use Analysis**

Mr. O’Neal is a Land Use Planner with extensive experience in the planning field. As a lifelong resident of the San Joaquin Valley, he is familiar with the land use trends specific to this area. Also, as a planner with both public and private sector experience, he understands the perspectives of both developers and the local agencies they work with. As City Planner with the City of Dinuba, Mr. O’Neal became extremely familiar with processing entitlement applications, preparing ordinances, as well as environmental documents. In addition to his public sector experience, Mr. O’Neal has prepared and processed many documents of varying complexity compliant with the CEQA/NEPA.

**David Norman, REA – Environmental Specialist, Technical Consultation**

Mr. Norman will be available for consultation on other environmental technical issues, if applicable. As an environmental professional for over 25 years Mr. Norman has extensive experience with site assessment, human health risk, remedial planning, site cleanup and closures. Mr. Norman’s experience includes assessment and remediation of dry cleaners, gasoline stations, firing ranges, and lumber mills. Further, he has completed formal Risk Assessments and coordinated site closures. Mr. Norman has provided professional environmental services for many cities in the Central Valley including the City of Merced, the City of Bakersfield, the City of Hanford, and the City of Fresno.
SUB-CONSULTANTS

Provost & Pritchard Engineering Group has assembled a team of highly qualified sub-consultants to provide the City of Porterville services for your projects. Each of these sub-consultants have previous experience in the City of Porterville and with Provost & Pritchard; this existing relationship reduces or eliminates the learning curve and increases our ability to quickly respond to the needs of the City.

Brief firm profiles of our sub-consultants are listed below. Complete personnel resumes are included in the Appendix of this proposal.

PETERS ENGINEERING GROUP
55 Shaw Avenue, Suite 220
Clovis, CA 93612
(559) 299-1544

John Rowland, PE, Senior Transportation Engineer – Traffic Impact Studies. With over 17 years of experience, Mr. Rowland obtains knowledge in the fields of civil, traffic, and geotechnical engineering. He has served as Project Manager for numerous commercial, industrial, and public works projects. With advanced experience in Traffic Signal Design, Traffic Impact Studies, and Geotechnical, Mr. Rowland offers special competence to the firm.

FIRM PROFILE

Peters Engineering Group (PEG) has provided professional engineering services to California agencies for over 10 years. The fully staffed office provides services throughout the state. PEG’s central location allows a quick response to public and private agencies within service area and allows delivery of quality projects on time and within budget. PEG is staffed by both registered civil and traffic engineers as well as a number of qualified staff members. Their modern equipment allows them to deliver even the most difficult projects accurately and on schedule. As a multi-disciplined engineering company, PEG specializes in traffic engineering. With a goal to incorporate integrity, ethics, and technical excellence into the civil engineering field, PEG will offer Traffic Impact Studies to the advancement of the project.
LIVE OAK ASSOCIATES
8200 Stockdale Highway M10293
Bakersfield, CA 93311
(661) 912-2001

Westley Rhodehamel, Senior Wildlife Biologist – Biological Impact Studies. Westley Rhodehamel is the Bakersfield Office Director for Live Oak Associates. He is a wildlife biologist with over 25 years of experience in the San Joaquin Valley where he has managed the preparation of regional conservation plans, development and management of conservation areas, conservation banks, and participated as principal biologist on many large-scale environmental planning documents. He has served as principal investigator on projects under the auspices of the NEPA, CEQA, FESA, and CESA. Wes has served as the senior biologist and project supervisor for the management and monitoring of the Coles Levee Ecosystem Preserve/Conservation Bank, Elk Hills Conservation Area, and the Kern Water Bank Conservation Area. He is appointed by the Bakersfield City Council and Kern Counties Board of Supervisors to serve as the public member on the Metropolitan Bakersfield Habitat Conservation Plan Implementation Trust Group.

FIRM PROFILE

Live Oak Associates, Inc. provides professional ecological consulting services to a diverse and expanding clientele throughout California and the western United States. Their clients rely on our innovative team of expert biologists and skilled technical and support staff for accurate data collection, sound scientific analysis, and professional document preparation in order to protect sensitive biotic resources while securing environmental clearances for proceeding with land and water development projects.

Live Oak Associates consistently demonstrates their commitment to provide the best science available so that their clients can make the most informed decisions regarding sensitive biotic resources.

INSIGHT ENVIRONMENTAL SERVICES
1200 Twenty-First Street, Second Floor
Bakersfield, CA 93301
(661) 282-2200

Kathy Parker, Principal – Air Quality Studies. Ms. Parker is a Principal and Project Manager for Insight Environmental Services. Holding certification as an air permitting professional under the San Joaquin Valley Air Pollution Control District Certified Air Permitting Professional (CAPP) program, she offers over 15 years of experience in this field. Ms. Parker
has additionally dealt with air quality issues, preparation and negotiation of permits, and all aspects of the Title V Federal Operating Permit Program. All experience in hand, she applies capability to monitor and predict ambient air quality and odor impacts, pursuant to CEQA requirements.

FIRM PROFILE

Insight Environmental Consultants, Inc. provides services through an experienced staff of environmental professionals specializing in many phases of environmental matters. Insight Environmental Consultants, Inc. is most familiar with some of the following matters: Air Quality Permitting and Compliance, Air Toxics Identification and Reporting, Environmental Compliance Auditing (Title V), Land Use Planning, in addition to Conditional Use Permits (CUP's).

BROWN-BUNTIN ASSOCIATES, INC.
319 West School Avenue
Visalia, CA 93291
(559) 627-4923

Robert Brown – Noise Impact Studies. Mr. Brown is a founding partner of Brown-Buntin Associates, and manages the firm’s Central California office. His technical skills include prediction and analysis of aircraft, traffic and railroad noise, and the evaluation of architectural noise problems. He has developed noise level criteria and implementation programs for addressing noise-related noise conflicts. Mr. Brown became involved with community noise control in 1972 as a member of the public sector. He developed and managed programs for Tulare and Fresno Counties and served as an advisor to the State of California for the development of model community noise control ordinance.

FIRM PROFILE

Brown-Buntin Associates, Inc. (BBA) is an acoustical consulting firm offering comprehensive services in environmental noise assessment and control. BBA strives for excellence in each area of service and work product. For over 17 years, BBA has grown from a small, regional business into a firm that provides services across the country. The firm’s capabilities include a complete advantage of acoustical services, with special emphasis to a variety of sound and noise related projects. BBA has prepared many General Plan Noise Elements for cities throughout California including several Fresno County communities. In addition, they have prepared acoustical analyses as required by CEQA and NEPA throughout California.
CSUB CENTER FOR ARCHAEOLOGICAL RESEARCH  
9001 Stockdale Highway  
Bakersfield, CA 93311  
(661) 654-2289

Rebecca Strickland Orfila, MA, RPA – Cultural Resource Impact Studies. Ms. Orfila serves as Assistant Director of CAR and holds a Master’s degree in Anthropology from CSUB. She has seven years of experience in contract archaeology, including assessments of both historical and prehistoric cultural resources under CEQA. Her area of expertise is the archaeology of the southern San Joaquin Valley and western Mojave Desert, with an emphasis on historical archaeology and historical architecture.

FIRM PROFILE

The Center for Archaeological Research (CAR) is a nonprofit, educational facility within California State University, Bakersfield (CSUB) dedicated to archaeological research and long-term instruction for the University’s students. CAR’s goal is to provide a service to the community, as well as superior quality archaeological training in accordance with state and federal legislation. CAR has been active in cultural resource management in southern and central California for almost 20 years and has successfully completed more than 800 cultural resource management projects.
Response to Request for Proposal Form
& Provost & Pritchard 2008 Fee Schedule
RESPONSE TO REQUEST FOR PROPOSAL FOR ENVIRONMENTAL CONSULTING SERVICES

TO: City of Porterville

FROM: Provost & Pritchard Engineering Group, Inc.
Name/Company

3500 West Orchard Court
Address

Visalia, CA 93277
City, State, Zip Code

(559) 636-1166 (559) 636-1177
Telephone No. Fax No.

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Notice prior to commencing work on particular project 24 hours/days.

(Summary of qualifications, references and relevant experience must be attached.)

Donald Ikemiya
Signature
May 15, 2008
Date

Donald Ikemiya, PE – Principal in Charge
Name and Title (Printed)
**HOURLY FEE SCHEDULE**

**PROVOST & Pritchard Engineering Group, Inc.**

**2008 Fee Schedule**

(hourly rates and reimbursable project costs)

Revised March 1, 2008

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**TECHNICAL STAFF:**
- Assistant Technician: $65.00 - $70.00 - $75.00 - $80.00
- Associate Technician: $80.00 - $85.00 - $90.00 - $95.00 - $100.00
- Senior Technician: $100.00 - $105.00 - $110.00 - $115.00 - $120.00

**CONSTRUCTION SERVICES:** (Subject to applicable State law for prevailing wage projects)
- Field Representative: $75.00 - $82.00 - $90.00 - $95.00 - $100.00

**SUPPORT STAFF:**
- Administrative Assistant: $50.00 - $55.00 - $60.00 - $65.00 - $70.00
- Project Administrator: $60.00 - $65.00 - $70.00 - $75.00 - $80.00

**SURVEYING SERVICES:**
(As quoted for the project. Surveying rates are subject to equipment and crew needs; State law requires certain types of projects to conform to prevailing wage rates, which vary by county.)
- LSIT Surveyor: $75.00 - $80.00 - $85.00 - $90.00 - $95.00
- Senior LSIT Surveyor: $100.00 - $105.00 - $110.00 - $115.00 - $120.00
- Licensed Surveyor: $120.00 - $125.00 - $130.00 - $135.00
- Total: $140.00

**EXPERT WITNESS / GIS TRAINING:** As quoted.

**TRAVEL TIME** (for greater than 1 hour from employee’s base office):
1/2 regular hourly rate, with $50/minimum

**PROJECT COSTS:**
- Mileage: $0.58/Mile
- Outside Consultants: Cost + 15%
- Direct Costs: Cost + 15%
INSURANCE REQUIREMENTS

Provost & Pritchard Engineering Group maintains insurance coverage as outlined below. After a services contract is signed, we will promptly furnish to the City of Porterville an endorsement showing the City of Porterville, its officers, employees, volunteers, and agents, named as additional insured on our general liability insurance policy.

Liability:

- $2,000,000 General Aggregate
- $2,000,000 Products-Completed Operations Aggregate
- $1,000,000 Personal & Advertising Injury
- $1,000,000 Each Occurrence
- $50,000 Fire Damage
- $5,000 Medical Expense
- $1,000 Property Damage Deductible

Automobile:

- $1,000,000 Bodily Injury and Property Damage
- $1,000,000 Uninsured Motorists

Workers Compensation:

- $1,000,000 Employer’s Liability
Equal Opportunity Employer Policy
Purpose:
To establish a Nondiscrimination program for the company.

Policy:
Company policy prohibits unlawful discrimination based on pregnancy, childbirth or related medical conditions, race, color, religion, sex, sexual orientation, marital status, age, national origin, mental or physical disability, medical condition including genetic characteristics, or any other consideration made unlawful federal, state or local laws. It also prohibits unlawful discrimination and/or harassment based on the perception that anyone has those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

The Company is committed to complying with all applicable laws providing equal employment opportunity. This commitment applies to all persons involved in the operations of the Company and prohibits unlawful discrimination by any employee of the Company, including supervisors and co-workers.

To comply with applicable laws ensuring equal employment opportunity to qualified individuals with a physical or mental disability or medical condition, the Company will make, to the extent required by the Americans with Disabilities Act and/or Fair Employment and Housing Act, reasonable accommodations for the known physical or mental disability or medical condition of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result or would pose a safety threat to him/herself or to others.

Procedures
An applicant or an employee who requires an accommodation in order to perform the essential functions of his or her job should contact the Company's Human Resource department and request such an accommodation. The applicant or employee with the disability should specify what accommodation he or she needs to perform the job. The Company will then engage in a timely good faith interactive process with the applicant or employee to identify possible accommodations, if any, that will enable the applicant or employee to perform the essential functions of the job. If the accommodation is
reasonable and will not create an undue hardship on the Company or create a safety threat, the Company will make the accommodation.

An employee who believes that he/she has been subject to any form of unlawful discrimination should report that belief to the employee's supervisor immediately, either in writing or personally. If the problem is the employee's supervisor, then the employee should report the matter to their Resource Group Leader or Human Resources. Your complaints should be specific and should include the name(s) of the individual(s) involved and the name(s) of any witness(es). Upon learning of an employee's concern about discrimination, the Company will act to stop any further illegal discrimination and, when appropriate, take corrective action.
Provost & Pritchard Resumes
RESUME

AREAS OF EXPERTISE
Local Agency Permitting
State & Federal Permitting
Client Management
Environmental Compliance
Natural Resource Management

EDUCATION
B.S. Agricultural Engineering, California Polytechnic State University, San Luis Obispo, CA

REGISTRATION
Civil Engineer, California, #56630
Agricultural Engineer, California, #490

AFFILIATIONS
Former Reedley City Council, Mayor Pro-Tempore
Former Five Cities Economic Development Authority, Chair
Former San Joaquin Valley Air Pollution Control District Citizens Advisory Committee appointee for Fresno County
Participates in the San Joaquin Valley Blueprint Planning Process
Participates in the Greater Fresno Area Chamber of Commerce Ag/Water/Environment Committee

Mr. Ikemiya is a Vice President at Provost & Pritchard Engineering Group and heads the Planning and Resource Management Department. He has over twenty-one years of experience in engineering and planning issues throughout the Central Valley. Mr. Ikemiya has extensive experience in local, State and Federal governments and businesses.

RELEVANT EXPERIENCE

City of Reedley, CA – Mayor Pro Tempore. This project involved in depth knowledge of Reedley land use documents (General Plan, Specific Plans, Master Plans, Housing Element, project applications, etc.), policy decisions involving those documents, with a thorough understanding of the need to create a high quality of life for the entire community. Responsibilities included building and maintaining relationships with Reedley Department Heads, staff, Reedley College, KCUSD, SKDH and the general public.

Preparation of EIR, City of Lemoore, Kings County, CA – Principal-in-Charge. This project involves an EDA funded wastewater reuse study and EIR for the City of Lemoore. Responsibilities included analyzing alternatives, costs and environmental impacts.

Preparation of EIR, White River Dairy, Tulare County, CA – Project Manager. This project involved preparation and development of an extensive EIR for a new dairy development in Tulare County. Responsibilities included all aspects of producing an EIR in compliance with CEQA and the associated Conditional Use Permit.

Mayfair District Street & Drainage Master Plan, County of Fresno, CA – Coauthor and Project Manager. This project involved preparation of a complex street and drainage master plan for the Mayfair District (a County Island within the City of Fresno).

Technical Master Planning, Los Angeles County Sanitation Districts, Palmdale and Lancaster, CA – Coauthor and Project Manager. This project involved producing technical master planning documents for wastewater reuse alternatives. Responsibilities included coordination with environmental documents, LACSD, Regional Board and the cities of Palmdale and Lancaster.
Ms. Boyle has extensive experience in the planning field, focusing on Environmental Planning. She is an excellent communicator and an experienced Project Manager, working effectively to move projects forward while involving large groups of diverse interests. Ms. Boyle has prepared and processed many documents of varying complexity including ordinance preparation, permit processing, and environmental documents compliant with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). As a lifelong resident of the South Valley, she is familiar with the natural resources specific to this area, and as a planner with experience at the state and local agency level, she is aware of the many laws and regulations that govern those resources.

RELEVANT EXPERIENCE

On-Call Planning Services, City of Porterville, Porterville, CA – Project Manager and Lead Planner. This project involved the review of documents and submittals from other agencies and consultants, and providing comments from Staff’s perspective. Responsibilities included preparation of ordinances, reports, and environmental documents as an extension of City Staff. Project challenges included coordination with multiple department agents and applicants.

Senior Planner, City of Porterville, Porterville, CA. As Senior Planner for the City of Porterville, Ms. Boyle coordinated, managed, or prepared environmental documents and other documents for a number of projects including the Riverwalk Marketplace, Porterville Island Annexations, Lime Street Annexation, Olive and Mathew Signalization, and the Airport Water Inter-tie.

Scranton Avenue & Indiana Street Widening Project, City of Porterville, Porterville, CA – Environmental Planner. This project involved preparation of environmental documents pursuant to CEQA and coordination with Caltrans staff.

Boundary Reorganization, North Kern South Tulare Hospital District, Delano, CA – Project Manager and Lead Planner. This project involved Sphere of Influence Amendment, Municipal Service Review, CEQA compliance,
as well as a series of public information meetings. Responsibilities included preparation of Municipal Service Review and Sphere of Influence amendment in order to accommodate annexation of land into the District, consistent with long term goals of the District. Project challenges include coordination with multiple agencies and parties affected by the boundary reorganization.

*On-Call Planning Services, Tulare County Resource Management Agency, Tulare County, CA – Project Manager and Lead Planner.* This project involved preparation of environmental documents pursuant to CEQA and staff reports. Responsibilities included review of applications for Parcel Maps and Special Use Permits, including preparation of environmental documents and staff reports. Project challenges included quick deadlines to assure compliance with the Permit Streamlining Act.

*Environmental Assessment, Bernd Thewalt – Arvin Tracts, Arvin, CA – Lead Planner.* This project involved submittal of a vesting tentative map application. Responsibilities included assistance in preparation of application materials for a Specific Plan, General Plan Amendment, Zone Change, and Vesting Tentative Tract Map for a 320 acre master planned development. Project challenges included coordinating with multiple staff members due to turnovers.

*Kern Canal Turnout, Southern San Joaquin Municipal Utilities District, Kern County, CA – Lead Planner.* This project involved preparation of necessary environmental documentation pursuant to CEQA for construction of a turnout on the Friant-Kern Canal. Responsibilities included oversight of preparation and filing of environmental documents pursuant to CEQA. Project challenges included a tight timing schedule due to the dewatering of the Friant-Kern Canal.
RESUME

AREAS OF EXPERTISE
Public facilitation
CEQA Compliance

EDUCATION
B.S. Business Management, University of Phoenix

AFFILIATIONS
American Planners Association (APA)

Ms. Byers has a wide range of planning experience from agency planning to project consulting. As an effective public facilitator, she is able to proficiently guide large projects through the public review process all the way through to project approval. Jennifer has also prepared and processed many documents compliant with the California Environmental Quality Act (CEQA), representing both agencies and applicants. As a former Community Development Department Staff, she has coordinated several public meetings including a general plan update, walkable communities, and island annexations.

RELEVANT EXPERIENCE

On-Call Planning Services, City of Porterville, Porterville, CA – Contracted City Staff Planner. This project involved reviewing Porterville 2030 General Plan guiding policies and implementation measures, facilitating public meetings, preparing materials for public meetings and General Plan Update Advisory Committee meetings, and public noticing of the Draft Environmental Impact Report. Also reviewed the Tulare County General Plan from the City Staff perspective to identify inconsistencies between the Porterville 2030 General Plan guiding policies and implementation measures and the goals, policies, and implementation strategies of the Draft Tulare County General Plan 2030 Update. Additionally responsible for preparing environmental documents pursuant to CEQA for City funded infrastructure projects. Project challenges included duties as public facilitator for city wide project with diverse interests.

Environmental Assessment For Valley Elderberry Longhorn Beetle Habitat Conservation Plan, City of Porterville, Porterville CA – Environmental Planner. This project involved preparation of environmental documents pursuant to NEPA for the issuance of an incidental take permit.

On-Call Planning Services, Tulare County Resource Management Agency, Tulare County, CA – Contracted County Staff Planner. This project involved preparation of environmental documents pursuant to CEQA and staff reports for a broad spectrum of project types, including review of applications for Parcel Maps and Special Use
Permits.

**Boundary Reorganization, North Kern South Tulare Hospital District, Delano, CA – Public Facilitator, Planning Specialist.** This project involved hosting of services related to a special district’s proposed boundary reorganization in Kern County. Responsibilities include a Sphere of Influence Amendment, a Municipal Service Review, and CEQA compliance. Project challenges include facilitating a series of public information meetings and coordinating staff interaction between council members from various cities.

**Well No. 1, 2A and 3A Arsenic Treatment, Pixley Public Utilities District, Pixley, CA – Planning Specialist.** This project involved preparation of necessary environmental documentation pursuant to CEQA for construction of replacement well. Additionally responsible for public noticing requirements and submittal to State Clearinghouse. Project challenges included multiple alternatives depending on unknown quality and quantity of water produced from new well.

**Friant-Kern Canal Elmo East S-7 Turnout Project, Southern San Joaquin Municipal Utilities District, McFarland, CA – Planning Specialist.** This project involved preparation of necessary environmental documentation pursuant to CEQA for construction of a turnout on the Friant-Kern Canal. Responsibilities involved preparation of documents, circulation, and public noticing requirements and submittal to State Clearinghouse. Project challenges included a tight timing schedule due to the dewatering of the Friant Kern Canal.

**Armona Community Services District Safe Drinking Water Project, Armona Community Services District, Armona, CA – Planning Specialist.** This project involved preparation of necessary environmental documentation pursuant to CEQA for construction of replacement well with arsenic level greater than 10 parts per billion. Additionally responsible for public noticing requirements and submittal to State Clearinghouse. Project challenges included multiple alternatives depending on unknown quality and quantity of water produced from new well.
EMILY M. MAGILL, LEED AP
ENVIRONMENTAL PLANNER – BIOLOGY STUDIES – MITIGATION MONITORING

RESUME

AREAS OF EXPERTISE
Threatened and Endangered Species
Restoration of Arid Lands
Sustainable Building Practices
CEQA Compliance
Air Quality Analysis
Greenhouse Gas/Climate Change Analysis

EDUCATION
M.S. (pending), Biology, California State University, Fresno, projected 2008
B.S. Biology, California State University, Fresno, 2004

REGISTRATION/CERTIFICATIONS
LEED Accredited Professional, 2006
Air Quality Management Certificate, San Joaquin Valley Air Pollution Control District, 2006

AFFILIATIONS
U.S. Green Building Council, Vice Chair, Tulare Kings County Branch
Association of Environmental Professionals
American Planning Association
Society for Ecological Restoration, California
Wildlife Fund, Thailand

AWARDS
Dean’s List, 2004 – 2005
President’s List, 2004 – 2005
Faculty Sponsored Student Research Award

Ms. Magill is an Associate Environmental Planner with experience providing CEQA related work to agencies in Kings, Tulare, Fresno, Merced, Stanislaus Counties. As an Associate Environmental Planner, she assists the planning departments with multiple environmental planning projects such as preparing various environmental documents including Air Quality Impact Analyses and AB 32 compliance documents.

Ms. Magill’s prior professional experience includes employment as an Associate Environmental Planner with Quad Knopf as well as a Field Biologist for the CSU Stanislaus Endangered Species Recovery Program where she was responsible for monitoring various wildlife populations, including invertebrates, birds, small mammals, reptiles, and native vegetation. Ms. Magill has also worked with Payap University in monitoring the regrowth of coral reef ecosystems in Satun, Thailand.

RELEVANT EXPERIENCE

Caruthers Wastewater Treatment, Caruthers Community Services District, Caruthers, CA – Lead Planner. This project involved the preparation of a mitigated negative declaration to comply with both CEQA and NEPA requirements. Project challenges included utilizing land in a Williamson Act contract.

Initial Study/Mitigated Negative Declaration Water Intertie System, Fresno, CA, Assistant Planner — This project involved working with the City of Fresno to comply with CEQA for a project that connected the City of Fresno and City of Clovis water systems. Responsibilities included environmental analysis. Challenges included navigating the Section 404 of the U.S. Clear Water Act permit.

CIEDB East Water System Loan Application Porterville, CA, Assistant Planner — This project involved completing and filing an application with the California Infrastructure and Economic Development Bank. Responsibilities
included acquiring, coordinating, and analyzing technical and financial data, and working closely with both City and State CIEDB staff.

**Lemon Cove Granite EIR, Tulare County, CA, Project Manager** — This project involved assessing environmental impacts from the expansion of a surface mining facility and the associated truck traffic increase to and from the project site. Major environmental responsibilities included Traffic, Cultural Resources and Air Quality. Project challenges included Williamson Act land and major traffic impacts.

**Hughson Wastewater Treatment Plant Master Plan EIR, Hughson, CA, Project Manager** — This project included the environmental impact analysis of the Hughson Wastewater Treatment Plant expansion. Major environmental issues included Land Use, Agricultural Resources, Hydrology, and Hazardous Materials. Project challenges involved complying with the Regional Water Quality Control Board general order and compliance with AB32.

**Curti Dairy EIR, Tulare County, CA, Project Manager** — This project included designation for the preparation of an EIR for the expansion of a 3,300 milk cow dairy to a 3,850 milk cow dairy on 1,395 acres. Major environmental responsibilities included Air Quality, Hydrology and Biological Resources. Project challenges included complying with the Regional Water Quality Control Board general order and compliance with AB32.

**Beef Harvesting and Processing Plant EIR Tulare, CA, Project Manager** — This project involved working with the City of Tulare to analyze and document the environmental impacts of a 300,000 s.f. beef harvesting and processing plant on 90 acres of previously farmed land. Major environmental responsibilities included Air Quality, Hydrology and Traffic. Project challenges included air quality modeling to correctly identify potential hazardous air pollutants, toxic air contaminants, and carbon monoxide hotspots from diesel emissions.

**Granville Homes Air Impact Assessment and Indirect Source Review Application, Fresno, CA, Project Manager** — This project involved the preparation of an Air Impact Assessment Application to comply with the San Joaquin
EMILY M. MAGILL, LEED AP (cont.)

Valley Air District’s Indirect Source Review Rule 9510 for a 9.7 acre commercial development. Responsibilities included identification and quantification of mitigation measures, air impact modeling using URBEMIS v.8.7, and report preparation. District fees were reduced by 41%.

*Friant Community Plan Update and Friant Ranch Specific Plan EIR, Fresno, CA, Associate Environmental Planner* — This project involved preparing the Air Quality Impact Assessment for the proposed Specific Plan. Responsibilities included estimating baseline and projected emissions using the San Joaquin Valley Air District approved model – URBEMIS v.9.2.2. Results of the modeling were analyzed and incorporated into the air quality section of the EIR. Project challenges included creating mitigation measures to significantly reduce project emissions.
Mr. O’Neal has widespread experience in the planning field, focusing on Municipal and Land Development Planning. As a lifelong resident of the San Joaquin Valley, he is familiar with the land use trends specific to this area, and as a planner with both public and private sector experience, understands the perspectives of both developers and the local agencies they work with. He is an excellent communicator and an experienced Project Manager, working effectively to move projects forward while involving large groups of diverse interests. In addition to his public sector experience, Mr. O’Neal has prepared and processed many documents of varying complexity compliant with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). He has worked with Fresno and Tulare LAFCOs on numerous occasions to facilitate annexations, annexation extensions, and sphere of influence amendments.

RELEVANT EXPERIENCE

*Contract City Planner, City of Mendota, Mendota, CA – City Planner.* This project involves entitlements processing as well as review of proposals for conformity with applicable City plans and standards. Responsibilities include providing front counter assistance to the public, and coordination with staff to implement the goals and policies of the General Plan. In addition, this project includes assisting the preparation of the City’s 2030 General Plan Update.

*City Planner, City of Dinuba, Dinuba, CA.* This involved performing day-to-day planning services and providing front counter assistance to members of the public. Responsibilities included processing entitlements applications, preparation of ordinances, reports, and environmental documents. In addition, this required review documents and submittals from other agencies and consultants, and providing comments from Staff’s perspective. While employed at the City of Dinuba, Mr. O’Neal Prepared the City’s 2004 Housing Element Update for Certification by the California Department of Housing and Community Development.

*New Office & Shop Buildings, Golden Hills Community*
Services District, Tehachapi, CA – Environmental Lead. This project involved preparation of a mitigated negative declaration pursuant to CEQA and processed a conditional use permit through Kern County for the construction of a new office and shop buildings. Responsibilities included responding to comments received from the public during the circulation of the initial study and proposed negative declaration, presentation to the public at the GHCSD Board meeting, and preparation and processing of the CUP through the Kern County Planning Department. Project challenges included coordination between GHCSD, Kern County, and the California Department of Transportation, which owns and maintains facilities adjacent to the site.

2002 CDBG Over-the-Counter Grant Application, Surabian Industrial Park, City of Dinuba – Environmental Lead. This project consisted of preparation of an Environmental Assessment and Finding of No Significant Impact pursuant to 24 CFR 58.36 as part of the application package for a Community Development Block Grant to fund $1,200,000 of infrastructure improvements within the City of Dinuba’s industrial park. Following its approval at the federal level, the NEPA compliance document was also used to meet requirements of CEQA.

Dinuba Fire Station Remodel, STBG Grant Application, City of Dinuba – Environmental Lead. This project involved preparation of an Environmental Assessment and Finding of No Significant Impact for monies to be used for the remodeling and modernization of the City of Dinuba’s historical fire station. The project also included 8-Step Process documentation for project sites located within a FEMA-designated floodplain. Following approval at the federal level, the appropriate NEPA compliance document was also used to meet requirements of CEQA.

Dinuba Entertainment Plaza, STBG Grant Application, City of Dinuba – Environmental Lead. This project consisted of preparation of an Environmental Assessment and Finding of No significant impact for public infrastructure improvements to the downtown area of Dinuba to facilitate the City’s construction of its entertainment plaza. This included sidewalk, curb, gutter, and street improvements, as well as creation of an underground stormwater detention system.
Following its approval at the federal level, the NEPA compliance document was also used to meet requirements of CEQA.

*Drinking Water State Revolving Fund, Water System Improvements, City of Dinuba – Environmental Lead.* This project consisted of application to the California Department of Health Services for a Clean Water Loan for improvements to the City's water production, storage, and delivery systems. A negative declaration was prepared and adopted.
Mr. Norman has over twenty-five years of experience in engineering and environmental consulting throughout California. Mr. Norman's experience ranges from regulatory compliance, site assessment, to human health risk assessments and remedial action. Mr. Norman has also managed a wide range of engineering project from environmental compliance for a large winery organization to pavement assessments and management plans for Yosemite National Park. Mr. Norman has represented clients in front of city and county counsels, school boards, the state and federal agencies including the US EPA, the Regional Water Quality Control Board and the California Department of Toxic Substance Control.

RELEVANT EXPERIENCE

*Waste Water and Environmental Compliance, The Wine Group, Various Locations, CA – Senior Client Manager.* This project involved environmental compliance for six wineries. Responsibilities included compliance with specific Reports of Waste Discharge and Monitoring and Reporting programs including groundwater and soil monitoring, chlorination bacteriologic and potable water systems, waste water management and reduction. Over the past six years Mr. Norman has assisted The Wine Group with improving waste water quality and developing new management strategies to reduce the potential impacts to soil and groundwater through the design of improved discharge areas, irrigations systems and BOD and salt loading management. Significant challenges existed for the client meeting the RWQCB's requirement for waste discharge and reporting at all six wineries. Project challenges included the negotiations with the RWQCB concerning the Discharge requirements, monitoring and report criteria and schedules, wastewater pretreatment alternatives and permitting.

*Waste Discharge Requirement and Permit, DP Enterprises Grape Packer & Winery, Madera, CA – Project Manager, working for Kleinfelder.* This project involved assistance with the regulatory process, including managing engineering staff to produce a new report of waste discharge, storm water and soils waste management plan and develop an
irrigated lands program to allow the discharge of wastewater to on-site farmed land with little or no project impact to groundwater.

Mojave National Preserve, Marl Springs, Mojave, CA – Project Manager/Human Health Risk Assessor, working for Kleinfelder. This project involved leading a team of Geologist and Risk Assessors to evaluate the extent of potential human and ecological risk to visitors and the endangered Desert Tortoise. Responsibilities included developing a site specific exposure scenario resulting in an acceptable level of risk below the exposure thresholds for the detected compounds including lead. The project was located 40 miles for the closed improved road and little knowledge existed about the historic and culturally sensitive mining area. The potential for high concentrations of lead and other heavy metal was a concern to the NPS.

(FHWA-CFLD) Valley Loop Roads Rehabilitation and Replacement, Yosemite National Park, Yosemite, CA – Project Manager, working for Kleinfelder. This project involved managing a team of pavement design engineers and technical staff to collect and test asphaltic concrete and road base samples and conduct a detailed GPR survey of the valley road systems. Responsibilities included consideration of the presence of sensitive trees species, and historic and cultural features (culverts, drainages and view scapes), winter use, invasive and noxious weed related issues and overall roadway designs.
Peters Engineering Group Resume
JOHN ROWLAND, PE  
Senior Transportation Engineer

**Fields of Special Competence**
- Traffic Signal Design
- Traffic Impact Studies
- Geotechnical Engineering

**Education**
- Bachelor of Science - Civil Engineering  
  California State University, Fresno
- Graduate Courses  
  University of California, Irvine

**Registration**
- Professional Civil Engineer - California
- Professional Traffic Engineer - California

**Professional Affiliations**
- American Society of Civil Engineers
- Tau Beta Pi Engineering Honor Society
- Institute of Transportation Engineers

Mr. Rowland has over 17 years of experience in the fields of civil, traffic, and geotechnical engineering. He has served as a project manager for numerous commercial, industrial, residential, and public works projects.

**Related Experience**

Fashion Fair Mall Expansion Traffic Impact Study – City of Fresno, CA. Responsible for performing traffic analyses and preparing traffic impact study report for additions to Fashion Fair Mall on Shaw Avenue east of State Route 41.

The Commons at Figarden Traffic Impact Study – City of Fresno, CA. Responsible for performing traffic analyses and preparing traffic impact study report for a large mixed-use development located on the Figarden Loop.

The Sikh Institute of Fresno Traffic Impact Study – City of Fresno, CA. Responsible for performing traffic analyses and preparing traffic impact study report for a proposed Sikh worship center.

Golden Triangle Traffic Impact Study – City of Clovis, CA. Responsible for performing traffic analyses and preparing traffic impact study report for a large mixed-use retail and office development southwest of Herndon and Clovis Avenues.

Clovis Unified School District Third Educational Center and State Center Community College District Campus Traffic Impact Study – City of Fresno, CA. Responsible for performing traffic analyses and preparing traffic impact study report for a junior college, high school, and middle school proposed near the intersection of Willow and International Avenues.

Palm / Nees Office Building – Fresno, CA. Responsible for performing traffic analyses and preparing traffic impact study report for an office building located near the intersection of Palm and Nees Avenues.

Skypark Village Shopping Center – Fresno, CA. Responsible for performing traffic analyses and preparing traffic impact study report for a proposed commercial development at Herndon and Blythe Avenues.
Herndon Plaza Office Complex Traffic Impact Study - Fresno, CA. Responsible for performing traffic analyses and preparing traffic impact study report for a proposed office complex near the intersection of Herndon and Maple Avenues.

Traffic Impact Studies for Residential Tracts – Responsible for performing traffic analyses and preparing traffic impact study reports for dozens of residential tracts in the Fresno/Clovis area.

Target Shopping Center Traffic Impact Study – Hanford, CA. Responsible for performing traffic analyses and preparing traffic impact study report for a proposed shopping center near the existing Hanford Mall. Project included significant coordination with Caltrans.

H Street Parking Lot Design – City of Fresno, CA. Responsible for design of a City of Fresno Redevelopment Agency parking lot near the intersection of Fresno and H Streets.

First / Tulare Traffic Signals – City of Fresno, CA. Responsible for design of new traffic signals in conjunction with intersection widening for a capital improvement project.

Herndon / Hayes Traffic Signals – City of Fresno, CA. Responsible for design of new traffic signals as a part of a new school project. Ultimate configuration will include double left-turn lanes on each approach.

Herndon / Bryan Traffic Signals – City of Fresno, CA. Responsible for design of new traffic signals as a part of a new school project. Project included construction of the ultimate poles in interim locations to accommodate existing and future road configurations.

Clovis / California Traffic Signals and Striping – City of Fresno, CA. Responsible for design of new traffic signals and civil improvements to accommodate signals.

Fowler / Shields Traffic Signals – City of Fresno, CA. Responsible for design of new traffic signals.

Willow / International Traffic Signals – City of Fresno, CA. Responsible for design of new traffic signals for a proposed educational center. Project included review by City of Fresno, City of Clovis, and County of Fresno.

Roads 426 / 427 Traffic Signals and Driveway Widening – County of Madera, CA. Responsible for design of new traffic signals and civil improvements to accommodate signals.

Fruit / Browning Traffic Signals – County of Fresno, CA. Responsible for design of new traffic signals at an urban intersection.

Clovis / California Traffic Signals – City of Fresno, CA. Responsible for design of new traffic signals and striping improvements to accommodate signals.

Shaw Avenue / State Route 99 Traffic Signals – City of Fresno, CA. Responsible for design of new traffic signals and interconnect for two existing interchange ramp intersections.

Gettysburg / Villa Traffic Signal – City of Clovis, CA. Responsible for design of new traffic signal at an urban intersection.

Chinowth / Whitendale Traffic Signal – City of Visalia, CA. Responsible for design of new traffic signals and civil improvements to accommodate signals. Signals incorporated protected-permissive phasing.
Live Oak and Associates Resume
WESTLEY M. RHODEHAMEL, M.A.
Regional Director
Senior Wildlife Biologist

EDUCATION
- Master of Arts – Biology, California State University, Fresno 1998
- Bachelor of Arts - Biology, Zoology Option California State University, Fresno 1986

AREA OF EXPERTISE
Wildlife biology, survey techniques, wildlife/habitat relationships, and conservation biology, threatened and endangered species, and environmental regulations (CEQA, NEPA, FESA, CES)

PROFESSIONAL EMPLOYMENT
- Quad Consultants/Quad Knopf Consultants, CA., Vice President/Southern Regional Manager/Wildlife Biologist 1990 to 2007.
- Instructor of Biology, Fresno Community College, CA 1988 - 1989
- Research Director under a grant from the California Department of Recreation, 1986 - 1989
- Seasonal Aid, California Department of Fish and Game 1986 - 1987
- Biologist Jones and Stokes Associates 1986 and 1987
- Biologist Research Limited 1985 and 1986
- Biologist Woodward-Clyde Consultants 1985

PROFESSIONAL TRAINING
- Chief Survey Technique for Mojave Ground Squirrel

MEMBERSHIPS IN PROFESSIONAL ORGANIZATIONS
- Western Section of the Wildlife Society
- San Joaquin Valley Chapter of the Wildlife Society (Past President)
- Public Member At Large Metropolitan Bakersfield HCP Trust Group (3 consecutive terms)

QUALIFICATIONS
Mr. Rhodehamel is responsible for project management and coordination, including project supervision, impact analysis, research and mitigation design, and technical report preparation for a variety of local and regional projects. He has served as principal investigator on projects under the auspices of the NEPA, CEQA, FESA, and CEAS. In addition, Mr. Rhodehamel has extensive experience in the preparation of California Endangered Species Memorandum of Understanding and Management Authorizations under Section 2081 and preparation of documentation for formal Section 7, 10(a), consultation. A selection of these projects is provided below:
• Mr. Rhodehamel was the principal biologist for the development of the ARCO Western Energy HCP that resulted in the establishment of the Coles Levee Ecosystem Preserve. Since the ecosystem was established he as served as the biologist responsible for the monitoring and management of endangered species on the preserve and tracking sales of conservation credits with in the preserves conservation bank.

• Mr. Rhodehamel assisted in the preparation the Management Plan for the Elk Hills Conservation Area and served as the principal biologist responsible for monitoring threatened and endangered species within the Elk Hills Oil Field and Occidental of Elk Hills Conservation Area.

• He assists in the Management of the Kern Water Bank Conservation Area, and supports the Kern Water Bank Staff with their compliance with the conditions of the Kern Water Bank Habitat Conservation Plan.

• Prepared the Biological Opinion for the Section 7 consultations for Plains All American Pipeline Company Operation and Maintenance Programs in the San Joaquin Valley.

• Mr. Rhodehamel served as principal biologist and coordinated the development of the Biological Opinion and Mitigation Monitoring Plan for the construction of the Elk Hills Power Plant, Kern County California.

• Mr. Rhodehamel is Principal Biologist responsible for the development of Semitropic Water Storage Districts Biological Opinion (currently under review by USFWS) and the development of a 3,200 acre Conservation Area as part of a the Districts Advanced Stored Water Recovery system

• Mr. Rhodehamel was the Principal Biologist of a 6 year study of the wintering ecology of bald eagles at Millerton Lake State Recreation Area. The study focused on the habitat requirement of wintering bald eagles including food habit, roost characteristics, and human interactions.

SELECTED REPORTS & PUBLICATIONS


Insight Environmental Consultants Resume
KATHY E. PARKER, CAPP REA
PRINCIPAL, PROJECT MANAGER
BAKERSFIELD, CALIFORNIA

Kathy Parker is a Principal and Project Manager. She has been certified as an air permitting professional under the San Joaquin Valley Air Pollution Control District Certified Air Permitting Professional (CAPP) program. Ms. Parker has eighteen years of experience in air quality issues dealing with the preparation and negotiation of permits, health risk assessment, emission reduction credit banking, environmental compliance auditing, mutual settlement discussions, and all aspects of the Title V Federal Operating Permit Program.

She has extensive interpretive and compliance experience with the rules and regulations adopted by the South Coast AQMD, the San Luis Obispo, Santa Barbara, Ventura, San Joaquin Valley, and Monterey Bay Unified APCDs, the California Air Resources Board, and the U.S. EPA. She provides environmental compliance assistance to oilfield, agricultural, food processing, governmental and manufacturing operations throughout California.

She has managed and performed activities required by California’s AB 2588 air toxic “Hot Spot” legislation since 1989 including the preparation of emission inventory plans and reports, health risk assessments, public notification plans, and risk reduction audits.

Ms. Parker has over 15 years of experience in air dispersion modeling and related programs, including AERMOD, AERMET, AERMAP, ISCST3, ISC-PRIME, BPPIP, PCRAMMET, WRPLOT, HARP and HARP On-Ramp applications. She executes these models and post-processors to determine the potential health risk due to emissions air toxic emissions from various projects and applies these tools to monitor and predict ambient air quality and odor impacts, pursuant to California Environmental Quality Act (CEQA) requirements.

As a Registered Environmental Assessor (REA) through the California Environmental Protection Agency - Office of Environmental Health Hazard Assessment REA, Ms. Parker has conducted numerous Phase I/II Environmental Site Assessments to identify potential environmental liabilities.

In addition to her contributions at Insight, Ms. Parker is also the current Education Committee Chairman of the Golden Empire Chapter of the Air & Waste Management Association.
ROBERT E. BROWN  
Principal  
Brown-Buntin Associates, Inc.

Experience:
Mr. Brown is a founding partner of Brown-Buntin Associates, Inc. (BBA), and manages the firm's Central California office. His technical skills include the prediction and analysis of aircraft, traffic and railroad noise, and the evaluation of architectural noise problems. He has developed noise level criteria and implementation programs for addressing noise-related noise conflicts. Mr. Brown has made numerous presentations to organizations, political decision-making boards and citizen groups concerning environmental noise.

Mr. Brown became involved with community noise control in 1972 as a member of the public sector. He developed and managed programs for two counties (Tulare and Fresno) in California and served as an advisor to the State of California for the development of a model community noise control ordinance. In 1979, Mr. Brown joined an acoustical consulting firm specializing in aviation noise studies, opening and managing a branch office in Central California.

Since the founding of BBA, Inc. in 1981, Mr. Brown has managed hundreds of noise analysis projects, including:

- Quarterly noise monitoring studies, preparation of annual noise exposure maps and summary reports for Phoenix Sky Harbor International Airport, John Wayne Airport, San Jose International Airport and Fresno Air Terminal.
- Technical studies for FAR Part 150 Studies and/or airfield improvement projects at Las Vegas McCarren International Airport, Portland International Airport, San Jose International Airport and Fresno Air Terminal.
- Federally-funded sound insulation programs for a college and five schools in the environs of Port Columbus International Airport, five schools near Fresno Air Terminal and 48 homes near Reno/Tahoe International Airport.
- Noise Elements for numerous California jurisdictions.

Professional Affiliations:
- Member, Aircraft Noise Subcommittee, National Research Council, Transportation Research Board.
- Member, Institute of Noise Control Engineering.
- Member, Acoustical Society of America.

Publications and Presentations:
* An Assessment of Noise Impacts Resulting From a Proposed Conversion of F106 to F4D Aircraft at Fresno Air Terminal, California, Inter-Noise 84, Honolulu, Hawaii, December, 1984.

Education:
- B.A., 1971, Biological and Physical Sciences, Chico State College.
- Graduate studies in noise control and environmental health, California State University, Fresno.
- Graduate Courses in noise control at the University of California at Berkeley, Santa Cruz and San Francisco.
CSUB Center for Archaeological Research Resume
REBECCA STRICKLAND ORFILA, M.A., RPA
Assistant Director
Center for Archaeological Research, California State University, Bakersfield
9001 Stockdale Highway, Bakersfield, CA 93311
(661) 654-6161 Office  Email: rorfila@csub.edu

EDUCATION

- California State University, Bakersfield (CSUB), B.A. Anthropology, Minor in History, 2003


CURRENT EXPERIENCE

Assistant Director (2006 to present)  Center for Archaeological Research, CSUB
Sr. Staff Archaeologist (2005 to 2006)  Center for Archaeological Research, CSUB
Staff Archaeologist (2001 to 2005)  Center for Archaeological Research, CSUB

PUBLICATIONS

Sutton, Mark Q., Rebecca S. Orfila, Bruno Huerta, and Patricia Martz

Orfila, Rebecca S.

Sutton, Mark Q., and Rebecca S. Orfila

SELECTED REPORTS

2007  A Cultural Resources Assessment of the Northeast Compartment, Tule River Indian Reservation.
2007  A Cultural Resources Assessment of the Epsom Salt Monorail (CA-SBR-3806H) Naval Air Weapons Station, China Lake, California.
2007  A Cultural and Architectural Resources Assessment for the City of Fresno Subsurface Water Tank Project (APN 468-29-113).
2006  Cultural Resources Testing Program for Hedges Exploration Well Project
2006  A Cultural Resources Assessment for 3850 Acres (Phases 1A, 1B, 1C, and 1D) for Environmental Impact Report, Kern County, CA; D. R. Horton, Inc., Simi Valley
2005  A Cultural Resources Assessment for 905 Acres near Walker Basin Road, Kern County, California.
2005  A Phase II Archaeological Assessment of CA-KER-2529, Rosamond, Kern County, California.
THIS ITEM HAS BEEN REMOVED.
THIS ITEM HAS BEEN REMOVED.
SUBJECT: ACCEPTANCE OF PROJECT – FIRE STATION #2 TRAINING ROOM

SOURCE: Public Works Department - Engineering Division

COMMENT: Dayco Construction, Inc., has completed construction of the Fire Station #2 Training Room Project per plans and specifications. The project consisted of the construction of a 5,000 sf combination training room and offices facility. Phase 1 work included the 5,000 sf concrete slab and the metal building.

City Council authorized expenditure of $155,398.22. Final construction cost is $141,271.11. Funding for this project is from the Fire Department Carryover.

Dayco Construction, Inc., requests that the City accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

1. Accept the project as complete;

2. Authorize the filing of the Notice of Completion; and

3. Authorize the release of the 10% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

ATTACHMENT: Locator Map

P:\pubworks\Engineering\Council Items\Acceptance of Project - Fire Station #2 Training Room - 2008-07-01.doc

[Signatures]
SUBJECT: ACCEPTANCE OF PROJECT – AIR CONDITIONING REPLACEMENT PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: Morris Levin & Son has completed the Air Conditioning Replacement Project per plans and specifications. The project included two 3-ton air conditioning units with economizers for the Headwork and Outfall Buildings at the Wastewater Treatment Facility. The economizers will enable the buildings to be cooled with fresh air when the outside temperature allows.

City Council authorized an expenditure of $14,605.80 for construction. Final construction cost is $14,303.00. Funding is provided by the Wastewater Treatment Facility’s Building & Grounds Maintenance budget.

Morris Levin & Son requests that the City accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion.
3. Authorize the release of the 10% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

ATTACHMENT: Locator Map

P:\pubworks\Engineering\Council Items\Acceptance of Project - Air Conditioning Replacement Project - 2008-07-01.doc

Dir Appropriated/Funded Item No. 8
SUBJECT: EMERGENCY REPAIR OF FIRE DEPARTMENT APPARATUS

SOURCE: Administration

COMMENT: Consistent with prior Council direction regarding expenditure authority exceeding $5,000 in an "emergency situation or circumstance," the City Manager authorized the expenditure of $7,700 for the immediate repair of a Fire Department apparatus. On the afternoon of Sunday, June 15, 2008, having returned to Station 1 with a Fire crew from the Butte County fire just moments before, a fire engine was crashed into by a drunk driver, causing substantial damage to the engine cab. Due to this engine serving as an essential component for the Fire Department's front line fire protection, the engine's immediate repair was so authorized. Due to the specialized nature of the repairs, the engine is being repaired by E.M. Tharp Inc., the next closest specialized repair facility being located in Lodi, California.

RECOMMENDATION: That the Council ratify the action of the City Manager.

ATTACHMENT: None

D.D. Appropriated/Funded C.M. Item No. 9
SUBJECT: ROYAL OAKS VESTING TENTATIVE SUBDIVISION MAP - EXTENSION OF TIME

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

APPLICANT: Kenneth H. Valley  
Landmark  
3101 N. Sillect Avenue Suite 103  
Bakersfield, CA 93308

COMMENT: The applicant is requesting approval of a twelve (12) month extension of time for the Royal Oaks vesting tentative subdivision map.

ORDINANCE CHARACTERISTICS: Section 66452.6 (d) of the State Map Act allows the City Council to grant extensions of time for tentative maps (both subdivisions and parcel maps) for a period not to exceed a total of five (5) years.

BACKGROUND: On August 1, 2006 the City Council adopted a Tentative Subdivision Map for Royal Oaks, located north of Poplar Ditch and east of Indiana. The Tentative Subdivision Map for Royal Oaks proposed the division of a 40.39± acre vacant parcel zoned City R-1 (One Family Residential) zone into 193 lots, 191 of which were single family residential lots. Of the two remaining lots, one lot, approximately 1.1 acres in size was dedicated as a City pocket park. The other lot was conveyed to the Poplar Irrigation Company.

On June 6, 2006 the Environmental Coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project described herein. No additional environmental review is necessary.

PROJECT LOCATION: The site is generally located north of the Poplar Ditch, south of Highway 190, west of Jaye Street and east of Indiana Street.

SPECIFIC REQUEST: The applicant is requesting approval of a twelve (12) month extension of time for the Royal Oaks vesting tentative subdivision map. The reason for the request is because Royal Oaks vesting tentative subdivision map will expire on July 7, 2008. The extension of time will allow the developer an opportunity to keep the map active and fulfill the development requirements for the proposed subdivision.

RECOMMENDATION: That the City Council

1. Adopt the draft resolution approving a twelve (12) month extension of time for the Royal Oaks vesting tentative subdivision.

ATTACHMENT:

1. Locator Map  
2. Tentative Subdivision Map  
3. Letter requesting the Extension of Time  
5. City Council Resolution 100-2006  
6. Draft Resolution approving the new extension of time

DD [Signature] APPROPRIATED/FUNDED CM [Signature] ITEM NO. 10
06.04.08

City of Porterville Planning Department
291 N. Main Street
Porterville, CA., 93257

Subject: Vesting Tentative Tract Map Royal Oaks View

Pursuant to the County of Tulare Land Division Ordinance Sections 7-01-1800, 7-01-1805, 7-01-1810 and the Subdivision Map Act Section 66452.6.(a),(1) and Section 66498.1 Division 2 of Title 7; Landmark Surveying & Engineering hereby requests a 12 month extension of time for Vesting Tentative Tract Map Royal Oaks View.

This extension of time is being requested for Ennis Homes and Landmark Surveying and Engineering to have time for further planning and development for today's housing market.

Respectfully submitted,

[Signature]

Kenneth H. Valley
Principal
RESOLUTION NO. 99-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A MITIGATED NEGATIVE
DECLARATION OF ENVIRONMENTAL IMPACT FOR THE ROYAL OAKS VIEW
VESTING TENTATIVE SUBDIVISION MAP FOR THAT 40.39± ACRE SITE
LOCATED GENERALLY ON THE EAST SIDE OF INDIANA BETWEEN BROWN
AVENUE AND POPLAR DITCH IN SOUTHWEST PORTERVILLE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of August 1, 2006 conducted a public hearing to consider approval of Royal Oaks View Vesting Tentative Subdivision Map, being a division of a 40.39± acre parcel zoned Single Family Residential (One-Family Zone) into a 193 lot single family residential subdivision to be developed in two (2) phases for that site generally located at the east side of Indiana Street between Brown Avenue and Poplar Ditch in southwest Porterville; and

WHEREAS: On June 6, 2006, the Environmental Coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project; and

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

1. That a Mitigated Negative Declaration (Exhibit A) was prepared for the project in accordance with the California Environmental Quality Act.

2. That the Mitigated Negative Declaration prepared for this project was made available for public review and comment. The 20-day review period was from June 12, 2006 to July 2, 2006. Comments have been received from the Lower Tule River Irrigation District and the SJVAPCD. Comments have been noted in the file and addressed as appropriate. Comment letters are attached to the staff report.

3. That the proposed project could have a significant effect on the environment, but through implementation of the Mitigation Monitoring Program as defined (Exhibit B) will not create adverse environmental impacts.

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

4. That the City Council is the decision-making body for the project.
5. That the mitigation measures contained in the Negative Declaration were incorporated into a Mitigation Monitoring Program attached hereto as Exhibit B and included as Condition 59 in the proposed resolution of approval for the Royal Oaks View Vesting Tentative Subdivision Map.

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

A reconnaissance-level biological assessment (included in the appendices of the environmental Initial Study and available for review) was conducted on-site. Two mature Valley oak trees and one blue elderberry shrub are located on the project site. These sites may provide habitat for Valley Elderberry Longhorn Beetle and avian predators or other resident or migratory birds. The blue elderberry shrub and the valley oak trees will be preserved and incorporated into the pocket park.

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

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

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Mitigated Negative Declaration for Royal Oaks View Vesting Tentative Subdivision Map as described herein.

Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By Georgia Hawley, Chief Deputy City Clerk
Table 6-1
Mitigation Reporting/Monitoring Program*

<table>
<thead>
<tr>
<th>Impact</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
<th>Monitoring</th>
<th>Time Span</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact III a), b), c) - Air Quality:</td>
<td>Mitigation Measure III a), b), c): Comply with the following optional SJVAPCD Regulation VIII PM10 reduction measures:</td>
<td>Mitigation measures shall be incorporated into construction contract between applicant and contractor</td>
<td>City of Porterville and San Joaquin Valley Air Pollution Control District</td>
<td>Project construction</td>
</tr>
</tbody>
</table>

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 in non-attainment under an applicable federal or state ambient air quality standard.

- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

Additional Control Measures – The following control measures are strongly encouraged at construction sites that are large in area, located near sensitive receptors, or which for any other reason warrant additional emissions reduction:

- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site
- Install wind breaks at windward side(s) of construction areas
- Suspend excavation and grading activity when winds exceed 20-mph
- Limit area subject to excavation, grading, and other construction activity at any one time.

* The mitigation measures listed in this table will reduce all environmental impacts to a less than significant level.

Royal Oaks View Subdivision
Initial Study and Mitigated Negative Declaration  

June 2006
6 - 2
<table>
<thead>
<tr>
<th>Impact</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
<th>Monitoring</th>
<th>Time Span</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Equipment Mitigation Measures:</td>
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<tr>
<td>- Use alternative fuel or catalyst-equipped diesel construction equipment</td>
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<td>- Minimize idling time (e.g., 10 minute maximum)</td>
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<tr>
<td>- Limit the hours of operation of heavy duty equipment and/or the amount of equipment in use</td>
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<tr>
<td>- Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set)</td>
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<tr>
<td>- Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways</td>
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<tr>
<td>- Implement activity management (e.g. rescheduling activities to reduce short-term impacts)</td>
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<td></td>
</tr>
<tr>
<td>Impact IV a), d) - Biological Resources:</td>
<td></td>
<td>Developer and Qualified biologist</td>
<td>City of Porterville</td>
<td>Before, during, and after project construction.</td>
</tr>
<tr>
<td>Potentially substantial adverse effects on the following species: Valley oak trees, blue elderberry shrub, Valley Elderberry Longhorn Beetle, and avian predators or other resident migratory birds.</td>
<td>Mitigation Measure IV a), d): Valley Elderberry Longhorn Beetle</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The US Fish and Wildlife Service (USFWS) considers that complete avoidance (i.e., no adverse effects) may be assumed when a 100-foot (or wider) buffer zone is established and maintained around all elderberry plants containing stems measuring one-inch or greater in diameter at ground level. If a 100-foot buffer zone cannot be maintained around all elderberry plants with at least one stem 1-inch or greater in diameter at ground level, the USFWS must be contacted for guidance on how to proceed. In certain instances the USFWS may approve encroachment on the 100-foot buffer zone, provided a minimum setback of at least 20 feet from the dripline of each elderberry plant can be maintained. In addition, the USFWS will require</td>
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</table>

Royal Oaks View Subdivision
Initial Study and Mitigated Negative Declaration

June 2006
6 - 3
<table>
<thead>
<tr>
<th>Impact</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
<th>Monitoring</th>
<th>Time Span</th>
</tr>
</thead>
<tbody>
<tr>
<td>written verification of protective measures, restoration and maintenance of the 100-foot buffer zone, and other requirements in order to approve the encroachment.</td>
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</tbody>
</table>

**Avian Predators and other Resident or Migratory Birds**

A pre-construction nest survey for avian predators and other resident and migratory birds should be conducted prior to project construction if any heavy equipment operations are to occur during the breeding season (February 15 through September 15). The survey should include all large trees on the project site and all large trees on adjacent lands. If any occupied nests are observed, heavy equipment operations should be minimized or avoided until the young have fledged and nesting has ceased. If this is not feasible, the USFWS (and CDFG, if State-listed species, e.g., Swainson's hawk are involved) would need to be contacted for guidance on how to proceed. The USFWS would prescribe specific mitigation dependant upon the particular species involved and the manner in which heavy equipment operations are to be conducted.

**Valley Oak Trees**

The project shall retain all five Valley oak trees located on the project site and land adjacent to the project site. Construction activities within the dripline of these trees should be avoided or minimized. The following measures are recommended to minimize impacts to valley oaks during project construction. These measures are adapted from the Standard Specifications for Building Around Valley Oaks, City of Visalia Urban Forestry Guidelines (2004).

- A protection zone around all Valley oaks should be drawn to scale on plans; this includes accurately locating the trunk and depicting the crown dripline.
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<tr>
<th>Impact</th>
<th>Mitigation Measures</th>
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<td></td>
<td>Earthwork is discouraged around the crown dripline.</td>
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<td>• All utility locations should be included in all development plans involving valley oaks.</td>
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<td>• Protective tree fencing should be added prior to any earthwork, at least 3 ft. minimum in height, installed at outermost end of the dripline surrounding the trunk of a valley oak. The temporary fencing should be safety orange color, plastic webbing, temporary construction type fencing (snow fencing). Steel T-bar stakes should support the fencing. This fence should remain until construction is complete. Nothing should be stored inside the protective fence.</td>
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<td>• The addition of fill within the crown dripline of a valley oak should be limited to a maximum of 6 inches and no fill should be placed within 10 feet of the trunk. The fill should be of a high quality soil and clean of any debris.</td>
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<td>• Trenching within the crown dripline of a valley oak should be avoided. If utilities must be installed within the crown dripline it is recommended that utilities be installed via directional boring at a minimum depth of 36&quot;. If this is not feasible, care should be taken to avoid damaging the root system. Larger supportive roots should not be cut. If possible, there should be no soil compaction, paving or structures placed within the crown dripline of a valley oak.</td>
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<td>• Valley oak trees should be irrigated before construction starts and through construction during the summer (June through October). This will help ensure that the tree can better withstand the stresses of construction. Irrigation is extremely important during spring and summer when the environment around a mature valley oak is changed by construction. Irrigations should water all of the area under the crown dripline.</td>
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<tr>
<td>Impact V a) - Cultural Resources:</td>
<td>Mitigation Measure V a): According to a cultural resources record search completed by the Center for Archaeological Research at California State University, Bakersfield (Appendix D) the only recorded historic resource within the general area of the project is Poplar Ditch. As proposed, no impacts to Poplar Ditch are anticipated: A 48-inch high chain link fence, a 6-foot wide walkway, and public access and landscaping areas will be developed along the south side of the project to avoid impacts to Poplar Ditch.</td>
<td>Developer</td>
<td>City of Porterville</td>
<td>Project construction.</td>
</tr>
<tr>
<td>Impact VII b) - Hazardous Materials Release:</td>
<td>Mitigation Measure VII b): Several vacant residences are located on the project site. If any of these structures need to be demolished or dismantled and were built before 1972, they may contain asbestos-containing material and if they were built before 1978 they may contain lead-based paint. Any buildings built within these time frames will be inspected for the presence of these materials before they are demolished or dismantled. If they are found to contain asbestos, then the following standard San Joaquin Valley Air Pollution Control District (SJVAPCD) mitigation measures related to asbestos shall be implemented:</td>
<td>Construction</td>
<td>City of Porterville</td>
<td>Before and during</td>
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<tr>
<td>Asbestos and Lead</td>
<td>• A thorough survey of any building containing regulated asbestos-containing material (RACM) will be carried out.</td>
<td></td>
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<td>construction.</td>
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Royal Oaks View Subdivision
Initial Study and Mitigated Negative Declaration

June 2006
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<tr>
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<td>conducted by qualified consultant.</td>
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<td>• A 10-day working notification of demolition of removal of asbestos will be released.</td>
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<td>• After this ten day period, the RACM may be removed but only after being inspected by a representative from the SJVAPCD.</td>
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<td>If there are any structures built before 1978 on the site to be demolished or dismantled, then the following mitigation measures shall be implemented:</td>
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<td>• Evaluate paint waste independently from the building material to determine whether or not lead-based paint (LBP) is present and to specify its proper management.</td>
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<td>• If LBP is found, complete abatement prior to any demolition activities that would create lead dust or fume hazard.</td>
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<td>• Perform removal of LBP in accordance with California Code of Regulation Title 8, Section 1532.1, which regulates and specifies exposure limits, exposure monitoring, respiratory protection, and good worker practices by workers exposed to lead.</td>
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<td>• Provide evidence by any contractor performing LBP paint removal to the City Building Official and County Environmental Health Department of the contractor’s certified training for lead-related construction work.</td>
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<tr>
<td>Impact XI a), b), c) - Noise: exposure to noise levels in excess of those established in the local General Plan, excessive groundborne vibration of groundborne noise levels, or a substantial permanent increase in</td>
<td>Mitigation Measure XI a), b), c):</td>
<td>Project Architect</td>
<td>City of Porterville</td>
<td>Throughout design of individual buildings.</td>
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<td>1. A minimum 6-foot block wall for lots fronting on Indiana shall be installed. Wall returns shall be installed on the subdivision entry lots on either side of the intersection of Indiana Street and Pin Oak Avenue (the project driveway) and on the northwestern corner of the lot at the intersection of Indiana Street and</td>
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*Royal Oaks View Subdivision*

*Initial Study and Mitigated Negative Declaration*
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<td>ambient noise levels.</td>
<td>Brown Avenue as shown on the Vesting Tentative Tract Map for the project. 2. Rear yard setbacks shall be at least 34 feet for any two-story residences on lots that back up to Indiana Street. Lot 19, as shown on the Vesting Tentative Tract Map, shall have a 34 foot side yard setback on the side of that lot bordering Indiana Street for any two-story home.</td>
<td>Mitigation measures shall be incorporated into contract between applicant and contractor.</td>
<td>City of Porterville</td>
<td>Project construction.</td>
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<tr>
<td>Impact XI d) - Noise: Substantial Temporary Increase in Ambient Noise</td>
<td>Mitigation Measure XI d): During construction activities there will be a short-term increase in noise associated with construction equipment that may exceed the City's noise level standards. These activities will be restricted to the hours between 7:00 AM and 5:00 PM Monday through Friday and 9:00 AM and 5:00 PM on Saturday and Sunday, and will be short-term in nature. Therefore the impact will be less than significant.</td>
<td></td>
<td>City of Porterville</td>
<td>Continued monitoring during project operation</td>
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<tr>
<td>Impact XV a), b), e) - Traffic</td>
<td>Mitigation Measure XV a), b), e): Implementation of mitigation measures required for existing conditions will sufficiently improve levels of service under the &quot;Existing Plus Project Scenario.&quot; Mitigation measures described in the TIS and listed below are projected to bring all project area roadways and intersections to acceptable LOS. The TIS's suggested prorata share of the cost of these improvements to be borne by this project is listed in Tables 3-6 and 3-7. For a more detailed description of the methodology used to arrive at these results, please refer to the TIS (Appendix B).</td>
<td></td>
<td>City of Porterville</td>
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**Existing Conditions**

*Springville Avenue/Jaye Street* intersection: Install a traffic signal and widen the eastbound and westbound approaches to accommodate left turn lanes. It is recommended that protective phasing be applied to this traffic signal. Under "Existing" conditions, this intersection is operating at LOS...
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<td>&quot;F&quot; conditions during the AM and PM peak hour periods.</td>
<td>With the implementation of the recommended mitigation measures, this intersection is projected to operate at LOS &quot;C&quot; conditions during the AM and PM peak hour periods.</td>
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<tr>
<td><strong>State Route 190 EB Off Ramp/Main Street intersection.</strong></td>
<td>Install a traffic signal. Under &quot;Existing&quot; conditions, this intersection is operating at LOS &quot;F&quot; conditions during the AM and PM peak hour periods. With the implementation of the recommended mitigation measures, this intersection is projected to operate at LOS &quot;B&quot; conditions during the AM and PM peak hour periods.</td>
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<td>It should be noted that long periods of delay were observed for the eastbound left turning movement at the Poplar Road (x/o State Route 190)/Jay Street intersection; in fact, many of these movements were turning right and then making U-turns on Jaye Street to the south. However, because this intersection was analyzed as an isolated intersection and is based upon the outputs of the traffic analysis software, it currently operates at acceptable LOS conditions under all &quot;Existing&quot; scenarios. Although the traffic analysis software shows an acceptable LOS, field surveys by the traffic engineer indicate that there is a need to implement the mitigation measures described in the Jaye Street/Gibbons Avenue Study, specifically, relocating this intersection 300 feet south of the State Route 190 intersection.</td>
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<td><strong>Existing Plus Project</strong></td>
<td>Under &quot;Existing plus Project&quot; conditions, the mitigation measures assumed under &quot;Existing&quot; conditions would result in acceptable operating conditions. Table 3-5 identifies the pro rata share intersection calculations for this project.</td>
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<td><strong>Existing Plus Approved/Pending Projects Conditions</strong></td>
<td>Under &quot;Existing plus Approved/Pending Projects&quot;</td>
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conditions, the following mitigation measures are recommended:

*Springville Avenue/Jaye Street* intersection: In addition to the improvements recommended under the "Existing" conditions scenario, it is recommended that the eastbound lane approach should be widened to accommodate a right turn lane; widen the westbound lane approach to accommodate a dedicated right turn lane; widen the northbound approach to accommodate a dedicated thru lane and a dedicated thru-right lane; widen the southbound approach to accommodate dual dedicated thru lanes. This intersection is projected to operate at LOS "F" conditions during the AM and PM peak hour periods. This is a result of vehicles experiencing long periods of delay on Springville Avenue (minor street) while waiting for a "gap" to enter or cross Jaye Street (major street). This intersection is also projected to meet the MUTCD Peak-Hour Warrant 3. With the implementation of the recommended mitigation measures, this intersection is projected to operate at LOS "C" during the AM and PM peak hour periods.

*Poplar Road (north of SR 190)/Jaye Street* intersection: The development of the Riverwalk Marketplace and Porterville Commercial Center will lead to the intersection closure of Poplar Road North of State Route 190/Jaye Street.

*State Route 190/Jaye Street* intersection: Widen the southbound approach of this signalized intersection to include dual right turn lanes and dual left turn lanes; widen the eastbound approach to include dual left turn lanes; widen the westbound approach to include dual right turn lanes. In addition to the above mitigation, right turn overlap phasing should be implemented on all approaches. Under "Existing plus Approved/Pending Projects" conditions this intersection is projected to at LOS "F"
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<td>during the AM and PM peak hour periods. With the implementation of the recommended mitigation measures, this intersection is projected to operate at LOS &quot;D&quot; conditions during the AM and PM peak hour periods.</td>
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<td><em>Jaye Street from State Route 190 to Springville Avenue:</em> With construction of Approved/Pending projects it is recommended that this two-lane collector be improved to a four lane arterial per the City’s design standards.</td>
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<td></td>
<td><em>Existing Plus Approved/Pending Projects Plus Project Conditions</em></td>
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<td>Under “Existing plus Approved/Pending Projects plus Project” conditions, the mitigation measures assumed under “Existing plus Approved/Pending Projects” would result in acceptable operating conditions. Table 3-7 identifies the pro rata roadway share calculations for this project.</td>
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<td><em>Year 2030 Base No-Build Conditions</em></td>
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<td>Under “Year 2030 Base No-Build” conditions, it is assumed that Jaye Street will have been improved to a four lane arterial from State Route 190 to Springville Avenue as called for in the Circulation Element of the City’s current General Plan and that mitigation measures identified through “Existing plus Approved/Pending Projects plus Project” conditions have been implemented. In addition, the following mitigation measures are recommended:</td>
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<td><em>Springville Avenue/Jaye Street intersection:</em> Widen the northbound approach to accommodate dual left turn lanes. Under “Year 2030 Base No-Build” conditions this intersection is projected to operate at LOS &quot;E&quot; conditions during the PM peak hour period. Implementation of the recommended mitigation measures will result in LOS &quot;D&quot;</td>
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<td>conditions during the PM peak hour.</td>
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*State Route 190/Jaye Street* intersection: Widen the westbound approach to accommodate three through lanes. This intersection is projected to operate at LOS “E” during the PM peak hour period. Implementation of the recommended mitigation measure will result in LOS “D” conditions during the PM peak hour.

*Gibbons Avenue/Indiana Street* intersection: Install a traffic signal. This intersection is projected to operate at LOS “F” during the AM and PM peak hour periods. Implementation of the recommended mitigation measure will result in LOS “D” conditions during the PM peak hour.

*Scranton Avenue/Indiana Street* intersection: Widen the northbound and southbound approaches to accommodate two thru lanes. This intersection is projected to operate at LOS “F” during the AM and PM peak hour periods. Implementation of the recommended mitigation measure will result in LOS “D” conditions during the PM peak hour.

**Year 2030 Base Plus Project Conditions**

Under “Year 2030 Base plus Project” conditions, it is assumed all intersections except for Poplar Road (south of State Route 190)/Jaye Street will be operating at a LOS “D” or better if all aforementioned mitigation measures are implemented. Therefore, the following improvements are recommended:

*Poplar Road (s/o State Route 190)/Jaye Street* intersection: This intersection is projected to operate at LOS “F” conditions during the AM and PM peak hour periods. The following discusses a recommendation from *Jaye Street Improvement Project Traffic Analysis (OMNI-MEANS, May 2003)*:
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<tr>
<td>&quot;Poplar Road (south of State Route 190)/Jaye Street intersection: Close this intersection by eliminating access to Jaye Street. Based upon a queuing analysis performed by OMNI-MEANS, inadequate storage between this intersection and the State Route 190/Jaye Street intersection immediately to the north will result if a traffic signal is installed at Poplar Road (south of State Route 190)/Jaye Street. It is projected that substantial queues would be created between the two intersections that would result in unsafe operating conditions. Alternative access is recommended that would be a minimum of 300 feet south of State Route 190.&quot;</td>
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However, it should be noted that limited access points are located south of this intersection to provide a logical connection to Jaye Street and that right-of-way acquisition may be necessary. Another alternative, which is included as a supplement to this report, would be to reconfigure Poplar Road s/o State Route 190 to a right turn only driveway and to provide for a roundabout on Jaye Street south of State Route 190 that would tie into Montgomery Avenue. However, due to the large percentage of trucks, the design of a traffic circle would have to accommodate the amount of trucks that are traveling to/from the current industrial land uses.
| Impact XVII a) – Mandatory Findings of Significance: Impacts on wildlife | Mitigation Measure XVII a): See Impact IV a), d) | Developer and Qualified biologist | City of Porterville | Before, during, and after project construction. |
| Impact XVII b) – Mandatory Findings of Significance: Cumulative traffic impacts | Mitigation Measure XVII b): See Impact XV a), b), c) | City of Porterville | City of Porterville | Continued monitoring during project operation. |
STATE OF CALIFORNIA )
CITY OF PORTERVILLE ) SS
COUNTY OF TULARE )

I, JOHN LONGLEY, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy a resolution passed and adopted by the Council of the City of Porterville at a regular meeting of the Porterville City Council duly called and held on the 1st day of August, 2006.

THAT said resolution was duly passed adopted by the following vote:

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<tr>
<th>Council:</th>
<th>McCracken</th>
<th>P. Martinez</th>
<th>F. Martinez</th>
<th>Stadtherr</th>
<th>Hamilton</th>
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<tr>
<td>AYES:</td>
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<td>NOES:</td>
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JOHN LONGLEY, City Clerk

by Patrice Hildreth, Deputy City Clerk
RESOLUTION NO. 100-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE IN SUPPORT OF APPROVAL OF A VESTING TENTATIVE SUBDIVISION MAP FOR THE ROYAL OAKS VIEW PROJECT FOR THAT 40.39± ACRE SITE LOCATED GENERALLY ON THE EAST SIDE OF INDIANA BETWEEN BROWN AVENUE AND POPLAR DITCH IN SOUTHWEST PORTERVILLE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of August 1, 2006 conducted a public hearing to consider approval of Royal Oaks View Vesting Tentative Subdivision Map, being a division of a 40.39± acre parcel zoned Single Family Residential (One-Family Zone) into a 193 lot single family residential subdivision to be developed in two (2) phases for that site generally located at the east side of Indiana between Brown Avenue and Poplar Ditch in southwest Porterville; and

WHEREAS: On June 6, 2006, the Environmental Coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project; and

WHEREAS: The Subdivision Review Committee on June 28, 2006, reviewed and discussed concerns and conditions that should be addressed before the City Council. Conditions developed as a result of this meeting and subsequent staff review have been discussed with the applicant’s agent and incorporated into the draft resolution of approval; and

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

WHEREAS: The City Council made the following findings:

1. That the design and improvements of the proposed project are consistent with the General Plan, as required by the California government Code Section 66473.5.

The Land Use Element of the General Plan designates the site for Low Density Residential development (2-7 d.u./acre). The proposed subdivision will be developed to a density of 4.19 d.u./acre.

The average size lot ranges from 6000 sq. ft. to 6,500 sq. ft. and the project site is generally square. The north portion of the site fronts on Brown Avenue. The south portion fronts along the north side of the Poplar Ditch, which will be enhanced by a pedestrian trail. Indiana Street extends north and south and will provide primary access to the City circulation system. Pin Oak Avenue provides primary access into the subdivision as it extends east of Indiana Street. Pin Oak Avenue is 60ft in width between Indiana Street and Royal Oak Street, and narrows to 50ft east of Royal Oak Street to South Chess Terrace as does Red Oak Avenue just to the north. The north/south interior street of the subdivision terminate south of Pin Oak into cul-de-
sacs and are built to a standard width of 50ft, except Royal Oak Street and Cottage Street, which are 60 feet in width. Willow Oak Avenue, which runs east/west in the northern part of the subdivision, is a 60ft wide collector street that connects Royal Oak Street to South Chess terrace Street. Brown Avenue, an existing street at the northern boundary of the project site, will be improved to a 30ft eastbound lane and a 13ft westbound lane. This will provide for improved access and circulation to the subdivision.

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

3. That the design of the project, or proposed improvements could have a significant effect on the environment, but through implementation of the Mitigation Monitoring Program as defined will not create adverse environmental impacts. Condition 59 of this resolution requires the developer/applicant to comply with all Mitigation Measures contained in the Mitigation Monitoring Program attached to the resolution.

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

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

The General Plan designates the site for Low Density Residential uses. Residential developments are located to the north and south. The adjacent property to the east is vacant land. To the west of the proposed subdivision a rural residence, a drainage basin/pond, and vacant land are located on the west side of Indiana Street.

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

The proposed project complies with all the requirements of the Subdivision Ordinance. The development standards of the R-1 (One Family Residential) Zone including lot sizes, site coverage, parking, etc., will apply to the site.
NOW, THEREFORE, BE IT RESOLVED: That the Porterville City Council does hereby approve Royal Oaks View Tentative Subdivision Map subject to the following conditions:

1. The developer shall designate Lot 46 as a pocket park. A portion of the pocket park shall be reserved for a municipal well site. The pocket park will also include the existing oak trees and blue elderberry shrub on site.

2. One tree of minimum #15 specimen size and approved as a city street tree is required in the front yard of each lot. One additional tree is required on corner lots. Root barriers are required for all trees planted within ten feet of public sidewalks.

3. The pocket park, pedestrian trail, and Indiana Streetscape shall comply with Ordinance No. 1483, the Water Efficient Landscape Ordinance. Landscape and irrigation criteria must be approved. Two (2) sets of landscape and irrigation plans are required with a $25.00 plan check fee.

4. The applicant/developer shall dedicate Lot #46 to the City for a pocket park. The park shall be fully landscaped by the applicant/developer with no greater than 35% turf coverage, pedestrian pathways, interspersed tables and benches, and sufficient trees to provide a minimum of 70% shading within seven years. Turfed areas shall be at least 20 feet distant from the Elderberry and Oak Tree. The Elderberry and Oak tree shall be protected through implementation of recommendations prepared by a qualified urban tree preservation arborist. A report on the proposed plant preservation and necessary pruning work shall be supplied by the developer/applicant to the Parks and Leisure Services Director. The Director’s approval of the report must be achieved prior to commencing any construction activity (including the construction or grading of a ditch access roadway), within one hundred feet of the existing Elderberry or Valley Oak tree.

5. The applicant/developer shall construct a 6-foot high PCC or masonry fence along all common lines with residential lots that border the pocket park and pedestrian trail space. The fence shall be reduced in height at front yard setback lines and otherwise fully comply with fence height requirements.

6. The developer/applicant shall dedicate to the City a pedestrian trail space across the southerly portion of the site. The pedestrian trail space shall be a minimum of 18-feet wide, with an 8-foot wide pathway, 2-foot wide shoulders, a landscape area adjacent to the residential lots, and shall be constructed in compliance with the construction plans filed with the Parks and Leisure Services Department on May 23, 2006.

7. A PCC or masonry fence with an articulated alignment shall be constructed by the applicant/developer along the Indiana Street frontage of all lots. A minimum 6-foot wide landscape area shall be provided between the masonry wall and the public sidewalk. The masonry wall shall be located to ensure adequate sight distance at street intersections. A 5-foot wide wall and landscape maintenance easement shall be conveyed to the City of Porterville along the rear and side yards of lots abutting Indiana Street.
8. Prior to the approval of improvement plans, the developer/applicant shall have completed and approved, landscaping and/or lighting improvement plans. The developer/applicant shall petition, on a form provided by the City, to have the development included within a Lighting and Landscape Maintenance District. Submit with the petition the $375.00 fee. The following shall be included and maintained in said district: (1) Lighting, (2) Recreational Open Space, (3) Public landscaping, if any; (4) Public walls/fences, if any; (5) Drainage reservoirs, if any, and (6) any other public improvement.

9. The developer/applicant shall prepare an Engineer’s Report for the establishment of assessments in order to provide for ongoing maintenance of subdivision improvements to be included within the Lighting and Landscape Maintenance District. The Lighting and Landscape Maintenance District shall be established, or the annexation into an existing District shall be concluded, and landscape and lighting improvements shall be completed and accepted concurrently with the other improvements in the project.

10. Exclusive of assessments for a Lighting and Landscape Maintenance District, the developer/applicant shall pay all service fees and maintain all new lighting and landscape improvements in a safe and healthy manner for the greater of a minimum ninety-day plant establishment period following acceptance of the subdivision improvements, or until assessment begins for the Lighting and Landscape Maintenance District.

11. Prior to commencing landscape improvement construction, the developer/applicant shall obtain soil analysis to determine amendments and conditioning of soils to be utilized within the landscape areas. A copy of the soil analysis and recommendations shall be provided to the Parks and Leisure Services Director for approval. The developer/applicant shall fully implement the required amendments and conditioning of landscape soils to ensure an adequate media for healthy and vigorous plant growth.

12. Construction of a masonry block wall, no less than six feet in height and landscaping along the full length of the Indiana Street frontage will be required. Said area to be placed in a Landscape Maintenance District to include the proposed pocket park. Particular attention shall be directed to provide a graffiti free design through the use of a combination of trees, shrubs and vines to be planted to screen the wall. The wall(s) shall meet the following standards:

a. The wall(s) shall match one of the colors in the color palette approved by the City Council and maintained by the Community Development Director.

b. The wall(s) shall include articulation at intervals of approximately 80 feet except where such articulation is precluded by design constraints. In no case shall a wall exceed 160 feet without articulation. Methods of articulation may include the following:
   i. A minimum of 24-inch change of plane.
   ii. A minimum of an 18-inch change in height.
iii. A section of semi-open fence, except where such a feature would interfere with required sound protection.
iv. A change of material.


14. The developer/applicant shall pay all applicable fees in accordance with the Municipal Code and State law, prior to approval of the final map by City Council. Fees are subject to change annually. The developer/applicant is hereby notified that you have the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code section 65020(a). You have 90 days from the date fees are paid to file a written protest.

15. The developer/applicant shall dedicate right-of-way adequate for a street width that matches the ultimate width in the adopted Land Use and Circulation Element and/or the width established by City Council. The developer/applicant shall dedicate and improve a right-of-way adequate for a minimum of two lanes of traffic and on street parking, on one side, on streets adjacent to the property lines as well as dedication of property required for disabled ramp(s) (C.C. Sec. 21-23). The Indiana Street alignment is non-standard and shall comply with the alignment dedicated by prior developments in the area. The development variance associated with Sierra Meadows Subdivision shifted the construction centerline of Indians Street (collector width) 6ft west of the Section line. The locator of existing high transmission power poles and lines instigated the variance request.

16. The developer/applicant shall cause all unnecessary easements to be vacated prior to or in conjunction with the Final Map processing.

17. The developer/applicant shall relinquish access rights along lots fronting Indiana Street on the Final Map.

18. The developer/applicant shall provide and show all required utility easements on the Final Map.

19. The developer/applicant shall dedicate a one-foot (1') limitation of access strip at locations where, in the opinion of the City Engineer, it is undesirable to allow access.

20. The developer/applicant has complied with Chapter 7, Article XIII of the City Code and Appendix Chapter 33 of the California Building Code and provided a Preliminary Soils Report (C.C. Sec. 7-126 & Res. 4997) including results of "R-Value" tests and recommendations regarding construction of public improvements that address City Standard C-13, satisfactory to the City Engineer. Additional reporting requirements are as indicated below:
a. Final Grading, Drainage and Soils Report, prior to issuance of building permits (C.C. Sec. 7-133);

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

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

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

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

24. The developer/applicant shall replace or provide surety for replacement of irrigation pipes in the right-of-way, if, in the opinion of the City Engineer, replacement is warranted. The developer/applicant shall provide easements for irrigation pipes across lots created, if pipes will continue in use. The developer/applicant shall also cure leaks in any irrigation pipe that will continue use.

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

26. The developer/applicant shall coordinate with the U.S. Postal Service regarding the kind of mail facilities that will be utilized. If neighborhood box units (NBUs) are to be used, construct sidewalks in a timely manner to facilitate NBU installation.

27. The developer/applicant shall obtain a City demolition permit prior to approval of the improvement plans and, under City inspection, remove all existing, abandoned and unnecessary items, to the satisfaction of the City Engineer, prior to acceptance of the improvements (e.g. buildings, foundations, septic tanks, irrigation pipes, etc.).

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

29. San Joaquin Valley Air Pollution Control District (District) Adoption of Rules 9510 and 3180 – Indirect Source Rule (ISR) effective March 1, 2006, the District will enforce the Indirect Source Rule. ISR applies to projects that are at least:

- 50 residential units
- 2,000 square feet of commercial space
- 9,000 square feet of educational space
- 10,000 square feet of government space
- 20,000 square feet of medical or recreational space
- 25,000 square feet of light industrial space
- 39,000 square feet of general office space
- 100,000 square feet of heavy industrial space
- Or, 9,000 square feet of any land use not identified above.

Projects that meet the above thresholds but are found through the application process to have mitigated emissions of less than two tons per year each of nitrogen oxides and PM10 (particulate matter 10 microns and smaller) will not be subject to the emission-reduction requirements of the rule.

It is the applicants’ responsibility to file an application (found at http://www.valleyair.org/ISR/ISR.htm) with the District. The application must be filed with the District no later than concurrent with an application for final discretionary approval with a public agency. An application maybe filed with the District prior to applying for a final discretionary permit from the local agency, at the discretion of the applicant. This timing was included in the rule so that applications filed with the District would not interfere with the local agency development approval process and so that local agencies could consider the benefits of the ISR program emission reductions in their environmental documents. The District recognizes the land use authority of local land use agencies and will not impose any design requirements upon ISR projects. The District will provide a letter of rule compliance status to the local agency upon request. The ISR Program does not place any requirements upon the agency.

ISR applicants can take credit for those measures that are required by the local agency or included in the design of the project that have a quantifiable air quality benefit. ISR applicants can also take emission reduction credit for those measures that are not required by the local agency, but have been voluntarily identified by the applicant.
The District will be responsible for enforcing compliance for those measures identified by the applicant that are not required by the local agency and do not affect the design or construction standards. Examples of District enforced measures are operational measures such as businesses offering transit subsidies to employees and transportation demand management programs. The District will enforce those measures through a Monitoring and Reporting Schedule (MRS).

The District will notify the local agency when a project’s application is deemed complete, and when it is approved. The District will send copies of the preliminary and finalized MRS to the local agency for voluntary review for consistency with local regulations and programs. If the local agency, or applicant or district determines that a measure on the MRS is not consistent with local agency regulations and programs, that measure will be removed from the MRS and the project will be re-assessed.

For more information regarding the Indirect Source Rule, please contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000. The Central Region office in Fresno is leading the ISR enforcement.

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

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

a. The storm drain system is functional so that it will accept water from fire hydrant and/or water main flushing;

b. The water system is functional from the source of water past the lots on which permits are being requested (i.e. all services and the sampling station, if required, are installed, valves are functional and accessible, bacteria testing is completed, etc.);

c. Street base rock for accessibility by the public safety officials and building inspectors;

d. Lots are graded in accordance with the approved grading plan. Prior to receipt of the Final Grading, a Drainage and Soils Report, and a letter from the "Supervising Civil Engineer" is required validating that the grading has been done in accordance with the approved grading plan and in accordance with the recommends contained in the Preliminary Soils Report;

e. Lot corners are marked;

f. Fire hydrants are accepted by the Fire Department and the Engineering Division.

32. The developer/applicant has provided a Hydraulic analysis that reflects compliance with City standards and the Storm Drain Master Plan. The pad grades and top of curb grades have been
illustrated as a component of the Hydraulic analysis.

33. The developer/applicant shall install pipe to Drainage Reservoir No. 55 and obtain Caltrans approval to cross State Route 190 or connect to the existing 24” pipe. Alternatives are:

   a.) Provide on-site drainage reservoir and convey an easement to City of Porterville. Maintenance of the reservoir shall be a component of the Landscape and Lighting District.

   b.) Provide off-site drainage reservoir by obtaining rights to convey storm water to an existing low area west of the proposed development and convey an easement to the City of Porterville.

   c.) Initiate a change to the City’s Storm Drain Master Plan, acquire existing low area west of the proposed development for an off-site reservoir and convey to the City of Porterville. The developer/applicant shall construct improvements necessary to comply with City standards. Refer to condition No. 44, which relates to the reimbursement of master plan facility improvements.

   d.) City to modify the Storm Drain Master Plan and negotiate for the purchase of the existing low area west of the proposed development for an on-site drainage or obtaining rights to convey storm water to a low area west of the proposed development. An easement shall be dedicated to the City for an onsite drainage reservoir and the off-site drainage reservoir.

34. The developer/applicant is advised that he is obligated to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS0000002 for discharge of storm water associated with construction activity will be required (except operations that result in disturbance of less than five acres of total land area and which are not a part of a larger common plan of development or sale). Before construction begins, the proponent must submit a Notice of Intent (NOI) to comply with the permit, a site map, and appropriate fee to the State Water Resources Control Board (SWRCB). The proponent must also prepare a Storm Water Pollution Prevention Plan (SWPPP) for the entire project before construction begins. The SWPPP must contain at a minimum all items listed in Section A of the permit, including descriptions of measures to be taken to prevent or eliminate unauthorized non-storm water discharges and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, detention basins, etc.) best management practices that will be implemented to prevent pollutants from discharging with storm water into water of the United States. If portions of the project area are to be sold off before the entire project is completed, the proponent must submit to the California Regional Water Quality Control Board a change of information form identifying the new owners along with a revised site map clearly depicting those portions that were sold and those that are remaining. The proponent is also responsible for informing each new owner of their responsibility to submit their own NOI, site map, and appropriate fee to the SWRCB and to prepare their own SWPPP.

35. Rear yard setbacks shall be at least 34 feet for any two-story residences on lots along Indiana Street. Lot 19, as identified on the map, shall have a 34-foot side yard setback if a two-story home is built at that location.
36. A minimum 6-foot block wall along Indiana Avenue must be constructed. Wall returns shall be installed on the subdivision entry lots on either side of the intersection of Indiana Street and Pin Oak Avenue and on the southeastern corner of the intersection of Indiana Street and Brown Avenue as shown on the Vesting Tentative Subdivision map.

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

38. The developer/applicant shall construct all weather alternative vehicular access road equipped with a double 2.5" pipe security gate with Knox padlock to accommodate emergency service vehicles at such time that phased development of the subdivision results in creation of dead end cul-de-sac streets in excess of 600 feet long. This road shall be designed to avoid and preserve the oak tree near the southwest boundary of the project at the property line.

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

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

41. The developer/applicant shall install a forty-eight (48) inch high chain link fence along the north property line, on the north side of Brown Ave, except at Chess Terrace Street. Type "N" signs, three (3) total, shall be placed on the chain link fence at the intersection of Cottage Street and Brown Avenue.

42. The developer/applicant shall connect Chess Terrace Street (north of project area) to Brown Avenue. Street structural section shall comply with City standards and Caltrans Design Manual. Curb, gutter and sidewalk are not required along Chess Terrace.

43. The developer/applicant shall provide a mid lot access street to the adjacent easterly property.

44. The developer/applicant shall construct disabled ramps at all street intersections that comply with American Disability Act (ADA). Compliance with ADA Standards and any changes thereto, is a requirement for the life of the Vesting Tentative Map.

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

46. The developer/applicant shall move existing utility structures (For example, poles, splice boxes, vaults, etc.) to a position that provides a minimum of four feet (4') of clear space in the sidewalk area and a minimum of two feet (2') of clear space from the curb face to the structure, unless they are below grade (Title 24 DSA) or provide surety in lieu of (Section 2616.1 of the Zoning Ordinance).
47. Prior to acceptance of improvements, the developer/applicant shall provide streetlights on Marbelite poles complying with Southern California Edison Company specifications as required by the City Engineer. Use of wood poles is prohibited without prior written approval of the City Engineer. Street light spacing shall be at 160ft intervals, staggered throughout the proposed subdivision. The following street light luminaries are requirements for this development, e.g.:

<table>
<thead>
<tr>
<th>Street</th>
<th>Lumens</th>
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<tbody>
<tr>
<td>Indiana Street</td>
<td>9500</td>
</tr>
<tr>
<td>Brown Avenue</td>
<td>5800</td>
</tr>
<tr>
<td>Internal Streets</td>
<td>5800</td>
</tr>
</tbody>
</table>

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

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

50. The developer/applicant shall dedicate property to the Poplar Ditch Company as required for maintenance.

51. The developer/applicant is hereby notified that reimbursement for Master Plan facilities is made when funds are available and is contingent upon the work being done by the approved low bidder of at least two bona fide bidders. The bids must be approved by the City prior to construction.

52. The developer/applicant shall obtain written direction from the Poplar Ditch Company that addresses the improvements required along the Poplar Ditch. The irrigation district shall also address the interest they may or may not have in the land designated as lot 197 on the Vesting Tentative Map.

53. The developer/applicant shall also obtain written direction from the Poplar Ditch Company that address the City’s intention of having a pedestrian trail along the north side of the ditch. The City would anticipate a minimum of a 10ft trail with a chain link fence along or near the top of the ditch bank. The trail shall be confined to the boundaries of the subdivision and eventually continue to Jaye Street. The trail, including the landscaping and irrigation, shall be constructed and dedicated to the City as a part of the development. Pedestrian trail and landscape maintenance shall be included in the landscape and maintenance district.

54. The developer/applicant shall provide access to the trail via cul-de-sac(s) ending at or near the southerly boundary of the subdivision.
55. The developer/applicant has resolved all issues related to improvements adjacent to the Poplar Ditch with the controlling district prior to approval.

56. Signs require a separate permit.

57. Comply with latest applicable codes.

58. When any portion of the building to be protected is in excess of 150 feet from a water supply on a public street, there shall be installed on-site fire hydrants capable of supplying the required flow.

59. Additional fire hydrants will be required. All hydrants must be in place and accepted by the Fire Department prior to any combustibles being brought onto the site. An approved detector check valve must be installed per City standards on any hydrant located on private property.

60. The City will test and maintain all fire hydrants in the City whether on private property or not. An “easement” is required from the owner.

61. Access roads shall be provided for every facility, building or portion of a building, when any portion of the facility or portion of an exterior wall is located more that 150 feet from a fire apparatus access as measured by an approved route around the exterior of the building.

62. Fire hydrants spacing shall be as follows: In Residential development, one hydrant shall be installed at every 500 feet intervals.

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

64. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City Standards.

65. All turns on driveways must meet the minimum radius allowed set by City standards.

66. Project must meet minimum fire flow requirements per table in Appendix III-A & III-B of the California Fire Code.

67. Areas identified as “Fire Lanes” must be identified as such by red painted curbs and identified per requirements set forth in the California Vehicle Code Sec. 22500.1.

68. Any gates installed in the project that restrict access must be fitted with a Knox Key.

69. Additional requirements for compliance with the Uniform Fire Code may be added at the time of building permit review when more information regarding the building type and use are provided.
70. Hydrants will be required along streets that do not have structures facing them at a maximum spacing distance of 1000' per CFC Appendix III-B Table A-III-B-1 note number 3.

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

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

73. The term of the vesting tentative map shall conform to the provisions of Government Code Sections 66452.6(e) and 66498.5.

Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By Georgia Hawley, Chief Deputy City Clerk
Table 6-1  
Mitigation Reporting/Monitoring Program*  

<table>
<thead>
<tr>
<th>Impact III a), b), c) - Air Quality:</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
<th>Monitoring</th>
<th>Time Span</th>
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<tbody>
<tr>
<td>a) Conflicting with or obstructing implementation of the applicable air quality plan.</td>
<td>Mitigation Measure III a), b), c): Comply with the following optional SJVAPCD Regulation VIII PM10 reduction measures:</td>
<td>Mitigation measures shall be incorporated into construction contract between applicant and contractor</td>
<td>City of Porterville and San Joaquin Valley Air Pollution Control District</td>
<td>Project construction</td>
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<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.</td>
<td>Enhanced Control Measures - The following measures should be implemented at construction sites when required to mitigate significant PM10 impacts (note: this measure is to be implemented in addition to Regulation VIII requirements):</td>
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<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.</td>
<td>Additional Control Measures - The following control measures are strongly encouraged at construction sites that are large in area, located near sensitive receptors, or which for any other reason warrant additional emissions reduction:</td>
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- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
- Install wind breaks at windward side(s) of construction areas.
- Suspend excavation and grading activity when winds exceed 20 mph.
- Limit area subject to excavation, grading, and other construction activity at any one time.

* The mitigation measures listed in this table will reduce all environmental impacts to a less than significant level.

Royal Oaks View Subdivision  
Initial Study and Mitigated Negative Declaration  
June 2006  
6 - 2
Impact | Mitigation Measures | Implementation | Monitoring | Time Span
--- | --- | --- | --- | ---
Construction Equipment Mitigation Measures:
- Use alternative fuel or catalyst-equipped diesel construction equipment
- Minimize idling time (e.g., 10 minute maximum)
- Limit the hours of operation of heavy duty equipment and/or the amount of equipment in use
- Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set)
- Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways
- Implement activity management (e.g., rescheduling activities to reduce short-term impacts)

Impact IV a), d) - Biological Resources:
Potentially substantial adverse effects on the following species: Valley oak trees, blue elderberry shrub, Valley Elderberry Longhorn Beetle, and avian predators or other resident migratory birds.

Mitigation Measure IV a), d):
Valley Elderberry Longhorn Beetle

The US Fish and Wildlife Service (USFWS) considers that complete avoidance (i.e., no adverse effects) may be assumed when a 100-foot (or wider) buffer zone is established and maintained around all elderberry plants containing stems measuring one-inch or greater in diameter at ground level. If a 100-foot buffer zone cannot be maintained around all elderberry plants with at least one stem 1-inch or greater in diameter at ground level, the USFWS must be contacted for guidance on how to proceed. In certain instances the USFWS may approve encroachment on the 100-foot buffer zone, provided a minimum setback of at least 20 feet from the dripline of each elderberry plant can be maintained. In addition, the USFWS will require

Royal Oaks View Subdivision
Initial Study and Mitigated Negative Declaration

June 2006
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<tr>
<th>Impact</th>
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<th>Monitoring</th>
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<td>written verification of protective measures, restoration and maintenance of the 100-foot buffer zone, and other requirements in order to approve the encroachment.</td>
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<td>Avian Predators and other Resident or Migratory Birds</td>
<td>A pre-construction nest survey for avian predators and other resident and migratory birds should be conducted prior to project construction if any heavy equipment operations are to occur during the breeding season (February 15 through September 15). The survey should include all large trees on the project site and all large trees on adjacent lands. If any occupied nests are observed, heavy equipment operations should be minimized or avoided until the young have fledged and nesting has ceased. If this is not feasible, the USFWS (and CDFG, if State-listed species, e.g., Swainson’s hawk are involved) would need to be contacted for guidance on how to proceed. The USFWS would prescribe specific mitigation dependant upon the particular species involved and the manner in which heavy equipment operations are to be conducted.</td>
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<td>Valley Oak Trees</td>
<td>The project shall retain all five Valley oak trees located on the project site and land adjacent to the project site. Construction activities within the dripline of these trees should be avoided or minimized. The following measures are recommended to minimize impacts to valley oaks during project construction. These measures are adapted from the Standard Specifications for Building Around Valley Oaks, City of Visalia Urban Forestry Guidelines (2004).</td>
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<td>• A protection zone around all Valley oaks should be drawn to scale on plans; this includes accurately locating the trunk and depicting the crown dripline.</td>
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<tr>
<td>Impact</td>
<td>Mitigation Measures</td>
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<td>Earthwork is discouraged around the crown dripline.</td>
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<td>• All utility locations should be included in all development plans involving valley oaks.</td>
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<td>• Protective tree fencing should be added prior to any earthwork, at least 3 ft. minimum in height, installed at outer most end of the dripline surrounding the trunk of a valley oak. The temporary fencing should be safety orange color, plastic webbing, temporary construction type fencing (snow fencing). Steel T-bar stakes should support the fencing. This fence should remain until construction is complete. Nothing should be stored inside the protective fence.</td>
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<td>• The addition of fill within the crown dripline of a valley oak should be limited to a maximum of 6 inches and no fill should be placed within 10 feet of the trunk. The fill should be of a high quality soil and clean of any debris.</td>
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<td>• Trenching within the crown dripline of a valley oak should be avoided. If utilities must be installed within the crown dripline it is recommended that utilities be installed via directional boring at a minimum depth of 36&quot;. If this is not feasible, care should be taken to avoid damaging the root system. Larger supportive roots should not be cut. If possible, there should be no soil compaction, paving or structures placed within the crown dripline of a valley oak.</td>
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<td></td>
<td>• Valley oak trees should be irrigated before construction starts and through construction during the summer (June through October). This will help ensure that the tree can better withstand the stresses of construction. Irrigation is extremely important during spring and summer when the environment around a mature valley oak is changed by construction. Irrigations should water all of the area under the crown dripline.</td>
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<tr>
<td>Impact</td>
<td>Mitigation Measures</td>
<td>Implementation</td>
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<td>Impact V a) - Cultural Resources: Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5.</td>
<td>Mitigation Measure V a): According to a cultural resources record search completed by the Center for Archaeological Research at California State University, Bakersfield (Appendix D) the only recorded historic resource within the general area of the project is Poplar Ditch. As proposed, no impacts to Poplar Ditch are anticipated. A 48-inch high chain link fence, a 6-foot wide walkway, and public access and landscaping areas will be developed along the south side of the project to avoid impacts to Poplar Ditch.</td>
<td>Developer</td>
<td>City of Porterville</td>
<td>Project construction.</td>
</tr>
</tbody>
</table>
| Impact VII b) - Hazardous Materials Release: Asbestos and Lead | Mitigation Measure VII b): Several vacant residences are located on the project site. If any of these structures need to be demolished or dismantled and were built before 1972, they may contain asbestos-containing material and if they were built before 1978 they may contain lead-based paint. Any buildings built within these time frames will be inspected for the presence of these materials before they are demolished or dismantled. If they are found to contain asbestos, then the following standard San Joaquin Valley Air Pollution Control District (SJVAPCD) mitigation measures related to asbestos shall be implemented:  

- A thorough survey of any building containing regulated asbestos-containing material (RACM) will be | Construction | City of Porterville | Before and during construction. |

Royal Oaks View Subdivision  
Initial Study and Mitigated Negative Declaration

June 2006

6 - 6
<table>
<thead>
<tr>
<th>Impact</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
<th>Monitoring</th>
<th>Time Span</th>
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</thead>
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<td></td>
<td>conducted by qualified consultant.</td>
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<td>- A 10-day working notification of demolition of removal of asbestos will be released.</td>
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<td></td>
<td>- After this ten day period, the RACM may be removed but only after being inspected by a representative from the SJVAPCD.</td>
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<td></td>
<td>If there are any structures built before 1978 on the site to be demolished or dismantled, then the following mitigation measures shall be implemented:</td>
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<tr>
<td></td>
<td>- Evaluate paint waste independently from the building material to determine whether or not lead-based paint (LBP) is present and to specify its proper management.</td>
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<td>- If LBP is found, complete abatement prior to any demolition activities that would create lead dust or fume hazard.</td>
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<td></td>
<td>- Perform removal of LBP in accordance with California Code of Regulation Title 8, Section 1532.1, which regulates and specifies exposure limits, exposure monitoring, respiratory protection, and good worker practices by workers exposed to lead.</td>
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<td></td>
<td>- Provide evidence by any contractor performing LBP paint removal to the City Building Official and County Environmental Health Department of the contractor’s certified training for lead-related construction work.</td>
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</table>

**Impact XI a), b), c) - Noise:**

- exposure to noise levels in excess of those established in the local General Plan,
- excessive groundborne vibration of groundborne noise levels, or a substantial permanent increase in

<table>
<thead>
<tr>
<th>Mitigation Measure XI a), b), c):</th>
<th>Project Architect</th>
<th>City of Porterville</th>
<th>Throughout design of individual buildings.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. A minimum 6-foot block wall for lots fronting on Indiana shall be installed. Wall returns shall be installed on the subdivision entry lots on either side of the intersection of Indiana Street and Pin Oak Avenue (the project driveway) and on the northwestern corner of the lot at the intersection of Indiana Street and</td>
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*Royal Oaks View Subdivision*

*Initial Study and Mitigated Negative Declaration*
### Impact

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<th>Impact</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
<th>Monitoring</th>
<th>Time Span</th>
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</thead>
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<tr>
<td>ambient noise levels</td>
<td>Brown Avenue as shown on the Vesting Tentative Tract Map for the project.</td>
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<tr>
<td>2.</td>
<td>Rear yard setbacks shall be at least 34 feet for any two-story residences on lots that back up to Indiana Street. Lot 19, as shown on the Vesting Tentative Tract Map, shall have a 34 foot side yard setback on the side of that lot bordering Indiana Street for any two-story home.</td>
<td>Mitigation measures shall be incorporated into contract between applicant and contractor.</td>
<td>City of Porterville</td>
<td>Project construction.</td>
</tr>
<tr>
<td>Impact XI d) - Noise: Substantial Temporary Increase in Ambient Noise</td>
<td>Mitigation Measure XI d): During construction activities there will be a short-term increase in noise associated with construction equipment that may exceed the City’s noise level standards. These activities will be restricted to the hours between 7:00 AM and 5:00 PM Monday through Friday and 9:00 AM and 5:00 PM on Saturday and Sunday, and will be short-term in nature. Therefore the impact will be less than significant.</td>
<td></td>
<td>City of Porterville</td>
<td>Continued monitoring during project operation</td>
</tr>
<tr>
<td>Impact XV a), b), c) - Traffic</td>
<td>Mitigation Measure XV a), b), c): Implementation of mitigation measures required for existing conditions will sufficiently improve levels of service under the &quot;Existing Plus Project Scenario.&quot; Mitigation measures described in the TIS and listed below are projected to bring all project area roadways and intersections to acceptable LOS. The TIS’s suggested pro rata share of the cost of these improvements to be borne by this project is listed in Tables 3-6 and 3-7. For a more detailed description of the methodology used to arrive at these results, please refer to the TIS (Appendix B).</td>
<td></td>
<td>City of Porterville</td>
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</table>

#### Existing Conditions

*Springville Avenue/Jaye Street* intersection: Install a traffic signal and widen the eastbound and westbound approaches to accommodate left turn lanes. It is recommended that protective phasing be applied to this traffic signal. Under “Existing” conditions, this intersection is operating at LOS

Royal Oaks View Subdivision  
*Initial Study and Mitigated Negative Declaration*  

June 2006  
6 - 8
<table>
<thead>
<tr>
<th>Impact</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
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<th>Time Span</th>
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<tbody>
<tr>
<td>&quot;F&quot; conditions during the AM and PM peak hour periods. With the implementation of the recommended mitigation measures, this intersection is projected to operate at LOS &quot;C&quot; conditions during the AM and PM peak hour periods.</td>
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<tr>
<td>State Route 190 EB Off Ramp/Main Street intersection. Install a traffic signal. Under &quot;Existing&quot; conditions, this intersection is operating at LOS &quot;F&quot; conditions during the AM and PM peak hour periods. With the implementation of the recommended mitigation measures, this intersection is projected to operate at LOS &quot;B&quot; conditions during the AM and PM peak hour periods.</td>
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<td>It should be noted that long periods of delay were observed for the eastbound left turning movement at the Poplar Road (a/o State Route 190)/Jayne Street intersection; in fact, many of these movements were turning right and then making U-turns on Jayne Street to the south. However, because this intersection was analyzed as an isolated intersection and is based upon the outputs of the traffic analysis software, it currently operates at acceptable LOS conditions under all &quot;Existing&quot; scenarios. Although the traffic analysis software shows an acceptable LOS, field surveys by the traffic engineer indicate that there is a need to implement the mitigation measures described in the Jayne Street/Gibbons Avenue Study, specifically, relocating this intersection 300 feet south of the State Route 190 intersection.</td>
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</table>

**Existing Plus Project**

Under "Existing plus Project" conditions, the mitigation measures assumed under "Existing" conditions would result in acceptable operating conditions. Table 3-6 identifies the pro rate share intersection calculations for this project.

**Existing Plus Approved/Pending Projects Conditions**

Under "Existing plus Approved/Pending Projects"
<table>
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<tr>
<th>Impact</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
<th>Monitoring</th>
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<td>conditions, the following mitigation measures are recommended:</td>
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<td></td>
<td><em>Springville Avenue/Jaye Street</em> intersection: In addition to the improvements recommended under the “Existing” conditions scenario, it is recommended that the eastbound lane approach should be widened to accommodate a right turn lane; widen the westbound lane approach to accommodate a dedicated right turn lane; widen the northbound approach to accommodate a dedicated thru lane and a dedicated thru-right lane; widen the southbound approach to accommodate dual dedicated thru lanes. This intersection is projected to operate at LOS “F” conditions during the AM and PM peak hour periods. This is a result of vehicles experiencing long periods of delay on Springville Avenue (minor street) while waiting for a “gap” to enter or cross Jaye Street (major street). This intersection is also projected to meet the MUTCD Peak-Hour Warrant 3. With the implementation of the recommended mitigation measures, this intersection is projected to operate at LOS “C” during the AM and PM peak hour periods.</td>
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<td><em>Poplar Road (north of SR 190)/Jaye Street</em> intersection: The development of the Riverwalk Marketplace and Porterville Commercial Center will lead to the intersection closure of Poplar Road North of State Route 190/Jaye Street.</td>
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<td><em>State Route 190/Jaye Street</em> intersection: Widen the southbound approach of this signalized intersection to include dual right turn lanes and dual left turn lanes; widen the eastbound approach to include dual left turn lanes; widen the westbound approach to include dual right turn lanes. In addition to the above mitigation, right turn overlap phasing should be implemented on all approaches. Under “Existing plus Approved/Pending Projects” conditions this intersection is projected to at LOS “F”</td>
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<tr>
<td>Impact</td>
<td>Mitigation Measures</td>
<td>Implementation</td>
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<tr>
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<td>during the AM and PM peak hour periods. With the implementation of the recommended mitigation measures, this intersection is projected to operate at LOS &quot;D&quot; conditions during the AM and PM peak hour periods.</td>
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<td><em>Joye Street from State Route 190 to Springville Avenue:</em> With construction of Approved/Pending projects it is recommended that this two-lane collector be improved to a four lane arterial per the City's design standards.</td>
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<tr>
<td><strong>Existing Plus Approved/Pending Projects Plus Project Conditions</strong></td>
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<tr>
<td><strong>Under &quot;Existing plus Approved/Pending Projects plus Project&quot; conditions, the mitigation measures assumed under &quot;Existing plus Approved/Pending Projects&quot; would result in acceptable operating conditions. Table 3-7 identifies the pro rata roadway share calculations for this project.</strong></td>
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<tr>
<td><strong>Year 2030 Base No-Build Conditions</strong></td>
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<tr>
<td><strong>Under &quot;Year 2030 Base No-Build&quot; conditions, it is assumed that Joye Street will have been improved to a four lane arterial from State Route 190 to Springville Avenue as called for in the Circulation Element of the City's current General Plan and that mitigation measures identified through &quot;Existing plus Approved/Pending Projects plus Project&quot; conditions have been implemented. In addition, the following mitigation measures are recommended:</strong></td>
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<td><em>Springville Avenue/Joye Street intersection:</em> Widen the northbound approach to accommodate dual left turn lanes.</td>
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<tr>
<td>**Under &quot;Year 2030 Base No-Build&quot; conditions this intersection is projected to operate at LOS &quot;E&quot; conditions during the PM peak hour period. Implementation of the recommended mitigation measures will result in LOS &quot;D&quot;</td>
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<tr>
<td>Impact</td>
<td>Mitigation Measures</td>
<td>Implementation</td>
<td>Monitoring</td>
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<tr>
<td>State Route 190/Jaye Street intersection:</td>
<td>Widen the westbound approach to accommodate three through lanes. This intersection is projected to operate at LOS “E” during the PM peak hour period. Implementation of the recommended mitigation measure will result in LOS “D” conditions during the PM peak hour.</td>
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<tr>
<td>Gibbons Avenue/Indiana Street intersection: Install a traffic signal. This intersection is projected to operate at LOS “F” during the AM and PM peak hour periods. Implementation of the recommended mitigation measure will result in LOS “D” conditions during the PM peak hour.</td>
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<tr>
<td>Scranton Avenue/Indiana Street intersection: Widen the northbound and southbound approaches to accommodate two thru lanes. This intersection is projected to operate at LOS “F” during the AM and PM peak hour periods. Implementation of the recommended mitigation measure will result in LOS “D” conditions during the PM peak hour.</td>
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</table>

**Year 2030 Base Plus Project Conditions**

Under “Year 2030 Base plus Project” conditions, it is assumed all intersections except for Poplar Road (south of State Route 190)/Jaye Street will be operating at a LOS “D” or better if all aforementioned mitigation measures are implemented. Therefore, the following improvements are recommended:

*Poplar Road (s/o State Route 190)/Jaye Street intersection:* This intersection is projected to operate at LOS “E” conditions during the AM and PM peak hour periods. The following discusses a recommendation from *Jaye Street Improvement Project Traffic Analysis (OMNI-MEANS, May 2003)*:
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<th>Impact</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
<th>Monitoring</th>
<th>Time Span</th>
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</thead>
<tbody>
<tr>
<td>&quot;Poplar Road (south of State Route 190)/Jaye Street intersection: Close this intersection by eliminating access to Jaye Street. Based upon a queuing analysis performed by OMNI-MEANS, inadequate storage between this intersection and the State Route 190/Jaye Street intersection immediately to the north will result if a traffic signal is installed at Poplar Road (south of State Route 190)/Jaye Street. It is projected that substantial queues would be created between the two intersections that would result in unsafe operating conditions. Alternative access is recommended that would be a minimum of 300 feet south of State Route 190.&quot;</td>
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However, it should be noted that limited access points are located south of this intersection to provide a logical connection to Jaye Street and that right-of-way acquisition may be necessary. Another alternative, which is included as a supplement to this report, would be to reconfigure Poplar Road s/f State Route 190 to a right turn only driveway and to provide for a roundabout on Jaye Street south of State Route 190 that would tie into Montgomery Avenue. However, due to the large percentage of trucks, the design of a traffic circle would have to accommodate the amount of trucks that are traveling to/from the current industrial land uses.
<table>
<thead>
<tr>
<th>Impact XVII a) — Mandatory Findings of Significance: Impacts on wildlife</th>
<th>Mitigation Measures</th>
<th>Implementation</th>
<th>Monitoring</th>
<th>Time Span</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mitigation Measure XVII a): See Impact IV a), d)</td>
<td>Developer and Qualified biologist</td>
<td>City of Porterville</td>
<td>Before, during, and after project construction.</td>
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| Impact XVII b) — Mandatory Findings of Significance: Cumulative traffic impacts | Mitigation Measure XVII b): See Impact XV a), b), c | City of Porterville | City of Porterville | Continued monitoring during project operation. |

---

*Royal Oaks View Subdivision*

*Initial Study and Mitigated Negative Declaration*
I, JOHN LONGLEY, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of a resolution passed and adopted by the Council of the City of Porterville at a regular meeting of the Porterville City Council duly called and held on the 1st day of August, 2006.

THAT said resolution was duly passed adopted by the following vote:

<table>
<thead>
<tr>
<th>Council:</th>
<th>McCracken</th>
<th>P. Martinez</th>
<th>F. Martinez</th>
<th>Stadtherr</th>
<th>Hamilton</th>
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<tbody>
<tr>
<td>AYES:</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
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<td>NOES:</td>
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<td>ABSTAIN:</td>
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<td>ABSENT:</td>
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JOHN LONGLEY, City Clerk

by Patrice Hildreth, Deputy City Clerk
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT OF THE APPROVAL OF A TWELVE (12) MONTH EXTENSION OF TIME FOR ROYAL OAKS VESTING SUBDIVISION MAP GENERALLY LOCATED ON THAT SITE NORTH OF POPLAR DITCH AND EAST OF INDIANA STREET.

WHEREAS: On June 6, 2006, the City Council of the City of Porterville adopted a Mitigated Negative Declaration of environmental impact for the Royal Oaks View Vesting Tentative Subdivision map; and

WHEREAS: On June 6, 2006, the City Council of the City of Porterville adopted a Vesting Tentative Subdivision Map for the Royal Oaks Subdivision; and

WHEREAS: The Porterville City Council at its regularly scheduled meeting of July 1, 2008, considered a twelve (12) month extension of time request for Royal Oaks Vesting Subdivision Map, generally located on that site North of Poplar Ditch;

WHEREAS: Section 66452.6 (e) of the State Map Act allows the City Council to grant extension of time for tentative map (both subdivision and parcel maps) for a period not to exceed a total of five (5) years;

WHEREAS: That the extension of time will allow the developer an opportunity to keep the map active and fulfill the development requirements for the proposed subdivision.

NOW, THEREFORE, BE IT RESOLVED: That the Porterville City Council does hereby approve a twelve (12) month extension of time for Royal Oaks Vesting Subdivision Map and that the conditions specified in City Council Resolution 99-2006 and 100-2006 shall remain in full force and effect. Said extension of time shall commence July 1, 2008, and shall expire on July 1, 2009.

________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By ___________________________
Patrice Hildreth, Chief Deputy City Clerk
SUBJECT: PRELIMINARY ANNUAL ENGINEER’S REPORT OF ASSESSMENTS FOR LIGHTING & LANDSCAPE MAINTENANCE DISTRICTS AND SETTING A PUBLIC HEARING

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: The City has created sixty-one lighting and landscape maintenance districts (LMD’s) since 1989. A separate district has been established for each new land development. Many of these districts only contain street lighting, for which the assessment was to collect only a portion of the street lighting cost. Other districts have landscape improvements installed within public right-of-ways or public properties in addition to the street lighting. In these instances, the landscaping has been established to provide a more aesthetic appearance and a healthier environment. Only the property owners directly benefiting from improvements are assessed for the maintenance effort. Annually, a process of evaluating maintenance needs and establishing an assessment for each LMD must be followed.

The first attached Resolution is necessary to initiate the annual Engineer’s Report, which will show the proposed assessments for the 2008-2009 fiscal year. The second Resolution provides preliminary approval to the Engineer’s Report for fiscal year 2008-2009, and sets a Public Hearing on the assessments for July 15, 2008. The comprehensive annual Engineer’s Report is provided as an attachment. Once the assessments are approved by the City Council, they are transmitted to the County of Tulare for placement upon the tax bill of the property owners and indicated as a special assessment. The third Resolution declares the intent of the City Council to levy and collect the assessments for fiscal year 2008-2009.

Also to be provided separate from this report is a spreadsheet to illustrate the beginning and ending fund balance for the current fiscal year, as well as the proposed full district assessment. This spreadsheet has a column to indicate whether the proposed assessments include a consumer price index adjustment. A few districts still have negative fund balances, but the number of such is fewer as the efforts to bring those inline have improved. The authority to raise assessments lies with the consent of the assessed property owners. The fund balances for several districts justify refunds. The refunds are proposed to be accomplished through a ‘One Time Adjustment’ in the assessments for those districts. In effect the assessments are established, but a one-time credit is applied to reduce the amount of assessment levied onto the tax roll. Staff is committed to continued efforts to improve the assessment process during the upcoming fiscal year. It is anticipated that this process will result in the consolidation of many districts and the likely reduction of assessments for many of those. While working through the consolidation considerations this year it is staff’s goal to identify options to an increase in assessments for those still with negative fund balances.
RECOMMENDATIONS: 1. That the City Council adopt Resolutions:
   c. Declaring the intent to levy and collect assessments for fiscal year 2008-2009, and offering a time and place for hearing objections thereto.

2. Further, that the City Council set a public hearing for 7:00 PM on July 15, 2008 regarding the Engineer’s Report and proposed assessments for the Landscape and Lighting Maintenance Districts for fiscal year 2008-2009.

ATTACHMENTS: Resolution ordering preparation of Engineer’s Report
Resolution of preliminary approval to Engineer’s Report
Engineer’s Report for fiscal year 2008-2009
Resolution declaring intent to levy assessments
RESOLUTION NO.: ________


WHEREAS, the City Council of the City of Porterville has determined that the public interest, convenience and necessity required the maintenance of lighting systems, landscape planting materials, irrigation systems and appurtenances in designated areas of the City; and

WHEREAS, the City has established assessment districts to recover the cost of maintenance work; and

WHEREAS, Section 22622 of the California Streets and Highways Code requires that an Engineer’s Report be prepared and filed annually, outlining the assessments to be levied against the properties within the assessment district.

NOW, THEREFORE, be it resolved by the City Council of the City of Porterville that:


2. The Engineer of Work is ordered to prepare the report for fiscal year 2008 – 2009 in accordance with Article 4, Division 15, of the Streets and Highways Code, "Landscaping and Lighting Act of 1972" of the State of California.

APPROVED AND ADOPTED this 1st day of July 2008.

__________________________________________
Cameron Hamilton, Mayor

ATTEST:
John Longley, City Clerk

By: ________________________________
Patrice Hildreth, Chief Deputy City Clerk
RESOLUTION NO.: ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, OF PRELIMINARY APPROVAL OF ENGINEER’S REPORT FOR FISCAL YEAR 2008-2009 FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS

WHEREAS, on the 1st day of July, 2008 said City Council did adopt a Resolution directing the Engineer of Work to make and file with the City Clerk of said City a report in writing for Fiscal Year 2008-2009 as required by the Landscaping and Lighting Act of 1972;

WHEREAS, said Engineer of Work has made and filed with the City Clerk of said City a report in writing as called for in said Resolution and under and pursuant to said Act, which report has been presented to this Council for consideration;

WHEREAS, said Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that said report, nor any part thereof, requires or should be modified.

NOW, THEREFORE, be it resolved by the City Council of the City of Porterville that:

1. That the Engineer’s Estimate of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby preliminarily approved and confirmed.

2. That the diagram showing the Assessment Districts referred to and described in said report (the boundaries of the subdivision of land within each said Assessment District), are approved and confirmed as the same as existed at the time of passage of Resolution originally establishing each District.

3. That the proposed assessments upon the subdivisions of land in said Assessment Districts are in proportion to the estimated benefit to be received by said subdivisions, respectively, from said normal and customary maintenance and of the incidental expenses thereof, as contained in said report, and are hereby preliminarily approved and confirmed.

4. That said report shall stand as the Engineer’s Report for the purposes of all subsequent proceedings, and pursuant to the proposed district.

Reference is hereby made to said maps for further, full and more particular description of said Assessment District, and the same maps so on file shall govern for all details as to the extent of each said Assessment District.
APPROVED AND ADOPTED this 1st day of July 2008.

______________________________
Cameron Hamilton, Mayor

ATTEST:
John Longley, City Clerk

By: ____________________________
Patrice Hildreth, Chief Deputy City Clerk
SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville, Resolution Number. The report is in compliance with the requirements of Chapter 1, Article 4, and Chapter 3, Division 15 of the Streets and Highways Code, State of California (Landscaping and Lighting Act of 1972).

SECTION 2. General Description

The City Council has heretofore elected to place the permanent landscape area along Westwood Street of Westwood Estates, Unit 1, 2, and 3 subdivisions, into Landscape and Lighting Maintenance District No. 1 and to annex the permanent landscape areas along the perimeter streets of the following developments:

1. Annexation No. 1 = The Hope Drive, Newcomb Street, Thunderbolt Drive and Corsair Drive frontages of the Airport Industrial Park

2. Annexation No. 2 = Hillcrest Street right-of-way, fire access road, Jasmine Drive entries; west perimeter including the parcel on which the water tank is located, viewpoint look-out parcel at the northwest corner of Jasmine Ranch Subdivision, and the pedestrian access to each cul-de-sac from Hillcrest Street

3. Annexation No. 3 = Porter Creek Avenue right-of-way to the center line of the Porter Slough, median entry, 15' landscape area between Porter Creek Subdivision block wall to Westwood Street, the pedestrian access bridge over Porter Slough and all of the maintenance area to the center line of Porter Slough

4. Annexation No. 4 = LaVida Park Subdivision green belt, east on Plum Way Street and the entries east along Beverly Street

5. Annexation No. 5 = Westwood Estates #4 Subdivision, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip

6. Annexation No. 6 = Northpointe Subdivision includes subdivision lighting located south of Westfield Avenue and east of Mathew Street

7. Annexation No. 7 = Quail Park Phase II Subdivision located on Lime Street

8. Annexation No. 8 = Westwood Park Unit Three Subdivision located on Westwood Street adjacent to the Tule River

9. Annexation No. 9 = Parcel Map No. 4132 located on the corner of Henderson Avenue and Westwood Street

10. Annexation No. 10 = Westview Subdivision located on the corner of Westfield Avenue and Cobb Street
11. Annexation No. 11 = New Horizons Phase One Subdivision and the remainder parcel located along Springville Ave. and Indiana Street
12. Annexation No. 12 = Sunrise Estates Phase Six Subdivision located on the corner of Prospect Street and Orange Avenue
13. Annexation 13 WITHDRAWN
14. Annexation No. 14 = Wisconsin Manor I Subdivision located on the corner of Wisconsin Way and Mulberry Avenue
15. Annexation No. 15 = Northpointe Phase II Subdivision located on Mathew Street
16. Annexation No. 16 = New Horizons Phase II located on the corner of Indiana Street and Springville Avenue
17. Annexation 17 NOT FORMED;
18. Annexation No. 18 = Westwood Mobile Home Park Phase I Subdivision located on Westwood Street and Olive Avenue
19. Annexation No. 19 = Castle Woods Phase I Subdivision located along Castle Avenue and Newcomb Street
20. District No. 2 = North Creek Estates located on Westwood north of Westfield
21. District No. 3 = New Expressions Phase I Subdivision located along Indiana Street between Springville Avenue and Cleo Avenue
22. District No. 4 = River Springs Phase I Subdivision located along Newcomb Street
23. District No. 5 = Castle Woods Phase II Subdivision located at Median Avenue and Salisbury.
24. District No. 6 = Creekview Estates located between Porter Creek Avenue and the property line in Porter Slough
25. District No. 7 = Ford Estates located on the corner of Roby and Westwood Avenue
26. District No. 8 = River Breeze located on Newcomb Street between Patsy and Spring Streets
27. District No. 9 = Orchard Ridge Phase 3 located on Mathew Street between Nancy Avenue, Cheryll Avenue and Belmont Street
28. District No. 10 = Orchard Ridge Phase 4 located on LaVida Court and Carmelo Street
29. District No. 11 = Orchard Ridge Phase 5 located on Mathew Street between LaVida Avenue, Michael Street and Julieanne Avenue
30. District No. 12 = Westwood Estates, Unit 5, Phase 2, located on Henderson Avenue and Brandy Way
31. District No. 13 = River Ranch 3, located on Lloyd Avenue and Newcomb Street
32. District No. 14 = River Springs, Phase Two Subdivision, located on River Avenue, Beverly Street, Date Avenue and River Springs Drive
33. District No. 15 = Meadowood, Phase One Subdivision, located on Newcomb Street, Cheryl Avenue and York Street
34. District No. 16 = New Expressions, Phase Two Subdivision, located on Lybarger Avenue Cul de Sac at the entry to the Tule River Parkway Trail
35. District No. 17 = Orchard Ridge Phase 6 Subdivision located north of Westfield Avenue between Michael Street and Lombardi Street on Julieann Avenue and Michael Street
36. District No. 18 = Ohio North Subdivision located on Ohio Way Street
37. District No. 19 = Williams Ranch, Phase One located south of Westfield Avenue on Silver Maple Street, Wall Court and San Lucia Court
38. District No. 20 = West View Place Subdivision located on Median Avenue
39. District No. 21 = Orchard Ridge Phase Seven Subdivision located on Pioneer Avenue, Michael Street and Mathew Street
40. District No. 22 = Meadowood Phase Two Subdivision located on Newcomb Street, Pioneer Avenue, Julieann Avenue, Greenfield Street, York Street and Birch Street
41. District No. 23 = Riverview Estates Phase Three Subdivision located on Roby Avenue, Belmont Street, Orange Avenue and Parkwest Street
42. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue and Santa Maria Avenue
43. District No. 25 = Casas Del Rio Subdivision located on Date Street, Casas Del Rio Avenue, Presidio Avenue, Rio Bonito Street, Alamo Court, Camellia Street, Tule Court and Rio Vista Avenue
44. District No. 26 = Orchard Ridge, Phase Nine Subdivision located on Belmont Street, Pamela, Santa Maria and Pioneer Avenues
45. District No. 27 = New Expressions, Phase Three Subdivision located on Springville Avenue, Cleo Avenue and McIntire Avenue along Wisconsin Street
46. District No. 28 = Meadowood, Phase Three Subdivision located on Westfield Avenue, Cheryll Avenue, Salisbury Street, Julieann Avenue and Pioneer Avenue
47. District No. 29 = River Springs, Phase 3 Subdivision located on Date Avenue, River Springs Drive and Atkins Court
48. District No. 30 = Sierra Meadows, Phase 1, Subdivision located at Indiana Street and Gibbons Avenue
49. District No. 31 = Williams Ranch, Phase 2 and 3 Subdivision on Westwood Street between Henderson and Westfield Avenues
50. District No. 32 = Sunrise Villa, Phase 1 Subdivision located at Cottage Street and Mulberry Avenue
51. District No. 33 = New Expressions, Phase 4 Subdivision located on Indiana Street between Springville Avenue and the Tule River
52. District No. 34 = Meadow Breeze, Phase 2 Subdivision located on Castle Avenue and Mathew Street
53. District No. 35 = Meadow Breeze, Phase 1 Subdivision located on Pioneer Avenue and Salisbury Street
54. District No. 36 = Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue;
55. District No. 37 = Riverview Estates, Phase 4 Subdivision located south of Olive Avenue, and east of Mathew Street, including Union Lane and Parkwest Street
56. District No. 38 = Ranch Victoria, Phase One Subdivision located on the north side of Putnam Avenue and east of Mathew Street
57. District No. 39 = Williams Ranch Phase 4 Subdivision, including Theta Avenue, Bel-Aire Court, Terry Court, Silver Maple Street and Red Oak Street
58. District No. 40 = Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue, including Vine Avenue, Clare Avenue, Clare Court, and Dogwood Street
59. District No. 41 = Beverly Glenn Subdivision, located between Lotus and Beverly Streets, including Date Avenue.
60. District No. 42 = Sierra Estates Subdivision, located east of Leggett Street and including Grand Avenue, South Place, Doree Place and Maurer Street. It also includes stub streets for Belleview and Kanai Streets.
61. District No. 43 = Sierra Meadows Phase Two Subdivision located on Jaye Street and Gibbons Avenue and including Stacie, Yates, and Melinda Avenues and Mesa Oak and Pearson Streets.
62. District No. 44 = Summit Estates, Phase One Subdivision located along Mathew Street and includes Orange Avenue and Lombardi and Argyle Streets.
63. District No. 45 = New Expressions Phase Five Subdivision located along Parkway Drive and Indiana Street and includes Cloverleaf, Wisconsin, Bay Oak and Milo Streets.

SECTION 3. Plans and Specifications

The plans and specifications for the landscaping have been prepared by the developers' engineers and have been approved as part of the improvement plans for the various developments. The plans and specifications for the landscaping are in conformance with the requirements of the City Council's conditions of approval of said Parcel Maps and Subdivisions.

Reference is hereby made to said subdivision maps, parcel maps and assessment diagrams for the exact location of the landscape areas. The plans and specifications by reference are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

SECTION 4. Improvements
Landscaping improvements will include landscaping the entry ways, medians and areas behind subdivision block wall.

SECTION 5. Estimated Maintenance Costs

Maintenance is currently being performed by City staff and contract services. Accordingly, the City's record-keeping will be required to be sufficiently accurate to detail the expenses incurred on behalf of each individual annexation so that these costs may be recaptured through assessments.

The City Finance Department presently maintains records of expenditures for each annexation. Because of the restrictions placed upon municipal budgets through the passage of Proposition No. 218 and the lag between the time assessments are made and revenues are collected by the City, it is appropriate that assessments be made in advance of the anticipated expenditures to provide working capital for the maintenance effort. The fund balance for some districts would appear to justify a refund, however, it is clear that some of the costs for some of the districts have not been properly recognized. The staff is committed to identifying the discrepancies and rectifying during this fiscal year. It is recommended that refunds not be included until next year when that effort is complete.

The assessments include costs accumulated to date and estimated costs for the 2008-2009 fiscal year for Landscape and Lighting District No. 1, including Annexations 1 through 19 and District 2 through 45.

SECTION 6. Assessment Diagram

Copies of the assessment diagrams were attached to each individual Engineer's Reports and were labeled "Exhibit A". An Index Map is attached to this report identifying the location of the original district and each annexation.

SECTION 7. Assessment

The City Council, in forming Landscape and Lighting Maintenance District No. 1 and in annexing territories to the district, has maintained the philosophy that the subdivider or developer is responsible for the plantings, irrigation system and the maintenance of the improvements until they become well established. The assessments for maintenance thus only include anticipated costs incurred subsequent to the acceptance of the system by the City Council on behalf of the Maintenance District.

An exception to this philosophy is at Annexation No. 1, Airport Industrial Park, where the owners and the City will share costs for the plantings and irrigation system and the maintenance of improvements.

The maintenance of the landscaping is vital for the protection of both economic and humanistic values of the development. The City Council has heretofore determined that for the preservation of values incorporated within developments adjacent to landscaped areas, the landscaped areas should be included in a maintenance district to ensure satisfactory levels of maintenance. The establishment of the assessment for each development must be on a unit by unit basis which will preserve the integrity of each project. There should be a review of each annexation and District to determine if there are changed conditions that effect the assessment.
The determination of benefit for the lots within the districts takes into consideration the facts for the original districts and all annexations thereto.

Following are estimated maintenance costs and assessments for each District and Annexation.
Landscape and Lighting Maintenance District #1 -
Westwood Estates Subdivision
(Original Formation)
2008-2009 Fiscal Year
Approved CPI 2000
(Adj. 2007)
Maximum Assessment $15,242.14

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 13,650 sq. ft. of landscaped area
Project Management 126 Lots

$13,023.18

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance

($5,355.12)

Maintenance, 13,650 sq. ft. of landscaped area
Project Management, 126 lots $1,000 + $4.00 per lot
Eliminate Deficit Fund Balance over 10 years
Reserves 15%

$11,354.58
$1,504.00
$535.51
$2,009.11

Estimated Cost Per Year
$15,403.21

Previous year assessment
C.P.I. Increase of 2.9% since previous adjustment (2007)

$14,812.58
applied to reduce deficit = 0.029 x $14,812.58

$429.56

New Assessment
$15,242.14

ASSESSMENT

1. The purpose of the landscaping is to provide an aesthetic impression for the area.
2. The maintained landscaping benefits all properties in the development.
3. Each lot benefits equally from the other's landscaped area and therefore each lot
   will share the combined costs equally.
4. The benefit to the lots in the landscaped annexed area benefit by the uniform
   maintenance and appearance. All lots benefit equally.
5. The landscaping on Westwood Avenue is oriented away from the units adjacent
to the landscaped area.

FORMULA FOR ASSESSMENT

A = Assessment per lot
L = Number of lots
T = Total annual cost

A = \frac{T}{L}
The 2008-2009 assessment will be spread based upon the total lots. Total lot count is 126 lots.

Estimated Annual Assessment

\[
A = \frac{T}{L} = \frac{\$15,242.14}{126} = \$120.96 \text{ per lot}
\]
Annexation No. 1 - Airport Industrial Park  
2008-2009 Fiscal Year  
Maximum Assessment $3,833.00

**ESTIMATED ACCUMULATED COSTS 2007-2008**

- Maintenance  
- Project Management  
- Total: $1,134.00

**ESTIMATED COST 2008-2009**

- Projected July 1, 2008 Fund Balance: $(3,391.77)
- Maintenance: $2,885.53
- Project Management, 5 parcel maps $1,000 + $4.00 per map: $1,020.00
- Eliminate Deficit Fund Balance over 10 years: $339.18
- Reserves: $636.71
- Estimated Cost Per Year: $4,881.42
- Previous year assessment: $3,833.00
- New Assessment: $3,833.00

**ASSESSMENT**

1. The purpose of the landscaping is to provide an aesthetic impression for the area.
2. The maintained landscaping benefits all properties in the development.
3. The benefit to the lots not adjacent to the landscaped area benefit by the uniform maintenance and appearance. All lots not abutting the landscaped area benefit equally.
4. It is proposed that the assessment be divided among the property owners based on their lot size in the assessment area.
5. The area along the south side of Hope Avenue will be included for maintenance until such time that the adjacent property to the south is developed.
6. The following parcels are exempt from fees since they were sold and/or developed prior to annexation to Maintenance District No. 1.

   A. Parcel 1 on Parcel Map No. 3503  
   B. Parcel 1 on Parcel Map No. 3684  
   C. Parcels 1 and 4 on Parcel Map No. 3735

**FORMULA FOR ASSESSMENT:**

Total Landscape Maintenance Costs = Cost per Sq. Ft.  
Total Net Assessable Square Feet
$3,833 = $.00374 per sq. ft.
1,024,967 sq. ft.

Assess $.00374 per sq. ft. annual charge for landscape construction and maintenance for fiscal year.

Parcel 2 on P.M. No. 3813 = $156.82
Parcel 1 on P.M. No. 3503 = No Fee
Parcel 1 on P.M. No. 3641 = $261.47
Parcel 1 on P.M. No. 3684 = No Fee
Parcels 1 and 4 on P.M. No. 3735 = No Fee

Remaining property owner - COP = $3,414.71

Total = $3,833.00
Annexation No. 2 - Jasmine Ranch
2008-2009 Fiscal Year
Maximum Assessment $8,000.00

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 22,100 sq. ft. of landscaped area
Project Management 126 Lots
Total $6,079.45

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance ($3,443.69)

Maintenance, 22,100 sq. ft. of landscaped area $8,000.14
Project Management, 22 lots $1,000 + $4.00 per lot $1,088.00
Reserves $1,414.88

Estimated Cost Per Year $10,847.39
Previous year assessment $8,000.00
New Assessment $8,000.00

ASSESSMENT

1. The purpose of the landscaping is to provide an aesthetic impression for the area.
2. The maintained landscaping benefits all properties in the development.
3. Each lot benefits equally from the other landscaped areas, therefore, each lot will share the combined cost equally.
4. The landscape and pedestrian easement is now abandoned and is eliminated from the Landscape and Lighting Maintenance District No. 1, Annexation #2, no other changes are proposed.

FORMULA FOR ASSESSMENT:

\[ A = \text{Assessment per lot} = \text{Total Assessment} - \frac{F}{L} \]

The 2008-2009 assessment will be spread based upon the above formula. There are 22 lots in Unit One. The 47.89 acre remainder parcel is included on the final subdivision map and will be assessed 20% of the total estimated cost for landscaping maintenance until it is developed at which time it will be combined with the other completed units and assessed fully.

Estimated Assessment
\[ F = 8,000 \times 0.20 = \$1,600.00 \text{ for remainder} \]
\[ A = \frac{8000 - 1600}{22} = \$290.92 \text{ per lot in Unit One} \]
Annexation No. 3 - Porter Creek
2008-2009 Fiscal Year
Approved CPI 2000
Maximum Assessment $26,587.51

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 89,200 sq. ft. includes Slough Clean Up
Project Management 177 Lots
Total

$19,555.84

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance

$6,315.40

Maintenance, 89,200 sq. ft. of landscaped area
Project Management, 177 lots $1,000 + $4.00 per lot
Reserves (15%)

$24,359.29
$1,708.00
$3,910.09

Estimated Cost Per Year

$29,977.38

Previous year assessment

$23,643.46

New Assessment

$23,643.46

ASSESSMENT

1. The purpose of the landscaping is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping benefits all properties in the development.
3. The lots not adjacent to the landscaped area benefit from the uniform appearance of the landscaping. All lots not adjacent to the landscaped area benefit equally.

FORMULA FOR ASSESSMENT:

\[ A = \frac{T}{L} \]

A = Assessment Per Lot
L = Number of Lots
T = Total Annual Cost

The 2008-2009 assessment will be spread based upon the total lots. Total lot count is 177 lots.

\[ A = \frac{T = 23,643.46}{L = 177} = 133.58 \]

Estimated Assessment
A = $133.58
A = Assessment Per Lot
L = Number of Lots
T = Total Annual Cost
Annexation No. 4 - LaVida Park
2008-2009 Fiscal Year
Maximum Assessment $2,469.42

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 3,790 sq. ft. of landscaped area
Project Management 17 Lots
Total $2,450.96

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance ($640.78)

Maintenance, 3790 sq. ft. of landscaped area $2,557.22
Project Management, 17 lots $1,000 + $4.00 per lot $1,068.00
Eliminate Deficit Fund Balance over 10 years $64.08
Reserves $553.39

Estimated Cost Per Year $4,242.69
Previous year assessment $2,469.42
New Assessment $2,469.42

ASSESSMENT

1. The purpose of the landscaping is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping benefits all properties in the development.
3. The lots not adjacent to the landscaped area benefit from the appearance of the landscaping. All lots not adjacent to the landscaping benefit equally.

FORMULA FOR ASSESSMENT:

A = Assessment per lot
L = Number of lots
T = Total annual cost

A = \frac{T}{L} = \frac{2,469.42}{17} = $145.26

Estimated Assessment
A = $145.26
Annexation No. 5 - Westwood Estates Unit Four,
Unit Five (Phase 1)
2008-2009 Fiscal Year
Approved CPI 1999
(Adj. 2007)
Maximum Assessment $6,533.43

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 14,700 sq. ft. of landscaped area
Project Management 47 Lots
Total
$5,420.90

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance
($10,931.89)

Maintenance, 14,700 sq. ft. of landscaped area
$6,364.81
Project Management, 47 lots $1,000 + $4.00 per lot
$1,188.00
Eliminate Deficit Fund Balance over 10 years
$1,093.19
Reserves
$1,296.90

Estimated Cost Per Year
$9,942.90

Previous year assessment
$6,349.30
C.P.I. Increase since previous adjustment (2007)
applied to reduce deficit = 0.029 x $6,349.30
$184.13

New Assessment
$6,533.43

ASSESSMENT

1. The purpose of the landscaping is to provide a favorable aesthetic appearance of
the area.
2. Properly maintained landscaping benefits all properties in the development.
3. The lots not adjacent to the landscaped area benefit from the uniform appearance
of the landscaping. All lots not adjacent to the landscaped area benefit equally.
Trees in the front yard right-of-way are included in the District on White Chapel
Avenue.

The cost of planting and installing improvements is to be paid by the developer and no
assessment is to be made therefore.

It is proposed that Lots 1 through 34 be assessed for maintenance of the landscaped area. It has
been determined that the relative benefit of developed lots as compared to the reminder parcel is
as shown in the formula below.

FORMULA FOR ASSESSMENT:
\[ A = \text{Assessment per lot} \]
\[ L = \text{Number of lots} \]
\[ T = \text{Total annual cost} \]

\[ A = \frac{T}{L} = \frac{6,533.43}{47} = 139.00 \]

Estimated Assessment
\[ A = 139.00 \]
Annexation No. 6 - Northpointe
2008-2009 Fiscal Year
Maximum Assessment $1,722.52

**ESTIMATED ACCUMULATED COSTS 2007-2008**

- Lighting 11 ea., 5,800 lumen, 8 ea., 9,500 lumen
- Project Management 81 Lots
- Total $683.72

**ESTIMATED COST 2008-2009**

- July 1, 2008 Fund Balance $5,884.11
- Lighting 11 ea., 5,800 lumen @ $30.21 $622.63
- 8 ea., 11,000 lumen @ 36.29 $643.00
- Project Management, 81 lots $400 + $3.00 per lot $63.28
- Estimated Cost Per Year $1,328.91
- Previous year assessment $1,722.52
- New Assessment $1,328.91

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**FORMULA FOR ASSESSMENT:**

\[ P = \text{Portion to be assessed to developed lots} \]
\[ TA = \text{Total Assessment (\$)} \]
\[ L = \text{Assessment for each developed lot (\$)} \]
\[ N = \text{Number of assessable lots in Phase One (81)} \]

\[ P = \frac{TA}{N} = \frac{$1,328.91}{81} = $16.40 \text{ per lot} \]

Estimated Assessment
\[ P = $16.40 \]

**ONE TIME ADJUSTMENT**

There will be a one time adjustment in the assessment to reduce the Fund Balance.
OTA = One time adjustment amount
OTAA = One time Assessment
OTP = One time portion to be assessed to developed lots

OTAA = TA - OTA
OTAA = $1,328.91 - 379.47
OTAA = $949.44

OTP = \frac{OTAA}{N}
OTP = \frac{\$949.44}{81}
OTP = \$11.72
Annexation No. 7 - Quail Park Phase II
2008-2009 Fiscal Year
Maximum Assessment $410.40

ESTIMATED ACCUMULATED COSTS 2007-2008

- Lighting 2 ea., 5,800 lumen
- Project Management 12 Lots

Total $224.44

ESTIMATED COST 2008-2009

- Projected July 1, 2008 Fund Balance $943.20
  - Lighting, 2 ea., 5,800 lumen @ $30.21 $60.42
  - Project Management, 12 lots $400 + $3.00 per lot $436.00
  - Reserves $24.82
  - Estimated Cost Per Year $521.24
  - Previous year assessment $410.40

- New Assessment $410.40

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{410.40}{12} = 34.20 \text{ per lot}
\]

Estimated Assessment
A = $34.20
Annexation No. 8 - Westwood Park Unit Three  
2008-2009 Fiscal Year  
Maximum Assessment $2,481.27

**ESTIMATED ACCUMULATED COSTS 2007-2008**

- Maintenance 28,460 sq. ft. of landscaped area
- Project Management 36 Lots
- Total: $1,510.30

**ESTIMATED COST 2008-2009**

- July 1, 2008 Fund Balance: $8,065.53
- Maintenance, 28,460 sq. ft. of landscaped area, Lighting  
  5 ea., 5,800 lumens, and 1 ea., 16,000 lumens: $2,066.99
- Project Management, lots $1,000 + $4.00 per lot: $1,144.00
- Reserves: $481.65
- Estimated Cost Per Year: $3,692.64
- Previous year assessment: $2,481.27
- New Assessment: $2,481.27

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

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**FORMULA FOR ASSESSMENT:**

\[
\text{Assessment (A) = Cost (C)} \\
\text{Number of Lots (L)}
\]

\[
A = \frac{2,481.27}{36} = $68.92 \text{ per lot}
\]

- Estimated Assessment
- \( A = $68.92 \)
Annexation No. 9 - Parcel Map 4132  
2008-2009 Fiscal Year  
Maximum Assessment $396.47

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting 1 ea., 16,000 lumens  
Project Management 2 Parcels  
Total $209.32

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance $1,281.86

Lighting 1 ea., 16,000 lumens $47.47
Project Management, lots $400 + $3.00 per lot $406.00
Reserve $22.67

Estimated Cost Per Year $476.14

Previous year assessment $396.47

New Assessment $396.47

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

It has been determined that the relative benefit of Parcel 2 as compared to Parcel 1 (developed parcel) is as shown below. This determination of the relative benefit was made based upon an estimate of lighting cost of $47.47, an administrative cost of $300, and a reserve of $49.00.

\[
P_2 = \frac{AE \times A_1}{T} = \frac{349 \times 4.81}{6.61} = \$253.96
\]

\[
P_1 = AE - P_2 + L = 349 - 253.96 + 47.47 = \$142.52
\]
Based on benefit in the district, the estimated assessment will be spread based on the preceding formula. Estimated Assessment

\[ P_2 = 253.96 \]
\[ P_1 = 142.52 \]
ESTIMATED MAINTENANCE COST

ESTIMATED ACCUMULATED COSTS 2007-2008

  Maintenance 1,307 sq. ft. of landscaped area and
  Lighting 4 ea., 5,800 lumens
  Project Management 16 Lots
  Total                                      $1,243.57

ESTIMATED COST 2008-2009

  Projected July 1, 2008 Fund Balance               $3,667.92

  Maintenance, 1307 sq. ft. of landscaped area and
  Lighting 4 ea., 5,800 lumens                   $1,392.45
  Project Management, 16 lots $1,000 + $4.00 per lot $1,064.00
  Reserves                                      $368.47

  Estimated Cost Per Year                        $2,824.92

  Previous year assessment                       $1,824.30

  New Assessment                                 $1,824.30

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,824.30}{16} = 114.02 \text{ per lot}
\]

Estimated Assessment
\[
A = 114.02
\]
Annexation No. 11 - New Horizon's Phase One  
2008-2009 Fiscal Year  
Maximum Assessment $1,045.80

**ESTIMATED ACCUMULATED COSTS 2007-2008**

**Lighting**
- 6 ea., 5,800 lumen, 11 ea., 9,800 lumen, and
- 2 fixtures, 16,000 lumen
- Project Management 63 Lots
- Total $715.37

**ESTIMATED COST 2008-2009**

Projected July 1, 2008 Fund Balance $6,089.10

**Lighting**
- 6 ea., 5,800 lumen, 11 ea., 9,800 lumen, and
- 2 ea., 16,000 lumen $675.39
- Project Management, 63 lots $400 + $3.00 per lot $589.00
- Reserves $63.22
- Estimated Cost Per Year $1,327.61
- Previous year assessment $1,045.80
- New Assessment $1,045.80

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

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**FORMULA FOR ASSESSMENT:**

Assessment \( (A) = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \)

\[ A = \frac{1,045.80}{63} = 16.60 \text{ per lot} \]

Estimated Assessment

\[ A = 16.60 \]
ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.

OTA = One time adjustment amount
OTAA = One time Assessment
OTP = One time portion to be assessed to developed lots

OTAA = TA - OTA
OTAA = $1,045.80 - 421.25

OTAA = $624.55

OTP = \frac{OTAA}{N}
OTP = \frac{$624.55}{63.00}
OTP = $9.92
Annexation No. 12 - Sunrise Estates Phase Six
2008-2009 Fiscal Year
Maximum Assessment $1,429.00

ESTIMATED ACCUMULATED COSTS 2007-2008

- Maintenance 2,840 sq. ft. of landscaped area and
- Lighting, 7 ea., 5,800 lumens
- Project Management 32 Lots
- Total $1,644.19

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance ($363.76)

- Maintenance, 2,840 sq. ft. of landscaped area, and
- Lighting, 7 ea., 5,800 lumens $1,278.39
- Project Management, 32 lots $1,000 + $4.00 per lot $1,128.00
- Eliminate Deficit Fund Balance over 10 years $36.38
- Reserves $366.42

- Estimated Cost Per Year $2,809.18
- Previous year assessment $1,429.00
- New Assessment $1,429.00

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[ A = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \]

\[ A = \frac{\$1,429.00}{32} = \$44.66 \text{ per lot} \]

Estimated Assessment

\[ A = \$44.66 \]
Annexation No. 14 - Wisconsin Manor I Subdivision
2008-2009 Fiscal Year
Maximum Assessment $1,824.69

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 3,030 sq. ft. of landscaped area and
Lighting, 3 ea., 5,800 lumens
Project Management 8 Lots
Total $1,740.11

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance ($2,186.50)

Maintenance, 3,030 sq. ft. of landscaped area and
Lighting, 3 ea., 5,800 lumens $2,193.13
Project Management, 8 lots $1,000 + $4.00 per lot $1,032.00
Eliminate Deficit Fund Balance over 10 years $218.65
Reserves $516.57

Estimated Cost Per Year $3,960.34

Previous year assessment $1,824.69

New Assessment $1,824.69

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of Lots (L)

A = 1,824.69 = $228.00 per lot
     8

Estimated Assessment
A = $228.08
ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting 5 ea., 5,800 lumens, and 1 ea., 9,500 lumens
Project Management 59 Lots
Total $401.02

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $7,653.46

Lighting 5 ea., 5,800 lumens and 1 ea., 9,500 lumens $187.34
Project Management, 59 lots $1,000 + $4.00 per lot $577.00
Reserves $38.22

Estimated Cost Per Year $802.56

Previous year assessment $864.51

New Assessment $802.56

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of Lots (L)

A = 802.56 / 59 = $13.60 per lot

Estimated Assessment
A = $13.60

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.

OTA = One time adjustment amount
OTAA = One time Assessment
OTP = One time portion to be assessed to developed lots
OTAA = TA - OTA
OTAA = $802.56 - 802.56

OTAA = $0.00

OTP = OTAA
N
OTP = $0.00
59.00
OTP = $0.00
Annexation No. 16 - New Horizon's Phase II Subdivision
2008-2009 Fiscal Year
Maximum Assessment $1,803.34

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting
8 ea., 5,800 lumens and 8 ea., 9,500 lumens
Project Management 81 Lots
Total $608.02

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance $5,047.37

Lighting, 8 ea., 5,800 lumens and 8 ea., 9,500 lumens $532.00
Project Management, 81 lots $400 + $3.00 per lot $643.00
Reserves $58.75

Estimated Cost Per Year $1,233.75
Previous year assessment $1,803.34
New Assessment $1,233.75

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,233.75}{81} = 15.22 \text{ per lot}
\]

Estimated Assessment
A = $15.22

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.
OTA = One time adjustment amount
OTAA = One time Assessment
OTP = One time portion to be assessed to developed lots

OTAA=TA-OTA
OTAA=$1,233.75 - 269.22

OTAA=$964.53

OTP = OTAA
     = $964.53
     = 81.00

OTP = $11.90
Annexation No. 18 - Westwood Village Mobile Home Park, Phase I
2008-2009 Fiscal Year
Maximum Assessment $787.35

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting
5 ea., 16,000 lumens
Project Management 1 Lots
Total $350.72

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance $2,190.76

Lighting, 5 ea., 16,000 lumens $237.35
Project Management, 1 lots $400 + $3.00 per lot $403.00
Reserves $32.02

Estimated Cost Per Year $672.37
Previous year assessment $787.35
New Assessment $672.37

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{672.37}{1} = 672.36 \text{ per lot}
\]

Estimated Assessment
\[
A = 672.36
\]

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.
OTA = One time adjustment amount
OTAA = One time Assessment
OTP = One time portion to be assessed to developed lots

OTAA = TA - OTA
OTAA = $672.36 - 34.72

OTAA = $637.64

\[
\text{OTP} = \frac{\text{OTAA}}{N}
\]

\[
\text{OTP} = \frac{\$637.64}{1.00}
\]

OTP = $637.64
Annexation No. 19 - Castle Woods Phase I Subdivision
2008-2009 Fiscal Year
Maximum Assessment $919.20

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting
9 ea., 5,800 lumens and 1 ea., 16,000 lumens
Project Management 30 Lots
Total $436.37

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $2,388.29

Lighting, 9 ea., 5,800 lumens and 1 ea., 16,000 lumens $319.36
Project Management, 30 lots $400 + $3.00 per lot $490.00
Reserves $109.84

Estimated Cost Per Year $919.20

Previous year assessment $919.20

New Assessment $919.20

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of Lots (L)

A = $919.20 = $30.64 per lot
30

Estimated Assessment
A = $30.64
District No. 2 - North Creek Subdivision
2008-2009
CPI Approved 1998
Maximum Assessment $16,998.44

ESTIMATED ACCUMULATED COSTS 2007-2008

- Maintenance 12,677 sq. ft. of landscaped area
- Project Management 104 Lots
- Total $6,207.94

ESTIMATED COST 2008-2009

- Projected July 1, 2008 Fund Balance $18,591.80
- Maintenance, 12,677 sq. ft. of landscaped area $12,119.50
- Project Management, 104 lots $1,000 + $4.00 per lot $1,416.00
- Reserves $2,030.33
- Estimated Cost Per Year $15,565.83
- Previous year assessment $12,611.05
- New Assessment $12,611.05

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of Lots (L)

$A = \frac{12,611.04}{104} = \$121.26 \text{ per lot}$

Estimated Assessment $A = \$121.26$
District No. 3 - New Expressions, Phase 1
2008-2009
CPI Approved 1998
Maximum Assessment $1,296.59

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting
10 ea., 5,800 lumens
Project Management 56 Lots
Total $897.72

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance $2,489.63

Lighting, 10 ea., 5,800 lumens $302.10
Project Management, 56 lots $400 + $3.00 per lot $568.00
Reserves $93.32

Estimated Cost Per Year $963.42

Previous year assessment $963.42

New Assessment $963.42

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots}}
\]

\[
A = \frac{963.42}{56} = 17.20 \text{ per lot}
\]

Estimated Assessment
\[A = 17.20\]
District No. 4 - River Springs, Phase 1
2008-2009
CPI Approved 1998
Maximum Assessment $3,057.72

EESIMTED ACCUMULATED COSTS 2007-2008

Maintenance 2,100 sq. ft. of landscaped area, and
Lighting, 8 ea., 5,800 lumens and 2 ea., 16,000
Project Management 51 Lots
Total

$2,253.90

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance

Maintenance, 2,100 sq. ft. of landscaped area
Project Management, 51 lots $1,000 + $4.00 per lot
Reserves

Estimated Cost Per Year

Previous year assessment

New Assessment

$3,381.66

$2,277.93

$1,204.00

$522.29

$4,004.22

$2,719.14

$2,719.14

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of lots (L)

A = $2,719.14 = 53.32 per lot, per year
51

Estimated Assessment

A = $53.32
District No. 5 - Castle Woods, Phase 2
2008-2009
CPI Approved 2002
(Adj.2007)
Maximum Assessment $996.44

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 1,715 sq. ft. of landscaped area, and
Lighting 8 ea., 5,800 lumens
Project Management 25 Lots
Total $1,266.41

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance ($815.13)

Maintenance, 1,715 sq. ft. of landscaped area $1,036.42
Project Management, 25 lots $1,000 + $4.00 per lot $1,100.00
Eliminate Deficit Fund Balance over 10 years $81.51
Reserves $332.69

Estimated Cost Per Year $2,550.63

Previous year assessment $968.35
C.P.I. Increase since previous adjustment (2007) applied to reduce deficit = (0.029)*968.35 $28.08

New Assessment $996.44

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of lots (L)

A = $996.44 / 25 = $39.86 per lot

Estimated Assessment
A = $39.86
District No. 6 - Creek View
2008-2009
CPI Approved by vote 1999
(Adj. 2007)
Maximum Assessment $4,749.91

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 23,600 sq. ft. of landscaped area and
Lighting 5 ea., 5,800 lumen
Project Management 19 Lots
Total $5,832.85

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance ($20,557.29)

Maintenance, 23,600 sq. ft. of landscaped area and
Lighting 5 ea., 5,800 lumen $5,472.50
Project Management, 19 lots $1,000 + $4.00 per lot $1,076.00
Eliminate Deficit Fund Balance over 10 years $2,055.73
Reserves $1,290.63

Estimated Cost Per Year $9,894.87

Previous year assessment $4,616.04
C.P.I. Increase since previous adjustment (2007)
applied to reduce deficit = 0.029 x 4616.04 $133.87

New Assessment $4,749.91

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of lots (L)}}
\]

\[
A = \frac{4,749.91}{19} = 250.00 \text{ lot}
\]

Estimated Assessment
\[
A = 250.00
\]
District No. 7 - Ford Estates
2008-2009
CPI Approved 1999
Maximum Assessment $2,787.81

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 1,365 sq. ft. of landscaped area and
Lighting 4 ea., 5,800 lumen, and 1 ea., 16,000 lumens
Project Management 20 Lots
Total $1,775.60

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance $9,128.65

Maintenance, 1,365 sq. ft. of landscaped area and
Lighting 4 ea., 5,800 lumen, and 1 ea. 16,000 lumens $1,659.20
Project Management, 20 lots $1,000 + $4.00 per lot $1,080.00
Reserves $410.88

Estimated Cost Per Year $3,150.08
Previous year assessment $2,163.40
New Assessment $2,163.40

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Unit Cost = Cost (C)
Number of front feet

Phase 1 = $2,163.40 = $6.94 per foot
311.72 feet

Ultimate cost to maintain entire Westwood Street frontage:
1,065.95 feet X $6.94 per foot = $7,397.69

Ultimate cost per lot to maintain entire Westwood Street frontage:

$7,397.69 = $67.88 per lot
109 lots
Estimated Assessment
$2,163.40 - ($67.88 \times 20) = $805.80 = \text{remainder parcel assessment}

Phase 1 Assessment = $67.88 \text{ per lot}
Remainder Parcel Assessment = $805.80
District No. 8 - River Breeze
2008-2009
CPI Approved 1999
Maximum Assessment $4,919.69

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance, 1,000 sq. ft. of landscaped area,
25,600 sq. ft. of fire break, and
Lighting, 8 ea., 5,800 lumen, and 1 ea., 16,000 lumen
Project Management 37 Lots
Total $1,447.67

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $16,912.66

Maintenance, 1,000 sq. ft. of landscaped area,
25,600 sq. ft. of fire break, and
Lighting, 8 ea., 5,800 lumen, and 1 ea., 16,000 lumen $4,081.95
Project Management, 37 lots $1,000 + $4.00 per lot $1,148.00
Reserves $784.49

Estimated Cost Per Year $6,014.44

Previous year assessment $4,374.93

New Assessment $4,374.93

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of Lots (L)

A = $4,374.93 = $118.24 per lot
37

Estimated Assessment
A = $118.24
District No. 9 - Orchard Ridge, Phase 3
2008-2009
CPI Approved 1999
Maximum assessment $1,269.33

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting, 10 ea., 5,800 lumen
Project Management 56 Lots
Total $477.29

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance $4,019.15

Lighting, 10 ea., 5,800 lumen $302.10
Project Management, 56 lots $400 + $3.00 per lot $568.00
Reserves $114.93
Estimated Cost Per Year $985.03

Previous year assessment $985.03
New Assessment $985.03

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of Lots

A = $985.03 / 56 = $17.58 per lot

Estimated Assessment
A = 17.58

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.

OTA = One time adjustment amount
OTAA = One time Assessment
OTP = One time portion to be assessed to developed lots

OTAA = TA-OTA
OTAA = $985.03 - 255.67
OTAA = $729.36

OTP = \frac{OTAA}{N}
OTP = \frac{729.36}{56.00}
OTP = $13.02
District No. 10 - Orchard Ridge, Phase 4
2008-2009
CPI Approved 1999
Maximum Assessment $351.16

ESTIMATED ACCUMULATED COSTS 2007-2008

   Lighting, 4 ca., 5,800 lumens
   Project Management 19 Lots
   Total                          $274.91

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance                $251.62

   Lighting, 4 ca., 5,800 lumens
   Project Management, 19 lots $400 + $3.00 per lot
   Reserves                      $29.03

   Estimated Cost Per Year       $609.71

   Previous year assessment      $312.28

   New Assessment                $312.28

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
A = \frac{\text{Assessment (A) - Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{$312.28 - $16.44}{19} = $16.44 \text{ per lot}
\]

Estimated Assessment
\[
A = $16.44
\]
District No. 11 - Orchard Ridge, Phase 5
2008-2009
CPI Approved 1999
Maximum Assessment $1,552.67

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting, 14 ea., 5,800 lumens
Project Management 76 Lots
Total $527.20

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance $5,073.67

Lighting, 14 ea., 5,800 lumens $422.94
Project Management, 76 lots $400.00 + $3.00 per lot $628.00
Reserves $100.98

Estimated Cost Per Year $1,151.92

Previous year assessment $1,151.92

New Assessment $1,151.92

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[ \text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \]

\[ A = \frac{1,151.92}{76} = 15.16 \text{ per lot} \]

Estimated Assessment
\[ A = 15.16 \]

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.

\[ \text{OTA} = \text{One time adjustment amount} \]
\[ \text{OTAA} = \text{One time Assessment} \]
OTP = One time portion to be assessed to developed lots

OTAA = TA - OTA
OTAA = $1,151.92 - 352.64

OTAA = $799.28

\[
\text{OTP} = \frac{\text{OTAA}}{N} \\
\text{OTP} = \frac{799.28}{76}
\]

OTP = $10.52
District No. 12 - Westwood Estates, Unit 5, Phase 2  
2008-2009  
CPI Approved 1999  
Maximum Assessment $9,495.66

**ESTIMATED ACCUMULATED COSTS 2007-2008**

- Maintenance 19,112 sq. ft. of landscaped area and Lighting, 12 ea., 5,800 lumen, and 4 ea., 16,000 lumen
- Project Management 34 Lots
- Total: $5,046.71

**ESTIMATED COST 2008-2009**

- Projected July 1, 2008 Fund Balance: $15,759.75
- Maintenance 19,112 sq. ft. of landscaped area and Lighting, 12 ea., 5,800 lumen, and 4 ea., 16,000 lumen: $7,538.88
- Project Management, 34 lots $1,000 + $4.00 per lot: $1,136.00
- Reserves: $1,301.23
- Estimated Cost Per Year: $9,976.12
- Previous year assessment: $7,368.84
- New Assessment: $7,368.84

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**FORMULA FOR ASSESSMENT:**

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{7,368.84}{34} = 216.72 \text{ per lot}
\]

Estimated Assessment
\[
A = $216.72
\]
District No. 13 - River Ranch, #3
2008-2009
CPI Approved 2000
Maximum assessment $2,418.16

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 1,000 sq. ft. of landscaped area, and
Lighting, 7 ea., 5,800 lumens and 1 ea., 16,000 lumens
Project Management 35 Lots
Total

$436.93

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance

$12,081.37

Maintenance 1,000 sq. ft. of landscaped area, and
Lighting, 7 ea., 5,800 lumens and 1 ea., 16,000 lumens
Project Management, 35 lots $1,000 + $4.00 per lot
Reserves

$3,312.34

Estimated Cost Per Year

$1,740.29

Previous year assessment

$1,140.00

New Assessment

$432.04

$2,150.40

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of Lots (L)

A = $2,150.40 = $61.44 per lot
35

Estimated Assessment
A = $61.44

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.
OTA = One time adjustment amount
OTAA = One time Assessment
OTP = One time portion to be assessed to developed lots

OTAA=TA-OTA
OTAA=$2,150.40 -428.87

OTAA=$1721.53

OTP = OTAA
N
OTP = $1721.53
35
OTP = $49.18
District No. 14 - River Springs, Phase Two Subdivision
2008 - 2009
CPI Approved 2000
Maximum Assessment $1,169.96

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting, 11 ea., 5,800 lumens  
Project Management 50 Lots  
Total $451.49

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance $3,852.88

Lighting, 11 ea., 5,800 lumens $332.31
Project Management, 50 lots $400 + $3.00 per lot $550.00
Reserves $158.10

Estimated Cost Per Year $1,040.41
Previous year assessment $1,040.41
New Assessment $1,040.41

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,040.41}{50} = 20.80 \text{ per lot}
\]

Estimated Assessment
\[
A = 20.80
\]

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.
\[ \text{OTA} = \text{One time adjustment amount} \]
\[ \text{OTAA} = \text{One time Assessment} \]
\[ \text{OTP} = \text{One time portion to be assessed to developed lots} \]

\[ \text{OTAA} = \text{TA-OTA} \]
\[ \text{OTAA} = $1,040.41 - 214.72 \]

\[ \text{OTAA} = $825.69 \]

\[ \text{OTP} = \frac{\text{OTAA}}{N} \]
\[ \text{OTP} = \frac{$825.69}{50} \]
\[ \text{OTP} = $16.52 \]
District No. 15 - Meadowood, Phase 1 Subdivision
2008 - 2009
CPI Approved 2001
Maximum Assessment $7,991.08

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 7,723 sq. ft. of landscaped area and
Lighting, 10 ea., 5,800 lumens,
1 ea., 9,500 lumens and 3 ea. 16,000 lumens
Project Management 48 Lots
Total $5,455.82

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance $23,414.01

Maintenance 7,723 sq. ft. of landscaped area and
Lighting, 10 ea., 5,800 lumens,
1 ea., 9,500 lumens and 3 ea. 16,000 lumens $6,052.86
Project Management, 48 lots $1,000 + $4.00 per lot $1,192.00
Reserves $1,086.73

Estimated Cost Per Year $8,331.59

Previous year assessment $6,810.24

New Assessment $6,810.24

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}

A = \frac{\$6,810.24}{48} = \$141.88 \text{ per lot}

Estimated Assessment
A = \$141.88
District No. 16 - New Expressions, Phase 2
2008 - 2009
CPI Approved 2001
Maximum Assessment $6,547.61

ESTIMATED ACCUMULATED COSTS 2007-2008

- Maintenance 5,800 sq. ft. of landscaped area,
- Playground area, 30%, and Lighting, 13 ea., 5,800 lumens
- Project Management 54 Lots
- Total $2,142.22

ESTIMATED COST 2008-2009

- Projected July 1, 2008 Fund Balance $23,911.37
- Maintenance, 5,800 sq. ft. of landscaped area, $4,830.83
- Playground area, 30%, and Lighting, 13 ea., 5,800 lumens $1,216.00
- Project Management, 54 lots $1,000 + $4.00 per lot $907.02
- Reserves
- Estimated Cost Per Year $6,953.85
- Previous year assessment $5,580.07
- New Assessment $5,580.07

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{\$5,580.07}{54} = \$103.34 \text{ per lot}
\]

Estimated Assessment
\[
A = \$103.34
\]

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.

\[
\text{OTA} = \text{One time adjustment amount}
\]
OTAA = One time Assessment
OTP = One time portion to be assessed to developed lots

OTAA=TA-OTA
OTAA=$5,580.07 - 609.96

OTAA=$4,970.11

OTP = \frac{OTAA}{N}
OTP = \frac{4,970.11}{54}
OTP = $92.04
District #17 - Orchard Ridge Phase 6
2008 - 2009
CPI Approved 2001
(Adj. 2007)
Maximum Assessment $617.82

**ESTIMATED ACCUMULATED COSTS 2007-2008**

- Lighting, 7 ea., 5,800 lumens
- Project Management 32 Lots
- Total $350.58

**ESTIMATED COST 2008-2009**

July 1, 2008 Fund Balance ($221.10)

- Lighting, 7 ea., 5,800 lumens $211.47
- Project Management, 32 lots $400 + $3.00 per lot $496.00
- Eliminate Deficit Fund Balance over 10 years $22.11
- Reserves $36.48

- Estimated Cost Per Year $766.06
- Previous year assessment $600.41
- C.P.I. Increase of 3.2% since previous adjustment (2007) applied to reduce deficit = (0.029 x $600.41) $17.41

- New Assessment $617.82

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**FORMULA FOR ASSESSMENT:**

\[
A = \frac{\text{Assessment (A) = Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{$617.82}{32} = $19.30 \text{ per lot}
\]

- Estimated Assessment
  - A = $19.30
District #18 - Ohio North
2008 - 2009
CPI Approved 2002
(Adj.2007)
Maximum Assessment $185.59

ESTIMATED ACCUMULATED COSTS 2007-2008

- Lighting, 2 ea., 5,800 lumens
- Project Management 10 Lots
Total $50.44

ESTIMATED COST 2008-2009

Projected July 1, 2008 Fund Balance ($261.15)

- Lighting, 2 ea., 5,800 lumens $60.42
- Project Management, 10 lots $400 + $3.00 per lot $430.00
- Eliminate Deficit Fund Balance over 10 years $26.11
- Reserves $25.83

Estimated Cost Per Year $542.36

- Previous year assessment $180.36
- C.P.I. Increase of 3.2% since previous adjustment (2007)
applied to reduce deficit = (0.029)x $180.36 $5.23

New Assessment $185.59

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of Lots (L)

A = $185.59 = $18.56 per lot, per year
10

Estimated Assessment
A = $18.56
District No. 19 - Williams Ranch Phase 1
2008 - 2009
CPI Approved 2002
Maximum Assessment $6,855.51

**ESTIMATED ACCUMULATED COSTS 2007-2008**

- Maintenance 13,910 sq. ft. of landscaped area and
- Lighting 11 ea., 5,800 lumens, and 2 ea., 9,500 lumens
- Project Management 41 Lots
- Total $6,446.69

**ESTIMATED COST 2008-2009**

July 1, 2008 Fund Balance $3,247.76

- Maintenance, 13,910 sq. ft. of landscaped area and
- Lighting 11 ea., 5,800 lumens, and 2 ea., 9,500 lumens $5,729.68
- Project Management, 41 lots $1,000 + $4.00 per lot $1,164.00
- Reserves $1,034.05

- Estimated Cost Per Year $7,927.73

- Previous year assessment $5,965.16

  - C.P.I. Increase since previous adjustment (2002)
  - applied to reduce deficit = (.022+.005+.021+.032+.032+.029)x $5,965.16 $890.35

- New Assessment $6,855.51

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

---

**FORMULA FOR ASSESSMENT:**

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{6,855.51}{41} = $167.20 \text{ per lot}
\]

Estimated Assessment
\[
A = $167.20
\]
District No. 20 - West View Place
2008 - 2009
CPI Approved 2002
(Adj. 2007)
Maximum Assessment $273.45

ESTIMATED ACCUMULATED COSTS 2007-2008

- Lighting 3 ea., 5,800 lumens, and 1 ea., 9,500 lumens
- Project Management 10 Lots
- Total $104.69

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $155.70

- Lighting 3 ea., 5,800 lumens, and 1 ea., 9,500 lumens $126.92
- Project Management, 10 lots $400 + $3.00 per lot $430.00
- Eliminate Deficit Fund Balance over 10 years $0.00
- Reserves $27.85

- Estimated Cost Per Year $584.77
- Previous year assessment $265.74
- New Assessment $265.74

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of Lots (L)

A = $265.74 / 10 = $26.58

Total Assessment
A = $26.58
District No. 21 - Orchard Ridge Phase 7
2008- 2009
CPI Approved 2002
(Adj. 2007)
Maximum Assessment $1,686.13

**ESTIMATED ACCUMULATED COSTS 2007-2008**

- Maintenance 2412 sq. ft. (30/74 of 5950 sq. ft.) landscaped area and Lighting, 6 ea. 5,800 lumens
- Project Management 30 Lots

Total: $1,525.34

**ESTIMATED COST 2008-2009**

July 1, 2008 Fund Balance ($460.13)

- Maintenance 2412 sq. ft. (30/74 of 5950 sq. ft.) landscaped area and Lighting, 6 ea. 5,800 lumens: $1,485.28
- Project Management, 30 lots $1,000 + $4.00 per lot: $1,120.00
- Eliminate Deficit Fund Balance over 10 years: $46.01
- Reserves: $397.69

Estimated Cost Per Year: $3,048.99

Previous year assessment: $1,638.61

C.P.I. Increase since previous adjustment (2007) applied to reduce deficit = (0.029)x$1,638.61 = $47.52

New Assessment: $1,686.13

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**FORMULA FOR ASSESSMENT:**

\[ \text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \]

\[ A = \frac{$1,686.13}{30} = $56.20 \]

Estimated Assessment
A = $56.20
District No. 22 - Meadowood Phase 2
2008 - 2009
CPI Approved 2002
Maximum Assessment $5,466.96

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 4,940 sq. ft. of landscaped area and
Lighting, 14 ea., 5,800 lumens, 3 ea., 9,500 lumens, and 2 ea., 16,000 lumens
Project Management 55 Lots
Total $684.98

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $17,986.50

Maintenance 4,940 sq. ft. of landscaped area and
Lighting, 14 ea., 5,800 lumens, 3 ea., 9,500 lumens,
and 2 ea., 16,000 lumens $4,022.12
Project Management, 55 lots $1,000 + $4.00 per lot $1,220.00
Reserves $786.32

Estimated Cost Per Year $6,028.43

Previous year assessment $4,861.60

New Assessment $4,861.60

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of Lots (L)

A = $4,861.60 = $88.38 per lot
55

Estimated Assessment

A = $88.38
District No. 23 - River View Estates Phase 3
2008 - 2009
CPI Approved 2002
Maximum Assessment $819.83

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting 11 ea., 5,800 lumens
Project Management 36 Lots
Total $451.49

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $2,054.05

Lighting 11 ea., 5,800 lumens $332.31
Project Management, 36 lots $400 + $3.00 per lot $508.00
Reserves $42.02

Estimated Cost Per Year $882.33

Previous year assessment $713.36

New Assessment $713.36

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of Lots (L)

A = $713.36 / 36 = $19.82

Estimated Assessment A = $19.82
ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 3538 sq. ft. (44/74 of 5950 sq. ft.) landscaped area
and Lighting, 11 ea. 5,800 lumens
Project Management 44 Lots
Total $3,704.66

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance ($708.95)

Maintenance 3538 sq. ft. (44/74 of 5950 sq. ft.) landscaped area
and Lighting, 11 ea. 5,800 lumens $1,755.13
Project Management, 44 lots $1,000 + $4.00 per lot $1,176.00
Reserves $450.30

Estimated Cost Per Year $3,452.33

Previous year assessment $2,471.54

C.P.I. Increase since previous adjustment (2007) applied to reduce deficit = (0.029)x$2,471.54 $71.67

New Assessment $2,543.21

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[ A = \frac{\text{Maximum Assessment}}{\text{Number of Lots}} \]

A = $2,543.21 = $57.80 per lot

Estimated Assessment
A = $57.80
District 25 - Casas Del Rio Subdivision
2008-2009
CPI Approved 2003
Maximum Assessment $32,301.04

ESTIMATED ACCUMULATED COSTS 2007-2008

- Maintenance 55,950 sq. ft. of landscaped and recreation area
- Project Management 118 Lots
  Total
  $8,324.94

ESTIMATED COST 2008-2009

- July 1, 2008 Fund Balance
  $61,544.50
- Maintenance 55,950 sq. ft. of landscaped and recreation area
  $24,783.24
- Project Management, 118 lots $1,000 + $4.00 per lot
  $1,472.00
- Reserves
  $3,938.29
- Estimated Cost Per Year
  $30,193.53
- Previous year assessment
  $28,724.33
- New Assessment
  $28,724.33

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{28,724.33}{118} = 243.43
\]

Estimated Assessment
\[
A = 243.42
\]
 district no. 26 - orchard ridge, phase nine
2008-2009
CPI Approved 2004
Maximum Assessment $884.64

Estimated accumulated costs 2007-2008

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>Lighting 10 ea., 5,800 lumens</td>
<td>$252.29</td>
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<tr>
<td>Project Management 47 Lots</td>
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<tr>
<td>Total</td>
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</tbody>
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Estimated cost 2008-2009

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2008 Fund Balance</td>
<td>$1,830.52</td>
</tr>
<tr>
<td>Lighting 10 ea., 5,800 lumens</td>
<td>$302.10</td>
</tr>
<tr>
<td>Project Management, 47 lots $400 + $3.00 per lot</td>
<td>$430.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$58.52</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$790.62</td>
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<tr>
<td>Previous year assessment</td>
<td>$790.62</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$790.62</td>
</tr>
</tbody>
</table>

Assessment

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for assessment:

Assessment (A) = Cost (C) / Number of Lots (L)

A = $790.62 / 47 = $16.82 per lot

Estimated Assessment
A = $16.82

One time adjustment

There will be a one time adjustment in the assessment to reduce the Fund Balance.

OTA = One time adjustment amount
OTAA = One time Assessment
OTP = One time portion to be assessed to developed lots
OTAA = TA - OTA
OTAA = $790.62 - 790.62
OTAA = $0.00

OTP = OTAA
N
OTP = $0.00
47
OTP = $0.00
District No. 27 - New Expressions, Phase 3 Subdivision
2008-2009
CPI Approved 2004
Maximum Assessment $2,081.30

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 748 ft. of landscaped berm and wall,
30% of playground maintenance, and Lighting, 11 ea., 5,800 lumens
Project Management 50 Lots
Total $1,117.49

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $4,161.30

Maintenance 748 ft. of landscaped berm and wall,
30% of playground maintenance, and Lighting, 11 ea., 5,800 lumens $1,311.99
Project Management, 50 lots $1,000 + $4.00 per lot $1,200.00
Reserves $376.80

Estimated Cost Per Year $2,888.78

Previous year assessment $1,860.09

New Assessment $1,860.09

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic
appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

A = $1,860.09 = $37.20 per lot
50

Estimated Assessment
A = $37.20
District No. 28 - Meadowood, Phase Three Subdivision
2008-2009
CPI Approved 2004
Maximum Assessment $1,764.11

ESTIMATED ACCUMULATED COSTS 2007-2008

- Lighting 17 ea., 5,800 lumens, and 6 ea., 9,500 lumens
- Project Management 78 Lots
- Total $603.04

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $3,379.20

- Lighting 17 ea., 5,800 lumens, and 6 ea., 9,500 lumens $731.31
- Project Management, 78 lots $400 + $3.00 per lot $634.00
- Reserves $211.30
- Estimated Cost Per Year $1,576.61
- Previous year assessment $1,576.61
- New Assessment $1,576.61

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,576.61}{78} = \$20.20 \text{ per lot}
\]

Estimated Assessment
\[
A = \$20.20
\]

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.

\[
\text{OTA} = \text{One time adjustment amount}
\]

\[
\text{OTAA} = \text{One time Assessment}
\]

\[
\text{OTP} = \text{One time portion to be assessed to developed lots}
\]
OTAA = TA-OTA
OTAA = $1,576.61 - $1,576.61

OTAA = $0.00

 OTP = OTAA
     N
 OTP = $0.00
     78
 OTP = $0.00
District No. 29 - River Springs, Phase 3 Subdivision
2008-2009
CPI Approved 2004
(Adj. 2007)
Maximum Assessment $733.30

ESTIMATED ACCUMULATED COSTS 2007-2008

  Lighting 9 ea., 5,800 lumens
  Project Management 36 Lots
  Total $227.05

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $427.02

  Lighting 9 ea., 5,800 lumens $271.89
  Project Management, 36 lots $400 + $3.00 per lot $508.00
  Reserves $38.99

  Estimated Cost Per Year $818.88

  Previous year assessment $712.64

  New Assessment $712.64

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A) = Cost (C) / Number of Lots (L)}
\]

\[
A = \frac{712.64}{36} = \$19.80 \text{ per lot}
\]

Estimated Assessment
\[A = \$19.80\]
District No. 30 – Sierra Meadows, Phase 1 Subdivision  
2008-2009  
Formed and CPI Approved 2006  
Maximum Assessment $16,362.37

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 2739 ft. of wall, 26,639 sq. ft., and  
Lighting, 23 ea., 5,800 lumens, 4 ea., 9,500 lumens, and 5 ea., 16,000 lumens  
Project Management 56 Lots  
Total $8,001.44

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $18,393.57

Maintenance 2739 ft. of wall, 26,639 sq. ft., and  
Lighting, 23 ea., 5,800 lumens, 4 ea., 9,500 lumens, and 5 ea., 16,000 lumens $13,514.53

Project Management, 56 lots $1,000 + $4.00 per lot $672.00

Reserves $2,127.98

Estimated Cost Per Year $16,314.51

Previous year assessment $15,408.17

New Assessment $15,408.17

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A) = Cost (C) / Number of Lots (L)}
\]

\[
A = \frac{\$15,408.17}{56} = \$275.14 \text{per lot}
\]

Estimated Assessment

\[
A = \$275.14
\]
District No. 31 – Williams Ranch, Phase 2 and 3  
2008-2009  
Formed and CPI Approved 2006  
Maximum Assessment $2,247.02

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 437 ft. of wall, 6,512 sq. ft. of landscaping, and  
Lighting 24 ea., 5,800 lumens, and 2 ea., 16,000 lumens  
Project Management 85 Lots  
Total $2,054.81

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $992.32

Maintenance 437 ft. of wall, 6,512 sq. ft. of landscaping, and  
Lighting 24 ea., 5,800 lumens, and 2 ea., 16,000 lumens $819.98  
Project Management, 85 lots $1,000 + $4.00 per lot $1,340.00  
Reserves $324.00

Estimated Cost Per Year $2,483.98

Previous year assessment $2,115.98

New Assessment $2,115.98

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)  
Number of Lots (L)

A = $2,115.98 = $29.22 per lot  
85

Estimated Assessment  
A = $29.22
District No. 32 – Sunrise Villa, Phase 1 Subdivision  
2008-2009  
Formed and CPI Approved 2006  
(Adj 2007)  
Maximum Assessment $220.54

ESTIMATED ACCUMULATED COSTS 2007-2008

    Lighting 2 ea., 5,800 lumens  
    Project Management 8 Lots  
    Total  

$50.44

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance  

($79.38)

    Lighting 2 ea., 5,800 lumens  
    Project Management, 8 lots $400 +$3.00 per lot  
    Reserves  

$60.42  
$424.00  
$24.62

Estimated Cost Per Year  

$516.98

Previous year assessment  

$214.33

C.P.I. Increase since previous adjustment (2006)  
applied to reduce deficit = (0.032) x 207.48  

$6.22

New Assessment  

$220.54

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of Lots (L)

A = $220.54 / 8 = $27.56 per lot

Estimated Assessment
A = $27.56
District No. 33 – New Expressions, Phase 4 Subdivision
2008-2009
Formed and CPI Approved 2006
Maximum Assessment $1,467.97

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 220 ft. of wall, and
Lighting, 11 ea., 5,800 lumens, 2 ea., and 9,500 lumens
Project Management 58 Lots
Total $335.59

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $1,723.85

Maintenance 220 ft. of wall, and
Lighting, 11 ea., 5,800 lumens, 2 ea., and 9,500 lumens $537.39
Project Management, 58 lots $1,000 + $4.00 per lot $696.00
Reserves $185.01
Estimated Cost Per Year $1,418.40
Previous year assessment $1,382.36
New Assessment $1,382.36

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of Lots (L)

A = $1,382.36 / 58 = $23.82 per lot

Estimated Assessment
A = $23.82
District No. 34 – Meadow Breeze, Phase 2 Subdivision
2008-2009
Formed and CPI Approved 2006
Maximum Assessment $1,881.02

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting 14 ea., 5,800 lumens, and 5 ea., 9,500 lumens
Project Management 78 Lots
Total $1,653.10

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $989.61

Lighting 14 ea., 5,800 lumens, and 5 ea., 9,500 lumens
Project Management, 78 lots $400 +$3.00 per lot $604.29
Reserves $936.00
$231.04

Estimated Cost Per Year $1,771.33
Previous year assessment $1,771.33

New Assessment $1,771.33

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of Lots (L)

A = $1,771.33 / 78 = $22.70 per lot

Estimated Assessment
A = $22.70
District No. 35 – Meadow Breeze, Phase 1 Subdivision  
2008-2009  
Formed and CPI Approved 2006  
Maximum Assessment $976.84

ESTIMATED ACCUMULATED COSTS 2007-2008

- Lighting 9 ea., 5,800 lumens
- Project Management 44 Lots

Total $498.35

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $653.21

- Lighting 9 ea., 5,800 lumens $271.89
- Project Management, 44 lots $400 + $3.00 per lot $528.00
- Reserves $119.99

Estimated Cost Per Year $919.87

Previous year assessment $919.87

New Assessment $919.87

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
A = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{$919.87}{44} = $20.90 \text{ per lot}
\]

Estimated Assessment

A = $20.90
District No. 36 – Amalene Estates Subdivision
2008-2009
Formed and CPI Approved 2006
Maximum Assessment $2,521.94

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 339 ft. of wall, 1870 landscape, and
Lighting 10 ea. 5,800 lumens, and 1 ea. 16,000 lumens
Project Management 24 Lots
Total

$168.60

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance

($998.83)

Maintenance 339 ft. of wall, 1870 landscape, and
Lighting 10 ea. 5,800 lumens, and 1 ea. 16,000 lumens
Project Management, 24 lots $1,000 +$4.00 per lot
Reserves

Estimated Cost Per Year

$0.00

Previous year assessment

$2,374.87

C.P.I. Increase since previous adjustment (2006)
applied to reduce deficit = (0.029) x 2,374.87

$0.00

New Assessment

$0.00

See District 40 for Assessment

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
Number of Lots (L)

$A = \frac{0.00}{24} = $0.00 per lot

Estimated Assessment

$A = $0.00
District No. 37 – Riverview Estates, Phase 4 Subdivision
2008-2009
Formed and CPI Approved 2006
(Adj 2007)
Maximum Assessment $496.36

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting 5 ea., 5,800 lumens
Project Management 17 Lots
Total $126.18

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance ($61.44)

Lighting 5 ea., 5,800 lumens $151.05
Project Management, 17 lots $400 + $3.00 per lot $451.00
Reserves $30.41

Estimated Cost Per Year $638.60

Previous year assessment $482.37

C.P.I. Increase since previous adjustment (2007)
applied = (0.029) x $482.37 $13.99

New Assessment $496.36

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of Lots (L)

A = $496.36 = $29.20 per lot
17

Estimated Assessment
A = $29.20
District No. 38 – Ranch Victoria, Phase One Subdivision
2008-2009
Formed and CPI Approved 2007
Maximum Assessment $516.90

ESTIMATED ACCUMULATED COSTS 2007-2008

Lighting 2 ea., 5,800 lumens
Project Management 6 Lots
Total $456.00

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance ($556.24)

Lighting 2 ea., 5,800 lumens $84.32
Project Management, 6 lots $400 + $3.00 per lot $418.00
Reserves $25.12

Estimated Cost Per Year $527.44

Previous year assessment $502.33

C.P.I. Increase since previous adjustment (2007)
applied = (0.029)*502.33 = $14.57

New Assessment $516.90

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of Lots (L)

A = $516.90 / 6 = $83.72 per lot
District No. 39 – Williams Ranch Phase 4 Subdivision
2008-2009
Formed and CPI Approved 2007
Maximum Assessment $1,178.24

ESTIMATED ACCUMULATED COSTS 2007-2008

   Lighting 5 ea., 5,800 lumens               $456.00
   Project Management 59 Lots
   Total                                         $456.00

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance                   $564.80

   Lighting 5 ea., 5,800 lumens             $513.51
   Project Management, 59 lots $400 + $3.00 per lot
   Reserves                                   $54.53
   Estimated Cost Per Year                   $1,145.04
   Previous year assessment                  $1,145.03
   New Assessment                             $1,145.03

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)
                 Number of Lots (L)

A = $1,145.03 ÷ 59 = $19.40 per lot

Estimated Assessment
A = $19.40
District No. 40 – Amalene Estates Subdivision
2008-2009
Formed and CPI Approved 2007
Maximum Assessment $7,460.68

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 736 ft. of wall, 5445 sq. ft., and
Lighting, 16 ea., 5,800 lumens, and 1 ea., 16,000 lumens
Project Management 53 Lots

Total $2,620.98

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $843.39

Maintenance 736 ft. of wall, 5445 sq. ft., and
Lighting, 16 ea., 5,800 lumens, and 1 ea., 16,000 lumens $5,275.55
Portion due Ford Estates Dist 7, 37.25 percent $3,038.80
Project Management, 53 lots $1,212.00
Reserves $973.13

Estimated Cost Per Year $7,460.68

Previous year assessment $7,460.68

New Assessment $7,460.68

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C)

Number of Lots (L)

A = $7,460.68 ÷ $122.40 per lot

Estimated Assessment
A = $122.40

Formula for Assessment

Assessment (A) = ___ Cost (C)
Number of Lots (L)

\[ A = \frac{7,460.68}{53} = 140.76 \text{ per lot} \]

Estimated Assessment

\[ A = 140.76 \]

Assessment of Remainder (AR) = \( A \times \text{Number Lots proposed Remainder (LR)} - \text{Number Lights proposed for Remainder} \times 30.21 \)

\[ \text{AR} = 29 \times 140.76 - 6 \times 30.21 = 3900.78 \]

Assessment = $140.76 ea for 24 developed lots and $3900.78 for the remainder

Total Assessment for 2008-2009 = $7,279.02

Total developed lot count is 24 lots plus a remainder.
District No. 41 - Beverly Glenn Subdivision  
2008- 2009  
Formed and CPI Approved 2008  
Maximum Assessment $629.77

**ESTIMATED ACCUMULATED COSTS 2007-2008**

- Lighting 3 ea, 5,800 lumens  
- Project Management 19 Lots  
- Total: $0.00

**ESTIMATED COST 2008-2009**

- July 1, 2008 Fund Balance: $0.00
- Lighting 3 ea, 5,800 lumens: $90.63
- Project Management, 19 lots $400 + $3.00 per lot: $457.00
- Reserves: $82.14
- Estimated Cost Per Year: $629.77
- Previous year assessment: $0.00
- New Assessment: $629.77

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

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**FORMULA FOR ASSESSMENT:**

\[ \text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \]

\[ A = \frac{629.77}{19} = 33.14 \]

Estimated Assessment
\[ A = 33.14 \]
District No. 42 - Sierra Estates Subdivision  
2008-2009  
Formed and CPI Approved 2008  
Maximum Assessment $23,734.54

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 330 L.F. Masonry wall, 43,873 sq ft landscaped area  
Lighting 14 ea. 5,800 lumens  
Project Management 48 Lots  
Total $0.00

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $0.00

Maintenance 330 L.F. Masonry wall, 43,873 sq ft landscaped area $19,946.73  
Lighting 14 ea. 5,800 lumens  
Project Management, 48 lots $1,000 + $4.00 per lot $1,192.00  
Reserves $3,095.81

Estimated Cost Per Year

Previous year assessment $0.00

New Assessment $23,734.54

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
A = \frac{C}{L}
\]

\[
A = \frac{23,734.54}{48} = 494.46
\]

Estimated Assessment  
A = $494.46
District No. 43 - Sierra Meadows, Phase 2 Subdivision
2008-2009
Formed and CPI Approved 2008
Maximum Assessment $18,109.23

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 2,614 L.F. Masonry wall, 27,960 sq ft landscaped area
Lighting 28 ea. 5,800 lumens, 8 ea. 16,000 lumens
Project Management 61 Lots
Total $0.00

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $0.00

Maintenance 2,614 L.F. Masonry wall, 27,960 sq ft landscaped area
Lighting 28 ea. 5,800 lumens, 8 ea. 16,000 lumens $14,503.16
Project Management 61 lots $1,000 + $4.00 per lot $1,244.00
Reserves $2,362.07
Estimated Cost Per Year $18,109.23
Previous year assessment $0.00

New Assessment $18,109.23

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

Assessment (A) = Cost (C) / Number of Lots (L)

A = $18,109.23 / 61

Estimated Assessment
A = $296.86
District No. 44 - Summit Estates, Phase 1 Subdivision
2008-2009
Formed and CPI Approved 2008
Maximum Assessment $5,491.45

**ESTIMATED ACCUMULATED COSTS 2007-2008**

- Maintenance 242 L.F. Masonry wall, 4,300 sq ft landscaped area
- Lighting 20 ea. 5,800 lumens, 3 ea. 9,500 lumens
- Project Management 70 Lots

Total $0.00

**ESTIMATED COST 2008-2009**

July 1, 2008 Fund Balance $0.00

- Maintenance 242 L.F. Masonry wall, 4,300 sq ft landscaped area
- Lighting 20 ea. 5,800 lumens, 3 ea. 9,500 lumens $3,495.17
- Project Management 70 lots $1,000 + $4.00 per lot $1,280.00
- Reserves $716.28

Estimated Cost Per Year $5,491.45

Previous year assessment $0.00

New Assessment $5,491.45

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**FORMULA FOR ASSESSMENT:**

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{5,491.45}{70} = 78.44
\]

Estimated Assessment

\[
A = 78.44
\]
District No. 45 - New Expressions, Phase 5 Subdivision  
2008-2009  
Formed and CPI Approved 2008  
Maximum Assessment $14,043.67

ESTIMATED ACCUMULATED COSTS 2007-2008

Maintenance 880 L.F. Masonry wall and berm, 15,250 sq ft landscaped park area  
Lighting 22 ca. 5,800 lumens, 1 ca. 9,500 lumens  
Project Management 70 Lots  
Total $0.00

ESTIMATED COST 2008-2009

July 1, 2008 Fund Balance $0.00

Maintenance 242 L.F. Masonry wall, 4,300 sq ft landscaped area  
Lighting 22 ca. 5,800 lumens, 1 ca. 9,500 lumens $10,859.89  
Project Management 88 lots $1,000 + $4.00 per lot $1,352.00  
Estimated Cost Per Year $14,043.67

Previous year assessment $0.00  
New Assessment $14,043.67

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

FORMULA FOR ASSESSMENT:

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{14,043.67}{88} = 159.58
\]

Estimated Assessment  
A =$159.58
RESOLUTION NO.:


The City Council of the City of Porterville, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

DESCRIPTION OF WORK

SECTION 1. That the public interest and convenience requires it is the intention of the City Council of the City of Porterville, California, to order the following work be done, to wit:

1. Maintenance and servicing of facilities and landscaping as authorized by Section 22525 of the Streets and Highways Code.

2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

LOCATION OF WORK

SECTION 2. The foregoing described work is to be located within the following areas:

1. Right-of-way and easement along the Westwood Street frontage of Unit I and II of Westwood Estates, more particularly described on maps which are on file in the City Clerk's office entitled "Landscape and Lighting Maintenance District No. 1."

2. Right-of-way and easements along street frontage along Hope Avenue, Newcomb Street, Thunderbolt Drive and Corsair Drives of the Airport Industrial Park, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 1 to Landscape and Lighting Maintenance District No. 1".

3. Hillcrest Street right-of-way, fire access road, Jasmine Drive entries; south perimeter
west of fire access road, west perimeter including the parcel on which the water tank is located, viewpoint look-out parcel at the northwest corner of Jasmine Ranch Subdivision, and the pedestrian access to each cul-de-sac from Hillcrest Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 2 to Landscape and Lighting Maintenance District No. 1".

4. Porter Creek Avenue right-of-way to the bank of the Porter Slough median entry, 15' landscape area between Porter Creek Subdivision block wall to Westwood Street, the pedestrian access bridge over Porter Slough and all of the maintenance area to the center line Porter Slough, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 3 to Landscape and Lighting Maintenance District No. 1".

5. LaVida Park green belt, east on Plum Way Street and the entries east along Beverly street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 4 to Landscape and Lighting Maintenance District No. 1".

6. Westwood Estates #4, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 5 to Landscape and Lighting Maintenance District No. 1".

7. Northpointe includes subdivision lighting located south of Westfield Avenue and east of Matthew Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 6 to Landscape and Lighting Maintenance District No. 1".

8. Quail Park Phase II Subdivision includes payment of street lighting, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 7 to Landscape and Lighting Maintenance District No. 1".

9. Westwood Park Unit Three Subdivision includes the east side of Westwood street and the fire access road on the south side of the subdivision, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 8 to Landscape and Lighting Maintenance District No. 1".

10. Map No. 4132 includes lighting, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 9 to Landscape and Lighting Maintenance District No. 1".

11. Westview Subdivision includes street lighting and landscaping on the east side of Cobb Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 10 to Landscape and Lighting Maintenance District No. 1".

12. New Horizons Phase One Subdivision includes lighting, more particularly described on
maps which are on file in the City Clerk's office entitled "Annexation No. 11 to Landscape and Lighting Maintenance District No. 1".

13. Sunrise Estates Phase Six Subdivision includes landscape maintenance, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 12 to Landscape and Lighting Maintenance District No. 1".

14. Wisconsin Manor I Subdivision includes landscape and lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 14 to Landscape and Lighting District No. 1."

15. Northpointe Phase II Subdivision includes lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 15 to Landscape and Lighting District No. 1."

16. New Horizon's Phase II Subdivision includes lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 16 to Landscape and Lighting District No. 1."

17. "Annexation #17 Landscape and Lighting District" NOT FORMED.

18. Westwood Mobile Home Park includes landscape and lighting maintenance more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 18 to Landscape and Lighting District No. 1."

19. Castle Woods Phase I Subdivision includes landscape and lighting maintenance more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 19 to Landscape and Lighting District No. 1."

20. District No. 2 = North Creek Estates Subdivision located on Westwood north of Westfield includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No.2.

21. District No. 3 = New Expressions Phase I Subdivision located along Indiana Street between Springville Avenue and Cleo Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 3.

22. District No. 4 = River Springs Phase I Subdivision located along Newcomb Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No.4

23. District No. 5 = Castle Woods Phase II Subdivision located on Castle Avenue, Salisbury Street, and Median Avenue includes landscape and lighting maintenance and more
particularly described on maps which are on file in the City Clerk’s office entitled District No. 5.

24. District No. 6 = Creek View Estates located between Porter Creek Avenue and the property line in Porter Slough includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 6.

25. District No. 7 = Ford Estates located on the corner of Roby and Westwood Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 7.

26. District No. 8 = River Breeze Subdivision located on Newcomb Street, Patsy Street and Springs Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s Office entitled District No. 8.

27. District No. 9 = Orchard Ridge Phase 3 Subdivision located on Mathew Street, Nancy Avenue, Cheryll Avenue and Belmont Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s Office entitled District No. 9.

28. District No. 10 = Orchard Ridge Phase 4 Subdivision located on LaVida Court and Carmelo Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s Office entitled District No. 10.

29. District No. 11 = Orchard Ridge Phase 5 Subdivision located on Mathew Street, LaVida Avenue, Michael Street and Julieann Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 11.

30. District No. 12 = Westwood Estates Unit 5, Phase 2, located along Henderson Avenue and Brandy Way includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 12.

31. District No. 13 = River Ranch 3, located along Newcomb Street, Lloyd Avenue and Patsy Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 13.

32. District No. 14 = River Springs, Phase 2 Subdivision located on River Avenue, Beverly Street, Date Avenue and River Springs Drive includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 14.

33. District No. 15 = Meadowood, Phase 1 Subdivision located on Newcomb Street, Cheryl Avenue and York Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District
34. District No. 16 = New Expressions, Phase 2 Subdivision located on the Lybarger Avenue Cul de Sac at the entry of the Tule River Parkway Trail includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 16.

35. District No. 17 = Orchard Ridge Phase 6 Subdivision located north of Westfield Avenue between Michael Street and Lombardi Street on Julieann Avenue and Michael Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 15.

36. District No. 18 = Ohio North Subdivision located on Ohio Way Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 18.

37. District No. 19 = Williams Ranch, Phase One located south of Westfield Avenue on Silver Maple Street, Wall Court and San Lucia Court includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 19.

38. District No. 20 = West View Place Subdivision located on Median Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 20.

39. District No. 21 = Orchard Ridge Phase Seven Subdivision located on Pioneer Avenue, Michael Street and Mathew Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 21.

40. District No. 22 = Meadowood Phase Two Subdivision located on Newcomb Street, Pioneer Avenue, Julieann Avenue, Greenfield Street, York Street, and Birch Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office.

41. District No. 23 = Riverview Estates Phase Three Subdivision located on Roby Avenue, Belmont Street, Orange Avenue and Parkwest Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 23.

42. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue, and Santa Maria Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 24.

43. District No. 25 = Casas Del Rio Subdivision located on Date Street, Casas Del Rio
Avenue, Presidio Avenue, Rio Bonito Street, Alamo Court, Camellia Street, Tule Court and Rio Vista Avenue includes landscape and recreation area maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 25.

44. District No. 26 = Orchard Ridge, Phase Nine Subdivision located on Belmont Street, Pamela, Santa Maria and Pioneer Avenues includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 26.

45. District No. 27 = New Expressions Phase 3 Subdivision located on Springville Avenue, Cleo Avenue and McIntire Avenue along Wisconsin Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 27.

46. District No. 28 = Meadowood Phase Three Subdivision located on Westfield Avenue, Cherrill Avenue, Salisbury Street, Julieann Avenue and Pioneer includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 28.

47. District No. 29 = River Springs Phase Three Subdivision located on Date Avenue, River Springs Drive and Atkins Court includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 29.

48. District No. 30 = Right-of-way, easements, and public lands within Sierra Meadows, Phase One Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 30.

49. District No. 31 = Right-of-way, easements, and public lands within Williams Ranch, Phase 2 and 3 Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 31.

50. District No. 32 = Right-of-way, easements, and public lands within Sunrise Villa, Phase One Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 32.

51. District No. 33 = Right-of-way, easements, and public lands within New Expressions, Phase Four Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 33.

52. District No. 34 = Right-of-way, easements, and public lands within Meadow Breeze, Phase Two Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 34.

53. District No. 35 = Right-of-way, easements, and public lands within Meadow Breeze,
Phase One Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 35.

54. District No. 36 = Right-of-way, easements, and public lands within Amalene Estates Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 36.

55. District No. 37 = Right-of-way, easements, and public lands within Riverview Estates, Phase Four Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 37.

56. District No. 38 = Right-of-way, easements, and public lands within Ranch Victoria, Phase One Subdivision located on the north side of Putnam Avenue and east of Mathew Street, and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 38.

57. District No. 39 = Right-of-way, easements, and public lands within Williams Ranch Phase 4 Subdivision, including Theta Avenue, Bel-Aire Court, Terry Court, Silver Maple Street and Red Oak Street, and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 39.

58. District No. 40 = Right-of-way, easements, and public lands within Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue, including Vine Avenue, Clare Avenue, Clare Court, and Dogwood Street, and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 40.

59. District No. 41 = Beverly Glenn Subdivision, located between Lotus and Beverly Streets, including Date Avenue.

60. District No. 42 = Sierra Estates Subdivision, located east of Leggett Street and including Grand Avenue, South Place, Doree Place and Maurer Street. It also includes stub streets for Bellevue and Kanai Streets.

61. District No. 43 = Sierra Meadows Phase Two Subdivision located on Jaye Street and Gibbons Avenue and including Stacie, Yates, and Melinda Avenues and Mesa Oak and Pearson Streets.

62. District No. 44 = Summit Estates, Phase One Subdivision located along Mathew Street and includes Orange Avenue and Lombardi and Argyle Streets.

63. District No. 45 = New Expressions Phase Five Subdivision located along Parkway Drive and Indiana Street and includes Cloverleaf, Wisconsin, Bay Oak and Milo Streets.

Reference is hereby made to said maps for further, full and more particular description of said assessment district, and the same maps so on file shall govern for all details as to the extent of said
DESCRIPTION OF ASSESSMENT DISTRICT

SECTION 3. That the contemplated work, in the opinion of said City Council, is to be of more than local or ordinary public benefit, and the said City Council hereby makes the expense of the said work chargeable upon a district, which said district is described as follows:

1. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 26-89, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

2. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 1 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 146-89, indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

3. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 2 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 42-92, indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

4. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 3 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 69-93, indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

5. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 4 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 100-93, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

6. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 5 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 144-93, indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.
7. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 6 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 54-94 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

8. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 7 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 45-95 indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

9. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 8 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 97-94 indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

10. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 9 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 51-95 indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

11. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 10 to Landscape and Lighting Maintenance District No. 1." heretofore approved by the City Council of said City by Resolution No. 46-95 indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

12. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 11 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 79-95 indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

13. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of "Annexation No. 12 to Landscape and Lighting Maintenance District No. 1" heretofore approved by the City Council of said City by Resolution No. 80-95 indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

14. All that certain territory of the City of Porterville, included within the exterior boundary
shown upon that certain “Map of Annexation No. 14 to Landscape and Lighting Maintenance District No. 1” heretofore approved by the City Council of said City by Resolution No 24-96 indicating by said boundary line the extent of the territory included within the district and which map is on file in the office of the City Clerk of said City.

15. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain “Map of Annexation No. 15 to Landscape and Lighting Maintenance District No. 1” heretofore approved by the City Council of said City by Resolution No. 140-95 indicating by said boundary line the extent of the territory included within the district and which map is on file in the office of the City Clerk of said City.

16. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain “Map of Annexation No. 16 to Landscape and Lighting Maintenance District No. 1” heretofore approved by the City Council of said City by Resolution No. 33-96 indicating by said boundary line the extent of the territory included within the district and which map is on file in the office of the City Clerk of said City.

17. Annexation No. 17 Not Formed.

18. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain “Map of Annexation No. 18 to Landscape and Lighting Maintenance District No. 1” heretofore approved by the City Council of said City by Resolution No. 50-96 indicating by said boundary line the extent of the territory included within the district and which map is on file in the office of the City Clerk of said City.

19. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain “Map of Annexation No. 19 to Landscape and Lighting Maintenance District No. 1” heretofore approved by the City Council of said City by Resolution No. 56-96 indicating by said boundary line the extent of the territory included within the district and which map is on file in the office of the City Clerk of said City.

20. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain “Map of Landscape and Lighting District No. 2” heretofore approved by the City Council of said City by Resolution No. 126-98 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

21. All that certain “Map of Landscape and Lighting District No. 3” heretofore approved by the City Council of said City by Resolution No. 127-98 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

22. All that certain “Map of Landscape and Lighting District No. 4” heretofore approved by the City Council of said City by Resolution No. 128-98 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in
the office of the City Clerk of said City.

23. All that certain "Map of Landscape and Lighting District No. 5" heretofore approved by the City Council of said City by Resolution No. 29-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

24. All that certain "Map of Landscape and Lighting District No. 6" heretofore approved by the City Council of said City by Resolution No. 89-99 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

25. All that certain "Map of Landscape and Lighting District No. 7" heretofore approved by the City Council of said City by Resolution No. 67-99 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

26. All that certain "Map of Landscape and Lighting District No. 8" heretofore approved by the City Council of said City by Resolution No. 120-99 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

27. All that certain "Map of Landscape and Lighting District No. 9" heretofore approved by the City Council of said City by Resolution No. 15-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

28. All that certain "Map of Landscape and Lighting District No. 10" heretofore approved by the City Council of said City by Resolution No. 28-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

29. All that certain "Map of Landscape and Lighting District No. 11" heretofore approved by the City Council of said City by Resolution No. 22-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

30. All that certain "Map of Landscape and Lighting District No. 12" heretofore approved by the City Council of said City by Resolution No. 65-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

31. All that certain "Map of Landscape and Lighting District No. 13" heretofore approved by the City Council of said City by Resolution No. 133-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in
the office of the City Clerk of said City.

32. All that certain “Map of Landscape and Lighting District No. 14” heretofore approved by the City Council of said City by Resolution No. 166-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

33. All that certain “Map of Landscape and Lighting District No. 15” heretofore approved by the City Council of said City by Resolution No. 55-2001 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

34. All that certain “Map of Landscape and Lighting District No. 16” heretofore approved by the City Council of said City by Resolution No. 91-2001 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

35. All that certain “Map of Landscape and Lighting District No. 17” heretofore approved by the City Council of said City by Resolution No. 114-2001 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

36. All that certain “Map of Landscape and Lighting District No. 18” heretofore approved by the City Council of said City by Resolution No. 22-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

37. All that certain “Map of Landscape and Lighting District No. 19” heretofore approved by the City Council of said City by Resolution No. 23-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

38. All that certain “Map of Landscape and Lighting District No. 20” heretofore approved by the City Council of said City by Resolution No. 30-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

39. All that certain “Map of Landscape and Lighting District No. 21” heretofore approved by the City Council of said City by Resolution No. 44-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

40. All that certain “Map of Landscape and Lighting District No. 22” heretofore approved by the City Council of said City by Resolution No. 93-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.
41. All that certain "Map of Landscape and Lighting District No. 23" heretofore approved by the City Council of said City by Resolution No. 94-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

42. All that certain "Map of Landscape and Lighting District No. 24" heretofore approved by the City Council of said City by Resolution No. 191-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

43. All that certain "Map of Landscape and Lighting District No. 25" heretofore approved by the City Council of said City by Resolution No. 58-2003 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

44. All that certain "Map of Landscape and Lighting District No. 26" heretofore approved by the City Council of said City by Resolution No. 59-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

45. All that certain "Map of Landscape and Lighting District No. 27" heretofore approved by the City Council of said City by Resolution No. 60-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

46. All that certain "Map of Landscape and Lighting District No. 28" heretofore approved by the City Council of said City by Resolution No. 61-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

47. All that certain "Map of Landscape and Lighting District No. 29" heretofore approved by the City Council of said City by Resolution No. 90-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

48. All that certain "Map of Landscape and Lighting District No. 30" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

49. All that certain "Map of Landscape and Lighting District No. 31" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.
50. All that certain "Map of Landscape and Lighting District No. 32" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

51. All that certain "Map of Landscape and Lighting District No. 33" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

52. All that certain "Map of Landscape and Lighting District No. 34" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

53. All that certain "Map of Landscape and Lighting District No. 35" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

54. All that certain "Map of Landscape and Lighting District No. 36" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

55. All that certain "Map of Landscape and Lighting District No. 37" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

56. All that certain "Map of Landscape and Lighting District No. 38" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

57. All that certain "Map of Landscape and Lighting District No. 39" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

58. All that certain "Map of Landscape and Lighting District No. 40" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

59. All that certain "Map of Landscape and Lighting District No. 41" heretofore approved by
the City Council of said City by Resolution No. 37-2008 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

60. All that certain "Map of Landscape and Lighting District No. 42" heretofore approved by the City Council of said City by Resolution No. 37-2008 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

61. All that certain "Map of Landscape and Lighting District No. 43" heretofore approved by the City Council of said City by Resolution No. 37-2008 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

62. All that certain "Map of Landscape and Lighting District No. 44" heretofore approved by the City Council of said City by Resolution No. 37-2008 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

63. All that certain "Map of Landscape and Lighting District No. 39" heretofore approved by the City Council of said City by Resolution No. 37-2008 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

REPORT OF ENGINEER

SECTION 4. The City Council of said City has ordered preparation of the annual the report of the Engineer of Work, which report indicates the amount of the proposed assessment, the district boundary, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report, Landscape and Lighting Maintenance Districts 2008-2009 Fiscal Year" will be filed in the Office of the City Clerk of said City, and prepared for the 2008-2009 fiscal year in accordance with the Landscaping and Lighting Act of 1972. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

COLLECTION OF ASSESSMENTS

SECTION 5. The assessment shall be collected at the time and in the same manner as County taxes are collected.

TIME AND PLACE OF HEARING

SECTION 5. Notice is hereby given that on the 15th day of July, 2008, at the hour of 7:00 p.m. in the City Council Chambers at 291 North Main, in the City of Porterville, any and all persons
having any objections to the work or extent of the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

LANDSCAPING AND LIGHTING ACT OF 1972

SECTION 6. All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated The Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

PUBLICATION OF RESOLUTION OF INTENTION

SECTION 7. Published notice shall be made pursuant to Section 6061 of the Government Code. The publication of the Notice of Hearing shall be completed at least 10 days prior to the date of hearing.

CERTIFICATION

SECTION 8. The City Clerk shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED 1st day of July 2008.

__________________________________________
Cameron Hamilton, Mayor

ATTEST:
John Longley, City Clerk

By: ________________________________
Patrice Hildreth, Chief Deputy City Clerk
PUBLIC HEARING

TITLE: CONDITIONAL USE PERMIT 6-2008 (VILLA SIENA FAMILY APARTMENTS)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

COMMENT: The applicants are requesting approval of Conditional Use Permit 6-2008 to allow for development of 70 affordable housing apartment units and an office building on ±2.7 acres located on the southeast corner of Putnam Avenue and “E” Street in the R-3 (Multiple Family) and C-2 (Central Commercial) Zone.

The single phase mixed-use project includes five three-story 100% affordable-living apartment buildings, a two-story manager’s unit and recreation building, a tot-lot, pool area, and a one-story office building located at the northwest corner of the site.

All of the proposed buildings are consistent in design and feature a modern day version of craftsman architecture. Features include lap siding, woodcrest asphalt shingles, and traditional pitched roofing similar to the homes in the area. The proposed colors, accent paints, and ledgestone features consist of golden pastels, tans, coffee, and a Mojave stone that blend to create an attractive and inviting living and office environment.

The proposed project is consistent with the goals and policies of the City’s General Plan providing a mixed use and infill development project of affordable multi-family housing and office space.

ENVIRONMENTAL REVIEW: The proposed mixed use project is exempt from California Environmental Quality Act (CEQA) under the finding of “Infill Development” section 15332 class 32.

STAFF RECOMMENDATION: That the City Council approve Conditional Use Permit 6-2008 subject to conditions of approval.

ATTACHMENTS:

1. Complete staff report

DB Appropriated/Funded CM Item No. 12
VILLA SIENA FAMILY APARTMENTS, CONDITIONAL USE PERMIT 6-2008
FOR CITY COUNCIL MEETING OF JULY 1, 2008

APPLICANT: Simpson Housing Solutions, LLC
320 Golden Shore, Suite 200
Long Beach, CA 90802-4217

AGENT: Kevin Merritt
Macfarlane Costa Housing Partners
320 Golden Shore
Long Beach, CA 90802-4217

PROPERTY OWNER: Huu Tieu & Martin Loeffler
1400 Highland Drive
Porterville, CA 93257

PROJECT DESCRIPTION: A proposed 70 unit affordable-living apartment complex and 3000 square feet of office space located at the south east corner of Putnam Avenue and “E” Street.

SIZE OF PROPERTY: ±2.7 acres

GENERAL PLAN CLASSIFICATION: Downtown Mixed Use

ZONING CLASSIFICATION: Medium Density Residential (R-3) & Central Commercial (C-2)

STAFF RECOMMENDATION: Approve CUP 6-2008 subject to conditions of approval.

LEGAL NOTICES:

<table>
<thead>
<tr>
<th>Date Environmental Document Distributed</th>
<th>Date Notice Published in Porterville Recorder</th>
<th>Date Notice Mailed to Property Owners within 300 feet of property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exempt from CEQA</td>
<td>6-20-08</td>
<td>6-19-08</td>
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## Site Information

<table>
<thead>
<tr>
<th>Project Location</th>
<th>South east corner of Putnam Avenue and &quot;E&quot; Street</th>
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<tbody>
<tr>
<td>General Plan Designation</td>
<td>Downtown Mixed Use</td>
</tr>
<tr>
<td>Zoning</td>
<td>Medium Density Residential (R-3) &amp; Central Commercial (C-2)</td>
</tr>
<tr>
<td>Present Use</td>
<td>One vacant Building (to be demolished) and vacant land.</td>
</tr>
<tr>
<td>Proposed Access Points</td>
<td>One vehicular access point on Putnam Ave and two along &quot;E&quot; Street.</td>
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</table>

<table>
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<tr>
<th>Surrounding</th>
<th>Existing Land Uses</th>
<th>Zoning</th>
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<tr>
<td>North:</td>
<td>Comm/Res.– Funeral Home/Apartments and Res. Neighborhood</td>
<td>Downtown Mixed Use</td>
</tr>
<tr>
<td>South:</td>
<td>Commercial/ Packing House</td>
<td>Downtown Mixed Use</td>
</tr>
<tr>
<td>East:</td>
<td>Commercial – Bank/Café/Gas Station</td>
<td>Downtown Retail</td>
</tr>
<tr>
<td>West:</td>
<td>Commercial/ Offices and Residential Neighborhood</td>
<td>Professional Office and High Density Residential</td>
</tr>
</tbody>
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## Project Details

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required: 105 spaces</th>
<th>Provided: 105 spaces</th>
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</thead>
<tbody>
<tr>
<td>Setbacks</td>
<td>Required:</td>
<td>All setbacks meet City Standards.</td>
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<tr>
<td>Front:</td>
<td>15' Res/ 0' Comm.</td>
<td></td>
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<tr>
<td>Side:</td>
<td>10' Res/ 0' Comm.</td>
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</tr>
<tr>
<td>Rear:</td>
<td>5' Res/ 0' Comm.</td>
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<tr>
<td>Landscape Area</td>
<td>Required:</td>
<td>Provided:</td>
</tr>
<tr>
<td></td>
<td>Res. – 750 square feet in</td>
<td>Res. – +3000 square foot tot-lot and pool</td>
</tr>
<tr>
<td></td>
<td>the rear 1/3 of lot Comm. - 5’ landscape strip along street frontage</td>
<td>area, plus a +2700 square foot rec. area in building “A.” Comm.- 5’ landscape strip along street frontage</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>Space Between Buildings</td>
<td>Required: 15’ separation for Residential Buildings</td>
<td>Proposed: Meet all City Standards</td>
</tr>
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<td>Lot Area</td>
<td>Existing Lot</td>
<td>Existing Lot</td>
</tr>
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<td>Lot Width</td>
<td>Existing Lot</td>
<td>Existing Lot</td>
</tr>
<tr>
<td>Storm Water Retention</td>
<td></td>
<td>City System</td>
</tr>
<tr>
<td>Fencing</td>
<td></td>
<td>7” masonry block wall along the east and south property lines.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4’ wrought iron fence along the west and north property line.</td>
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</tbody>
</table>

ENVIRONMENTAL SETTING:

The subject ±2.7 acre site is flat and for the most part vacant with exception to one building on the northwest corner of the property. The vacant building is to be demolished as part of the project. Wild vegetation and weeds are present and the three trees found onsite will all be removed. The subject site was the Old Copeland Lumber yard which was taken over by Friends Lumber prior to vacating the site and relocating to their present location at the corner of Orange and “E” Street. The last use of the site was a book and antique store which has since closed its doors has remained vacant for over a year.

Curb, gutter and sidewalk do exist though old drive approach sections are proposed to be removed and new access points installed to accommodate the new development.

PROJECT DESCRIPTION/ANALYSIS:

The single phased mixed-use project includes five three-story apartment buildings, a two-story building (includes an upstairs manager’s living unit and a ±2,700-square-foot downstairs recreation area), a tot-lot and pool area providing more than 3000 square feet of open area, and a ±3000-square-foot one-story office building located at the northwest corner of the site.

The proposed buildings are located on the east and west sides of the proposed lot with parking and driveways centrally located. There are three vehicular access points proposed. One vehicle access is to be located on Putnam Ave. between the office building and one of the three story apartment buildings. Two more access points are to be located along “E” Street (one at each end of the property). Pedestrian access and paths are to be found throughout the complex, around each building and along the driveways. The conceptual landscape plan shows more than half of the walkable areas will be shaded once the proposed trees are mature. Additionally, the project is three blocks or less from downtown shopping,
elementary/middle schools, and public transportation.

All of the proposed buildings will be consistent in design and featuring a modern day version of craftsman architecture. Features including lap siding, woodcrest shingles, traditional pitched roofing similar to the surrounding homes to the west and “E” Street to the north. The proposed colors, accent paints, and ledgestone features consist of golden pastels, tans, coffee, and a Mojave stone that blend to create an attractive and inviting living and office environment.

Parking is found throughout the development. A portion of the parking spaces are shared. Eighty of the 105 proposed parking spaces are to be covered apartment parking consistent in design and materials with the apartments and office building. The 15 uncovered parking spaces nearest the office building have been designated for the office use during regular business hours. After normal business hours, residents of the apartments and guests would be allowed to use the parking. The remaining 10 uncovered parking spaces are compact spaces located in center of the complex between the tot-lot and pool area.

The perimeter of the complex will be served with a seven-foot masonry wall along the east and south property lines. Along the north and west property lines a four-foot wrought iron fence is to be constructed. Although the project is to contain fencing along the property lines the access points would remain open at all times to allow vehicles to enter/exit at free will. Signage is proposed at each entrance and would undergo a separate permit process. The design and colors of future signage would require consistency with the colors and theme of the proposed apartments and office.

The proposed project is consistent with the goals and policies of the City’s General Plan providing infill development with affordable housing, mixed use. Additionally, the project provides affordable housing lost due to the closing of the Porterville Hotel located at the corner of Main Street and Olive Ave. The City is working in conjunction with the developer in applying for State and Federal monies for development of the project and is assisting with nearly $500,000.00 in Redevelopment Funds.

ENVIRONMENTAL REVIEW:

The proposed mixed use project is exempt from California Environmental Quality Act (CEQA) under the finding of “Infill Development” section 15332 class 32.

STAFF RECOMMENDATION: Staff recommends that the City Council approve Conditional Use Permit 6-2008 subject to conditions of approval contained in the attached draft resolution

ATTACHMENTS:

1. Locator Map/Land Use/Zoning Map
2. Color Rendering
3. Site Plan, Floor Plans, Elevations
4. Conditional Use Permit Application and Environmental Information Form
5. Draft Resolution

Jose B. Ortiz ___________________________       June 17, 2008
Project Planner                               Date
Locator Map

Proposed Villa Siena Family Apartments

Land Use/ Zoning

- Downtown Mixed Use- R-3/C-2
- High Density Residential- R-3
- Professional Office- PO
- Downtown Retail- C-2

ATTACHMENT ITEM NO.
CITY OF PORTERVILLE

APPLICATION FOR CONDITIONAL USE PERMIT

NOTE: The basic purpose of the Conditional Use Permit Article 29 of The City Zoning Ordinance is to assure that the design and subsequent operation of a conditional use will be reviewed in order to carry out the purposes of the Ordinance and to protect the public health, safety and welfare, due to the unique and special characteristics of such uses.

PROJECT NAME: VILLA SIGMA APARTMENTS

NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF PROPERTY OWNER(S):
HUU TIEU & MARTIN LOEFFLER, 400 HIGHLAND DRIVE,
PORTERVILLE, CA 93257 PHONE (559) 359-0497

NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF APPLICANT /CONTACT PERSON:
KEVIN MERRETT, 320 GOLDEN SHORE STE. 200, LONG BEACH, CA 90802
SUZ 256 2161

PROJECT ADDRESS AND NEAREST CROSS STREETS:
131 W. PUTNAM, PORTERVILLE, CA. (APN: 252-193:004005)
SE. CORNER OF PUTNAM & 5 STREET

The applicant requests a Conditional Use Permit to use the above described property for the following purposes:
TO BUILD 70 AFFORDABLE HOUSING UNITS AND 2,970 SQ FT
OF OFFICE SPACE.

Date of most recent sale of property: FEBRUARY 20TH, 2007

If applicant is the lessee, give date property was leased:

List below the original deed restrictions pertaining to the type of improvements permitted.

Date said restrictions expire:

(Please attach a copy of original printed restrictions in answer to this question. Properly underline those features controlling the type and class of uses permitted.)

1

ATTACHMENT
A Plot Plan and 300’ radius property owners map, and corresponding mailing list are attached and made a part of this application. (See detailed instructions on Page 4 of this form).

1. State how the proposed use will not be materially detrimental to the public welfare or pose injury to property or improvements in such vicinity and zone in which the use is proposed.

   THE PROJECT WILL BE REMOVING AN ABANDONED BUILDING. IT ALSO WILL BE EXPANDING THE DOWNTOWN AESTHETICS AND PROVIDING QUALITY LIVING AND AFFORDABILITY TO THE RESIDENTS OF THE CITY OF PORTERVILLE.

2. Principal requirements of intended use (Please answer the following statements as completely as possible).

   (a) Total number of people that the building can accommodate at one time, or grounds if the use is not conducted in the building at one time (Occupancy Capacity).

      APPROXIMATELY 220 PERSONS

   (b) Total number of employees that will work on the property.

      4 EMPLOYEES

   (c) Total number of off-street parking spaces provided or planned.

      106 SPACES

   (d) Maximum height of buildings or structures.

      3 STORIES (PLUS 36 FEET)

   (e) If the application is not intended to be for a permanent conditional use, state the length of time for which it is requested.
We, the undersigned OWNERS of ADJACENT PROPERTY as shown upon the map attached to the application, hereby certify that we have read the foregoing petition and agree that the facts stated correctly and completely present the conditions surrounding the property involved in the application, and believe the application SHOULD BE GRANTED. (Add additional sheets where necessary. These signatures are deemed to be not required.)

<table>
<thead>
<tr>
<th>No. on Map</th>
<th>Name</th>
<th>Address</th>
<th>APN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>131 Primary</td>
<td>252:193:00V-005</td>
<td></td>
</tr>
</tbody>
</table>

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OWNER'S DECLARATION

STATE OF CALIFORNIA   ss
COUNTY OF TULARE   ss

I, [Name], being duly sworn, declare and say that I am the owner of (all or part) of the property involved and that this application has been prepared in compliance with the requirements of the Porterville City Council as printed herein and that the foregoing information thoroughly and completely, to the best of my ability, presents the argument in behalf of the application except as to the matters stated to be on my information and belief.

I declare under penalty of perjury that the foregoing is true and correct, executed at Porterville this 27 day of May, 2008.

Telephone (659) 339-0499  Signed

Mailing Address: 1400 Highland Drive, Porterville, CA 93257

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

Received  [Date]  [Signature]  Receipt No.  [Signature]

[By]  [Signature]
REQUIREMENTS FOR FILING APPLICATION FOR CONDITIONAL USE PERMIT

1. Conditional Use Permit Application Form
2. 300-Foot Radius Map
3. Property Owners’ List
4. Plot Plan, Drawings or Photographs
5. Filing fee $1,164

1. The Conditional Use Application form must be filled out completely. The application must be signed by the owner or authorized agent under penalty of perjury in the space provided on Page 3.

2. The 300-Foot Radius Map accompanying the application must be to a suitable scale and must be correctly prepared. It must show each parcel within 300 feet of the exterior boundaries of property involved, not just the center point. In addition, the map must label the uses of each parcel or present type of occupancy, such as single-family residence, duplex, apartment house, business building or type of industrial use, or vacant. The various zones surrounding the subject property must also be shown. Each parcel must be consecutively numbered to correspond to owner’s name on the Property Owners’ List (as explained below).

3. The Property Owners List should be typewritten or printed on Avery 5160 or equivalent mailing labels, and must include the owner’s name and mailing address. Each owner’s name on this list must be numbered to correspond with the numbering placed on the 300-foot Radius Map. The list must be of the latest available assessment roll and may be obtained through the Tulare County Assessor’s Office or Title Company.

4. The Plot Plan, if applicable, must be drawn to a readable and accurate scale and size showing the parcel dimensions, its location with respect to adjacent streets, and the location of all existing and proposed buildings, structures or other improvements, with their distances from the parcel line clearly shown (9 copies initially with additional copies to be submitted prior to public hearing). It is suggested to include photos and drawings of the proposed buildings on a scale large enough to illustrate the subjects under discussion. Photographs or drawings of structures are also helpful, and elevation drawings, including color scheme, may be required.

Submit this information and the application to the Planning Division, City Hall, Porterville, California. The application must be complete in every respect, with all questions answered completely, before the City Planner can receive and certify the petition.

This application is not a permit. A public hearing will be held on your application.
RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF CONDITIONAL USE PERMIT 6-2008 TO ALLOW THE DEVELOPMENT OF 70 RESIDENTIAL HOUSING UNITS AND ±2,700 SQUARE FEET OF OFFICE SPACE ON A ±2.7 ACRE SITE AT THE SOUTHEAST CORNER OF PUTNAM AVENUE AND "E" STREET IN THE R-3 (MULTIPLE FAMILY) - C-2 (CENTRAL COMMERCIAL) ZONE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of July 1, 2008, conducted a public hearing to consider Conditional Use Permit 6-2008, to allow for development of a mixed use 70 unit affordable housing apartment and office complex on a ±2.7 acre site located at the southeast corner of Putnam Avenue and "E" Street in the R-3 (Multiple Family) and C-2 (Central Commercial) Zone; and

WHEREAS: Pursuant to Section 408 (A) (R-3 Zoning) of the Porterville Zoning Ordinance, minimum lot area per family shall be one thousand five hundred (1,500) square feet. Based on the ±2.7 acre site, up to 78 units are allowed; and

WHEREAS: This project is Categorically Exempt pursuant to Section 15332 Class 32 of the CEQA Guidelines – construction of infill-development. Under the Permit Streamlining Act (Section 65950) of the Government Code), the City has 60 days from the date the project was accepted as complete to reach a determination regarding this project; and

WHEREAS: The City Council made the following findings with respect to the subject project:

1. The General Plan designates the subject site as Downtown Mixed Use.

The subject site is zoned R-3 (Multiple Family Residential)/C-2 (Central Commercial) Zone which is supported by the General Plan. The proposed use is allowed pursuant to approval of a Conditional Use Permit.

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

The generally level site is rectangular in nature with a width of 195± feet and depth of 460± feet. The soil is not highly expansive and therefore would not create any significant barriers to the project as proposed.

3. That the designs of the project or the proposed improvements are not likely to cause substantial environmental damage.

With the exception to the commercial uses to the east, the subject site is surrounded by office uses and homes to the west, a mobile home park to the south; a funeral home, apartments and homes to the north. The design would blend architecturally with the uses in this area. Additionally, Staff conducted an on-site inspection. The subject site contains one structure (to be removed) and weeds. No natural habitat was observed. As such, no endangered,
threatened or rare species or habitats exist and no significant impact would occur, as a result of the project.

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

The storage of hazardous materials other than what is utilized by residential households will be prohibited. Only those uses allowed in the Zoning Classification of the site would be allowed.

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

The proposed project meets all of the requirements, to include off-street parking, lot coverage, number of units allowed and landscaping required in the R-3 Zone set forth by Section 400 and C-2 Zone set forth by Section 800 of the Zoning Ordinance. Additionally, conditions of approval would ensure adequate development standards are met.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional use Permit 6-2008, subject to the following conditions:

1. The project shall be constructed in substantial compliance with the conceptual site plans, elevations, and landscaping plans (Exhibit 3) approved for CUP 6-2008 and submitted at the time of building permits consistent with the attached plans (Exhibit 3) in terms of improvements, including the locations of sidewalks and walkways.

2. The sidewalk located in the public right-of-way shall be recessed from the curb according to street cross-section standards contained in Figure 4-2 of the General Plan. A landscape parkway with city approved street trees shall be installed between the sidewalk and curb and maintained by the property owner. Tree spacing shall generally be one tree for every 35 feet of street frontage.

3. There shall be a minimum five foot (5') wide landscape strip between all property lines and parking areas.

4. Additional pedestrian connections shall be installed to connect proposed walkways with public sidewalks.

5. Bike racks and picnic table shall be constructed and placed in open space and recreation areas.
6. Parking lot stalls shall be 18 feet long without wheel stops, rather than 20 feet long with wheel stops.

7. The precise location of proposed monument signs shall be shown on the site plan, including dimensions from driveways, sidewalks, and other improvements.

8. The height of proposed monument signs shall be provided.

9. All roofing materials shall be consistent within the project, including that of the proposed residences, carports, and office space.

10. The proposed office space shall be consistent in design with the other proposed buildings, including consistency with roofing, entry ways, window styles, exterior materials and in keeping with the craftsman architectural theme.

11. The proposed buildings shall incorporate to a greater degree, the craftsman style of architecture, including, but not limited to a post and beam feature on columns and gables, and a river rock exterior base feature, or similar rock pattern.

12. The proposed location of all street lights shall be shown on the site plan. All street lights shall be a nostalgic style, consistent with other street lights in Downtown Porterville.

13. All mechanical equipment shall be screened from public view.

14. All comments by the Engineering Division are to be satisfied when submitting for a building permit application and/or prior to the issuance of a Certificate of Occupancy.


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

17. The developer/applicant shall comply with Appendix J, "Grading" of the 2007 California Building Code by providing a soils engineering report and a grading and drainage plan signed by a civil engineer or architect.

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

20. The developer/applicant shall construct drainage facilities as required to serve the property (Ord. No. 1306). Staff is requesting that the parking lot be designed to convey water to the City drainage system without crossing driveways.

21. The developer/applicant shall construct street paving (half-street, if necessary to match existing grades), curb, gutter, sidewalk, wheelchair ramp(s), water, sewer, etc. along the full frontage of the parcel except where they exist and are in good condition in the opinion of the City Engineer. All existing driveways along "E" Street shall be removed up to the lip of gutter and replaced with full curb, gutter, and sidewalk. New driveways shall be constructed per City standards.

22. A parkway consistent with the newly adopted General Plan will be required along Putnam Avenue and "E" Street, which calls for a full sidewalk replacement. The parkway shall include a 5' wide sidewalk adjacent to the existing right of way line. The remaining area within the public right of way shall be landscaped and maintained by the property owner, including maintenance of tree damaged curbs, gutters, and sidewalks. The new sidewalk shall adjust around existing power poles, streetlights, etc., as necessary, to provide a minimum 48" clearance between the obstruction and edge of sidewalk. Please refer to attached Figure 4-2F of the General Plan illustrating typical street cross sections.

23. The existing curb return and ramp at the southeast corner of Putnam Avenue and "E" Street shall be reconstructed to comply with current City standards.

24. The developer/applicant shall have a registered Civil Engineer or Land Surveyor prepare and submit a Parcel Merger that will merge property lines to meet the requirements of all applicable codes. The following information is required at the time of submittal:

- Three copies of a Map and Legal Descriptions
- Processing fee in the amount of $616.
- Adequate title information (deed, etc.) to verify current ownership and the method of creation of the effected parcels.

25. The Parcel Merger shall be approved prior to the issuance of a building permit.

26. The developer/applicant shall move existing utility structures (For example, poles, splice boxes, vaults, etc.) to a position that provides a minimum of four feet (4') of clear space in the sidewalk area and a minimum of two feet (2') of clear space from the curb face to the structure, unless they are below grade (Title 24 OSA).

27. The developer/applicant shall provide streetlights complying with Southern California Edison Company specifications, as approved by the City Engineer. Use of wood poles is prohibited without prior written approval of the City Engineer. Nostalgic lights matching the City downtown theme shall be installed along the Putnam Avenue
and "E" Street frontages. Spacing shall be 40 feet and 50 feet on center.

28. The developer/applicant shall appropriately light the proposed parking lot by providing Nostalgic lights matching the City downtown theme.

29. The developer/applicant shall, under City inspection, remove all existing abandoned and unnecessary items, to the satisfaction of the City Engineer, prior to the issuance of an occupancy permit (e.g., foundations, septic tanks, irrigation pipes, etc.).

30. The developer/applicant shall abandon existing wells, if any, after first obtaining an abandonment permit from the Tulare County Environmental Health Department, and shall provide the City Engineer with proof of compliance with County regulations prior to performing any grading.

31. The developer/applicant is advised that he/she is obligated to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS0000002 for discharge of Storm Water Associated with construction activity will be required (except operations that result in disturbance of less than one acre of total land area and which are not a part of a larger common plan of development or sale). Before construction begins, the proponent must submit a Notice of Intent (NOI) to comply with the permit, a site map, and appropriate fee to the State Water Resources Control Board (SWRCB). The proponent must also prepare a Storm Water Pollution Prevention Plan (SWPPP) for the entire project before construction begins. The SWPPP must contain at a minimum all items listed in Section A of the permit, including descriptions of measures to be taken to prevent or eliminate unauthorized non-storm water discharges and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, detention basins, etc.) best management practices that will be implemented to prevent pollutants from discharging with storm water into water of the United States. If portions of the project area are to be sold off before the entire project is completed, the proponent must submit to the California Regional Water Quality Control Board a change of information form identifying the new owners along with a revised site map clearly depicting those portions that were sold and those that are remaining. The proponent is also responsible for informing each new owner of their responsibility to submit their own NOI, site map, and appropriate fee to the SWRCB and to prepare their own SWPPP.

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

33. San Joaquin Valley Air Pollution Control District (District) Adoption of Rules 9510 and 3180 – Indirect Source Review (ISR) Rules

Effective March 1, 2006, the San Joaquin Valley Air Pollution Control District will
enforce the Indirect Source Rule (ISR). ISR applies to projects that are at least:

- 50 residential units
- 2,000 square feet of commercial space
- 9,000 square feet of educational space
- 10,000 square feet of government space

- 20,000 square feet of medical or recreational space
- 25,000 square feet of light industrial space
- 39,000 square feet of general office space
- 100,000 square feet of heavy industrial space
- Or, 9,000 square feet of any land use not identified above.

Projects that meet the above thresholds but are found through the application process to have mitigated emissions of less than two tons per year each of nitrogen oxides and PM10 (particulate matter 10 microns and smaller) will not be subject to the emission-reduction requirements of the rule.

a. It is the applicants’ responsibility to file an application (found at http://www.valleyair.org/ISR/ISR.htm) with the District. The application must be filed with the District no later than concurrent with an application for final discretionary approval with a public agency. An application maybe filed with the District prior to applying for a final discretionary permit from the local agency, at the discretion of the applicant. This timing was included in the rule so that applications filed with the District would not interfere with the local agency development approval process and so that local agencies could consider the benefits of the ISR program emission reductions in their environmental documents.

b. The District recognizes the land use authority of local land use agencies and will not impose any design requirements upon ISR projects.

c. ISR applicants can take credit for those measures that are required by the local agency or included in the design of the project that have a quantifiable air quality benefit. ISR applicants can also take emission reduction credit for those measures that are not required by the local agency, but have been voluntarily identified by the applicant.

d. The District will be responsible for enforcing compliance for those measures identified by the applicant that are not required by the local agency and do not affect the design or construction standards. Examples of District enforced measures are operational measures such as businesses offering transit subsidies to employees and transportation demand management programs. The District will enforce those measures through a Monitoring and Reporting Schedule (MRS).

e. The District will notify the local agency when a project’s application is deemed complete, and when it is approved. The District will send copies of the preliminary and finalized MRS to the local agency for voluntary review for consistency with local regulations and programs.

f. If the local agency, or applicant or district determines that a measure on the MRS is not consistent with local agency regulations and programs, that
measure will be removed from the MRS and the project will be re-assessed.

g. The District will provide a letter of rule compliance status to the local agency upon request.

h. The ISR Rules and Program does not place any requirements upon the agency.

For more information regarding the Indirect Source Rule, please contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000. The Central Region office in Fresno is leading the ISR enforcement.

34. The developer/applicant shall provide off-site improvements, easements, permits, calculations, etc. if, in the opinion of the City Engineer, they are needed for the proper functioning or phasing of the improvements or an adjacent development (e.g. water, sewer, drainage, etc.).

35. The developer/applicant shall design on-site water systems meeting the requirements of California Plumbing Code and Fire Code. It shall be noted that the City water system complies with Title 22 of the California Administrative Code and any assurance to effectively provide water pressure for multi-story buildings is the sole responsibility of the owner/builder.

36. The developer/applicant shall design and improve the parking lot in conformance with Section 2206 and 2211 (Exhibit A) of the Zoning Ordinance.

37. For the parking spaces, curb wheel stops must be shown or a minimum 6' sidewalk width must be provided to account for vehicle overhang.

38. The developer/applicant shall construct the pipe connecting to on-site fire hydrants to City water main standards and shall provide easements for maintenance of the fire hydrants. The locations of fire hydrants shall be shown on the site plan.

39. The developer/applicant shall install all required refuse container enclosures according to City standards. The developer/applicant shall also sign a waiver of liability for refuse truck damage to the parking lot if the refuse container locations require refuse trucks to travel on the parking lot. The enclosure openings shall be oriented to allow for direct pickup of the refuse bins or an acceptable method to roll out the bins should be accounted for (i.e., concrete slab in front of trash enclosure to allow easy in/out rolling of bins, etc).

40. Special attention shall be given to the sewer tie-in for this project. An existing 8" sewer line runs adjacent to the railroad. Based on City research, the depth at the manhole in Putnam Avenue is 6.5' to the pipe invert, but should be field verified. A sewer lift station may be required and shall comply with City standards, if necessary.

41. The developer/applicant shall comply with City standard for “backflow” prevention pursuant to Resolution No. 9615.

42. The developer/applicant is hereby notified that the installation of an additional water meter, servicing the irrigation system would be beneficial for monitoring actual water
usage. The City will monitor actual water usage for one year and will bill the owner the impact fees based on the actual water usage.

43. The developer/applicant shall design on-site water systems meeting the requirements of California Plumbing Code and Fire Code. It shall be noted that the City water system complies with Title 22 of the California Administrative Code and any assurance to effectively provide water pressure for multi-story buildings is the sole responsibility of the owner/builder.

44. A back-flow device is required on the water meter.

45. Submit three (3) complete sets of plans, signed by a licensed Architect or Engineer, to include two (2) sets of energy calculations and structural calculations.

46. Compliance with access laws (both State and Federal) is required.

47. Compliance with all applicable codes is required.

48. Plan check fees are required at time of building permit submittal.

49. Soil compaction test is required.

50. School Development fees and all other city fees are due at the time of building permit.

51. Restrooms and Main entrance must comply with disabled access laws.

52. All construction offices, storage containers, etc. for temporary use must receive City Council approval.

53. Signs required separate permits.

54. Pool required separate permits and prior approval from Tulare County Health Department.

55. Shall be an R-2 Occupancy.

56. Full 1 hr construction type is required.

57. Need total square footage on plans.

58. Need Carport engineering Calculations.

59. Show all ADA access routes thru the parking lot areas.

60. Requires 4 Min ADA parking stalls and one of them shall be Van accessible

61. A demo permit shall be required for removal of the existing structures/buildings.
62. NO DEFERRED ITEMS.

63. See Attached plans check list

64. The project must comply with latest applicable codes.

65. Based on the occupancy classification, a fire alarm and/or an automatic sprinkler system will be required. A NFPA 13 system is required in residential occupancy's over two stories per City of Porterville amendments.

66. When a sprinkler system is required all valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers is more than 20.

67. Submit three (3) complete sets of sprinkler and/or fire alarm plans to the Fire Department for review prior to installation.

68. For automatic sprinkler systems, underground plans must be submitted and approved prior to submittal of the above ground plans. A hydrant will be required within 50 feet of the Fire Department connection.

69. When any portion of the building to be protected is in excess of 150 feet from a water supply on a public street, there shall be installed on-site fire hydrants capable of supplying the required fire flow.

70. Additional fire hydrants will be required. All hydrants must be in place and accepted by the Fire Department prior to any combustibles being brought onto the site.

71. The City will test and maintain all fire hydrants in the City whether on private property or not. An "easement" is required from the owner.

72. Fire hydrant spacing shall be as follows:

   In Commercial development, one hydrant shall be installed at 300-foot intervals.

73. Access roads shall be provided for every facility, building or portion of a building, when any portion of the facility or portion of an exterior wall is located more than 150 feet from a fire apparatus access as measured by an approved route around the exterior of the building.

74. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City Standards.

75. Project must meet minimum fire flow requirements per the table in Appendix B & C of the California Fire Code.
76. Areas identified as “Fire Lanes” must be identified as such by red painted curbs and identified per requirements set forth in the California Vehicle Code Section 22500.1.

77. A Knox box will be required. An application may be obtained from the Fire Department.

78. The developer/applicant shall comply with all requirements of the Porterville Zoning Ordinance, the Porterville Municipal Code, the latest adopted Building Codes, and all other applicable laws and ordinances.

79. The Conditional Use Permit shall become null and void if not undertaken and actively and continuously pursued within one (1) year.

____________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley

By: __________________________
Patrice Hildreth, Chief Deputy City Clerk
CITY COUNCIL AGENDA: JULY 1, 2008

PUBLIC HEARING

TITLE: ZONE CHANGE AMENDMENT 2-2008

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: On March 4, 2008, the City Council adopted a comprehensive General Plan for the City. This General Plan contains a vision for the Downtown area to create a vibrant commercial and cultural “heart” to the City. A key component of this vision and effort includes preserving the historical development patterns and buildings, and incorporating their features into future development. Some of the policies contained in the General Plan, that relate to this effort include:

LU-G-1 Promote a sustainable, balanced land use pattern that responds to existing needs and future needs of the City.

LU-G-2 Maintain a well-defined, compact urban form with Downtown as the “heart of the City.”

LU-G-12 Promote the location of professional and administrative offices Downtown, near post-secondary education facilities, and in other mixed-use districts.

LU-G-20 Enhance Porterville’s Downtown as a pedestrian-oriented district that reflects local history and culture.

LU-G-21 Attract and retain specialty retail and restaurant businesses that will enhance Porterville’s unique character.

LU-G-22 Promote vertical mix of uses with residential and office uses above the ground floor retail to add vitality to Downtown Porterville.

LU-G-23 Provide sites for multi-family housing within walking distance of Downtown.

LU-G-24 Promote public and private development within Downtown that is sensitive to historic sites.

Currently, there is no mechanism in place to require quality architecture or maintain consistent neighborhood character. Proposed downtown projects that fall under permitted uses in the current zoning ordinance are approved under a building permit, without discretionary approval. If such projects meet basic zoning requirements, staff is obligated to approve the development, regardless of how it integrates into the downtown area.

DEPT APPROPRIATED/FUNDED [Signature] CM

ITEM NO. 13
In order to preserve the historical character of the downtown area and implement the vision of the recently adopted Porterville 2030 General Plan, staff is working with our Zoning Ordinance Update consultant to develop a process for development in the downtown area as part of our new Zoning Ordinance. Until such time as that effort is completed, staff recommends that the area along Main Street, bounded by Morton Avenue to the north, Olive Avenue to the south, Second Avenue to the east, and Hockett Avenue to the west be re-zoned to include a “D” Overlay Zone. This would allow the City Council to review building architecture for development in this strategic center until the completion of the new Zoning Ordinance.

Staff further recommends that the voluntary Downtown Porterville Architectural Design Guidelines, adopted for the Redevelopment Agency in 1994, be incorporated into the ordinance as mandatory standards. These guidelines contain a focused examination of historical architecture in Downtown Porterville and recommendations on specific building features that would allow new development to match the historical patterns. A copy of these standards is included as an attachment to the draft ordinance.

The following potential developments in the downtown area affect the exterior function and/or appearance of buildings. These developments would be subject to the Architectural Design Guidelines under this proposed ordinance due to the need to ensure that new these new developments are in keeping with the architecture of the downtown area:

1. Awning Improvements
2. Any Construction within the Public Right-Of-Way
3. New Signs
4. Painting of Buildings

The following potential developments in the downtown area are considered even more significant in their impact to the exterior function and/or appearance of buildings. Because these developments have the potential to affect to a very significant degree on the function and/or appearance of buildings downtown, they would be subject to the Architectural Design Guidelines and also require that the entire building and/or site be brought up to the standards contained in the Architectural Design Guidelines:

1. New Buildings
2. Additions to Existing Buildings
3. Façade Improvements
4. Any Improvements with a Valuation of over $75,000, Including Interior Remodels.
ENVIRONMENTAL: This is an implementation effort of the adopted General Plan and associated Environmental Impact Report. No further environmental review is necessary.

RECOMMENDATION: That the City Council adopt the draft ordinance approving Zone Change Amendment 2-2008.

ATTACHMENTS: 1. Location Map
               2. Draft Ordinance
ORDINANCE NO. ______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
PURSUANT TO ARTICLE 27 OF THE PORTERVILLE ZONING ORDINANCE
APPROVING ZONE CHANGE AMENDMENT 2-2008 TO ESTABLISH A "D" OVERLAY
ZONE TO THE PROPERTIES LOCATED IN DOWNTOWN PORTERVILLE, BETWEEN
MORTON AND OLIVE AVENUES AND SECOND AND HOCKETT STREETS

WHEREAS: On March 4, 2008 the City Council adopted a comprehensive General Plan
Update that included a vision for the preservation and enhancement of the downtown area; and

WHEREAS: Part of the implementation of the adopted General Plan Update includes the
creation of a new Zoning Ordinance to realize the vision, goals and objectives of the new General
Plan; and

WHEREAS: There is a need for an interim effort to preserve and enhance the downtown
area until a new Zoning Ordinance can be prepared and adopted; and

WHEREAS: On March 4, 2008, the City Council certified the Final Environmental Impact
Report for the Porterville 2030 General Plan, and no further environmental review is needed; and

WHEREAS: Pursuant to Article 27 of the Porterville Zoning Ordinance, the City Council
of the City of Porterville at its regularly scheduled meeting of July 1, 2008, conducted a public
hearing to consider Zone Change Amendment 2-2008 to establish a "D" Overlay zone to the
properties located in Downtown Porterville, between Morton and Olive Avenues and Second and
Hockett Streets; and

WHEREAS: That this zoning classification will serve to ensure that any future
development of the proposed area will be in conformance with the existing General Plan,
Redevelopment Guidelines and City Codes, and will not adversely impact the surrounding area.

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

SECTION 1: The City Council of the City of Porterville, after proceedings duly had and
taken, and after due and legal notice having been given, as prescribed by Ordinance 1198 of the City
of Porterville, and the laws of the State of California, determined that the public interest would best
be served by approval of the proposed Zone Change Amendment 2-2008; and

SECTION 2: Based upon the evidence and reason for the request for the amendment and
pursuant to Section 1706 of the Porterville Zoning Ordinance, the City Council makes the following
findings:

1. That the proposed "D" Overlay zoning classification is consistent with and will
implement the policies of the General Plan.

2. That the proposed “D” Overlay will not alter the density standards for development in this area.

3. That the proposed “D” Overlay is appropriate in location, character and timing and in accordance with requirements set forth by Section 1704 of the Zoning Ordinance.

4. That the proposed “D” Overlay will not alter the permitted and conditional uses, currently allowed in the project area.

5. That the proposed “D” Overlay will provide an improved level of aesthetic and architectural quality to the downtown area.

6. That the location of the proposed “D” Overlay is in accordance with the objectives of the Zoning Ordinance and the purpose of the General Plan Land Use designation in which the site is located.

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

SECTION 3: That the following described property in the City of Porterville, County of Tulare, State of California, known as Zone Change Amendment 2-2008, is hereby re-zoned to include a “D” Overlay zoning classification, for property located in Downtown Porterville, between Morton, Olive, Second, and Hockett Avenues, more particularly shown on the attached map, incorporated herein by reference as Exhibit “A”; and

SECTION 4: That all future development within the project area shall comply with the standards contained in the attached Downtown Porterville Architectural Design Guidelines, incorporated herein by reference as Exhibit “B” according to the following:

The following potential developments in the downtown area would be subject to the Architectural Design Guidelines under this ordinance:

1. Awning Improvements
2. Any Construction within the Public Right-Of-Way
3. New Signs
4. Painting of Buildings

The following potential developments in the downtown area would require that the entire building be brought up to the standards contained in the Architectural Design Guidelines under this ordinance:
1. New Buildings
2. Additions to Existing Buildings
3. Façade Improvements
4. Any Improvements with a Valuation of over $75,000, Including Interior Remodels; and

SECTION 5: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville, shall be changed to show that the subject properties, is hereby re-zoned to include a "D" Overlay zoning classification, for property located in Downtown Porterville, between Morton and Olive Avenues and Second and Hockett Streets, more particularly shown on the attached map, incorporated herein and referenced as Exhibit "A"; and

SECTION 6: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By __________________________
Patrice Hildreth, Chief Deputy City Clerk

ATTACHEMENTS:

Exhibit A: Location Map
Exhibit B: Downtown Porterville Architectural Design Guidelines
GETTING STARTED
A User's Manual

Volume 1
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REDEVELOPMENT PROJECT AREA #1
Porterville Redevelopment Agency
Porterville, California
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What Are the Redevelopment Agency’s Goals for the Design of Downtown Porterville?

With its adoption of the *Porterville Redevelopment Strategic Plan* for Redevelopment Project Area No. 1 in February of 1992, the City of Porterville made a concrete commitment to the revitalization of its downtown core. The architectural design guidelines and standards presented in this document provide measures for undertaking one important part of the downtown's revitalization—the preservation of downtown Porterville's physical fabric and the conservation of its historic character, particularly through the rehabilitation of its commercial and professional office façades.

The Redevelopment Agency recognizes that revitalization of the downtown is a process that will depend upon the participation and initiative of the area's property owners working cooperatively with the Porterville Redevelopment Agency and other City departments. Therefore, these guidelines are part of a comprehensive revitalization program which includes a variety of means for enabling private owners to work with the Agency in achieving the goals for physical improvements. There are two basic types of provisions in this document:

*Design Requirements.* These are standards which must be met as conditions of Porterville Redevelopment Agency participation and assistance in private rehabilitation efforts. Projects will be reviewed against the standards and assistance for qualifying projects will be administered through the Department of Community Development and Services.

*Guidelines.* These are strong recommendations by the Agency for private development and rehabilitation. In particular, they should be observed in projects that involve Porterville Redevelopment Agency participation and assistance in private rehabilitation efforts. They are intended to encourage an approach to the downtown's design that might be followed with or without direct Agency assistance in reconstruction or new development.

In all cases, adherence to the standards and guidelines is a requirement for eligibility for participating in the Agency's various programs for implementing the goals of the *Porterville Redevelopment Strategic Plan* and the objectives presented in general in this guidelines document. Further, it is the intent of the Agency to provide incentives in the form of assistance and facilitation of permits to those projects within Redevelopment Project Area No. 1 and its sub-districts defined in these guidelines that meet the Agency's goals for historically-sensitive revitalization of the downtown.
Goals

The following goals define the directions to be taken through implementation of the design guidelines for the Downtown area as a whole, as specifically encouraged by the Porterville Redevelopment Agency’s Façade Grant Program:

- Promote the on-going maintenance and repair of publicly visible private property.
- Promote the adequate identification of businesses while diminishing negative visual images associated with visually obtrusive, aesthetically unharmonious, outdated and/or non-functional signs.
- Promote aesthetically pleasing, functional and where appropriate interconnected public and private parking facilities within each of the sub-areas.
- Allow for the appropriate development of historically-referenced second story residential construction.

In addition, the Agency seeks to accomplish the following goals as well:

- Promote the improvement and maintenance of landscape elements on the street, including street trees, according to the City’s streetscape plan.
- Protect existing residential areas from visual and auto related impacts arising from new commercial development in the area.
- Encourage additional aesthetic amenities in large development/redevelopment projects.
- Promote the seismic upgrading of all existing commercial and professional office structures in need of seismic strengthening.
- Promote the implementation of Americans with Disabilities Act (ADA) access improvements to existing structures presenting access barriers to persons with physical disabilities.

Levels of Intervention

The Agency recognizes that the goals of the Porterville Redevelopment Strategic Plan will be achieved over a relatively extended period of time, and that the improvements associated with those efforts will be developed in an incremental, piecemeal fashion. It is for this reason that these guidelines have been prepared—as a precise plan for the urban design of the area in the long term and as conditions for Agency assistance with development in the short term.
An underlying objective of the revitalization program is to make optimal use of the available budget to ensure a long-term benefit to the community. Thus, a generalized design "theme" has not been selected for downtown, and an approach that encourages the restoration of each building to something close to its original character has been taken instead. Not only do buildings from the past that are representative of their time and place have historical and cultural value, it is more cost effective to restore them to their original condition. A cosmetic modernization of the buildings in downtown would require constant renewal as today's changes become dated within several decades or less. However, to restore the buildings to their original appearance and to adapt the buildings to new uses is more cost effective over the life expectancy of the building. While this approach may require more initial resources than a simple cosmetic change, once a building is restored to its original appearance only routine maintenance is required to continue the life of the building.

The following list of levels of intervention suggest degrees to which the goals of the guidelines can be approached, such that the revitalization of downtown Porterville can be realized in manageable steps.

Paint.

One of the simplest, most effective, and cheapest means of upgrading an older building is to re-paint it. While this is by definition a superficial intervention, it can be seen as a baseline effort from which other improvements can be made. Colors that are compatible with the historic fabric of downtown Porterville are recommended in Section 1.2.1 of the General Guidelines for the Revitalization of Downtown Porterville.

Signage.

More than any other intervention, the removal of inappropriate signs and their replacement with more attractive (and effective) historically sympathetic signs will have a significant impact on improving the visual environment of downtown Porterville. Commercial sign standards and guidelines are presented in detail in Section 2 of the General Guidelines.

Awnings.

The next level up in impact and level of effort is the replacement of inappropriate awnings or the addition of new awnings to commercial storefronts. This has a two-fold benefit: the awnings provide essential shade for pedestrians during Porterville's hot summer months, and also add an array of color to the streetscape. They also provide useful additional area for commercial signage.

Removal of inappropriate façade materials.

This level is more involved and entails a greater amount of effort than the preceding ones. Many of Porterville's historic buildings have been obscured behind later additions or "improvements" to their façades. Sometimes these additions have destroyed the original features of the building beneath them, but often they have not and these features can be relatively easily recovered. This effort will require some
initial research into the extent of original building fabric that survives beneath the surface. If features do survive, once they are uncovered they provide the best and most permanent kind of "renovation" possible.

Replacement of window and door openings.

If a historic building's windows and door openings have been filled in as a result of later remodels, they may be recovered by re-opening them and replacing or reconstructing some of the original window and door features. If the current use of the building precludes the functional re-opening of the windows and doors, then it is also possible to replicate or emulate those openings on the façade—as non-operable replicas or as trompe l'oeil murals—in order to increase the building's visual contribution to the Main Street streetscape.

Façade restoration.

The final level of effort, and the most intensive, is the full restoration of the original building façade. Standards for historic preservation and restoration are presented in detail in the General Guidelines, and in the Guidelines and Requirements for Sub-district A.
Financial Assistance for Façade Rehabilitation

The Porterville Redevelopment Agency is committed to assisting property owners and business owners in the rehabilitation of their older commercial and professional office structures within Redevelopment Project Area No. 1. The Porterville Redevelopment Strategic Plan outlined several programs of action that will act on that commitment. The present program is specifically designed to assist in overall rehabilitation through the Agency’s financial participation in the rehabilitation of building façades. Future programs may address new construction or other revitalization needs as identified by the Agency, but new construction is specifically not eligible for assistance under the current program. The program takes the following form.

The Redevelopment Agency’s Façade Grant Program

The terms of the Redevelopment Agency’s financial assistance program for qualifying projects are as follows:

- The Porterville Redevelopment Agency will provide an 80/20 matching grant, with the Agency paying 80 percent and the project applicant paying 20 percent of eligible costs.
- An additional assistance grant of $500 will be provided for architectural or design services for qualified applicants.
- The Agency will fund up to a maximum of $20,000 per "building face," where a "building face" is defined as a building elevation that fronts a street, alley, or public parking lot.
- Grant amounts will be based on 80 percent of the lowest bid for each building face (with two bids required), up to the maximum limit.
- Applicants will be responsible for a minimum of 20 percent of the remaining cost as their equity participation.

Terms and Conditions

Project proposals will be accepted from any property or business owner with property within Redevelopment Project Area No. 1, and grants will be awarded on a first-come, first-served basis, for all projects that satisfy the conditions defined in these architectural guidelines. Grant awards will be made until the budget has been expended.

In generalized terms, all projects will be qualified and will proceed according to the following steps, beginning with a determination of eligibility and passing through several rounds of review. Agency review will be in three stages: (1) preliminary determination of project eligibility, (2) design approval, and (3) project certification.
First Stage: Determination of Project Eligibility

The first contact between the Applicant and the Agency should be to inquire with the City about the program and to acquire copies of the Design Guidelines and other materials outlining the qualification requirements. The following steps are included in this stage:

Document Review. The Applicant reviews the Design Guidelines and other Agency documents to ascertain eligibility of proposed improvements, and the financial assistance limits under the program. In reviewing the materials, the Applicant identifies the location and building type or improvement category, determines the building elements included in the building (e.g., transom, clerestory, bulkhead, etc.), and reviews the guidelines for those elements to determine what is encouraged and allowed under the program.

Preliminary Proposal Review. The Applicant submits a proposal to City/Agency staff to seek a tentative "green light" to proceed with design. The preliminary proposal includes information on the scope of the proposed improvements, a generalized cost estimation and budget proposal, an indication of who will provide the design services, and whether or not the Applicant intends to use the services of a contractor.

Staff Advisory. Staff reviews the preliminary application/proposal and advises the Applicant on the project's eligibility to proceed.

- Staff may advise the Applicant to proceed, including a proviso that if the project is later determined to be ineligible, there is no guarantee of a $500 design rebate.
- Staff may counsel the Applicant to proceed pending corrections to (a) inadequate documentation, (b) an unsuitable scope, (c) an inappropriate plan for design assistance, or (d) an unrealistic budget.
- Staff may reject the proposal based on its failure to comply with requirements.

Second Stage: Design Approval

In the second stage, the Applicant takes the initial proposal and fully develops it for a detailed project review by the City/Agency. This includes the following steps:

Design Documentation. The Applicant prepares building face schematics with proposed architectural work, color schemes, lighting, signage, etc.

- Drawings and specifications are prepared to a level adequate to show compliance with Design Guidelines.
- The documentation includes a cost estimate to show generalized compliance with budget constraints.
- Note that an architect or other design professional may not be required for all work, depending on its scope; however, design drawings are required illustrating the proposed work and its compliance with the Guidelines.
Design Review. The Applicant submits draft design documents to the Project Review Committee for review and approval.

- The Project Review Committee advises the chairperson of the Redevelopment Advisory Committee that the project has been submitted for review.

- The Project Review Committee reviews the project for eligibility and compliance with the Guidelines and other regulatory requirements. At this time, elements of the proposal that do not comply with the Guidelines are identified and the Applicant is given the opportunity to bring the proposal into compliance through re-submittal. The project is also given a preliminary review for code compliance and other code issues to be addressed.

- Upon completion of the review, the Project Review Committee authorizes the project to proceed to bid documents.

- The Committee gives tentative approval to the project, and reserves funding for a maximum six-month period tied to commencement of work.

Third Stage: Project Certification

In the third stage, the Applicant brings completed construction documents and contractor bids to the City/Agency to establish levels of assistance and to formally certify the project. This stage includes the following steps:

Bid Review and Grant Qualification. The Applicant submits to City/Agency staff a grant request and a minimum of two bids from qualified and appropriately licensed contractors, with the bids broken out for each eligible building face.

- Applicant may choose any of the bidders to do the work, or may choose to do the work without a contractor; however, bids are required in either circumstance and Agency assistance will be based on lowest bid.

- Staff evaluates the grant request and prepares Certification Resolution in which assistance levels are established. The Resolution will include (a) specification of owner commitments to owner equity participation, (b) establishment of a construction schedule including the definition of completion milestones, (c) a payment schedule keyed to the construction completion milestones, and (d) maintenance agreements.

- Staff prepares report to Agency recommending action.

Agency Approval. The Redevelopment Agency acts on the Staff report and recommendation, approving or denying assistance.

Permit Issuance. The following steps and conditions shall apply to the issuance of required building permits:
• A permit shall be issued only to the Owner unless legal authorization is provided at the time of building permit issuance.

• The Owner/Applicant shall prepare at their own cost and expense all legally required documents and submit them to all appropriate agencies for review and approval.

• Permits shall be required for all work performed under the assistance program; however, for projects such as painting or others that would not ordinarily require permits, they will be issued on a no-fee basis.

• The Owner/Applicant shall pay the Agency the required matching funds at the time of building permit issuance.

Construction Monitoring. The Applicant commences the work and the City/Agency’s designated project manager monitors the progress of the project.

• The project manager and other appropriate City staff inspects the project according to normal procedures as required by code.

• The project manager also monitors the project to ensure compliance with approved design documents.

• The project manager observes the project to confirm partial completion at scheduled milestone points

Grant Payment. Staff administers the Agency grant payment(s) to Owner/Applicant.

• Upon Agency certification of the project, a fund equal to the approved amount is set up specifically for the approved project. The fund includes the Agency's grant amount as well as the Owner/Applicant’s equity contribution. A milestone-based progress payment schedule will be negotiated for each individual project.

• Terms are established in the Owner/Applicant’s contract with his/her contractor(s) (and/or those elements of the scope of work to be performed by Applicant as Owner/Builder are defined) enabling direct payment to the contractor(s) through the Agency’s Project Fund.

• Upon Owner/Applicant’s submittal to the Project Manager of progress billings from the contractor(s), the Project Manager will confirm the status of the work and authorize a payment to the contractor(s) from the Project Fund.

• A ten (10) percent retention of the amount billed will be withheld from each progress payment. Upon (a) a Certificate of Occupancy (if appropriate) and/or certification by Project Manager that the project is complete, (b) recording of a Notice of Completion with the Tulare County Recorder (if appropriate), and (c) with the approval of the Owner/Applicant, final payment will be made to the contractor(s) and the design rebate paid to the Owner/Applicant, subject to the timely release of any recorded liens.
Definitions, Applications, and Administration.

Definitions and applications.

For the purposes of applying the Architectural Guidelines, the following definitions shall serve for identification and classification of structures within Redevelopment Project Area No. 1:

**Heritage building.** An existing structure within the Redevelopment Area that is included on the list of heritage buildings identified as contributing to the historic character of the area in the 1986 Porterville Historic and Cultural Resources Survey (as amended) and adopted as such by the Porterville City Council. For the purposes of general preservation and construction, the State Historic Structures Building Code shall apply; for the purposes of structural design, engineering, and construction, Division 88 of the City of Los Angeles Building Code and/or the Uniform Code for Building Conservation shall apply.

**Non-contributing building.** Any existing building within the Redevelopment Area that is not included on the list of designated Heritage Buildings. For the purposes of general rehabilitation, the Uniform Code for Building Conservation shall apply; for the purposes of structural design, engineering, and construction, Division 88 of the City of Los Angeles Building Code and/or the Uniform Code for Building Conservation shall apply.

**New construction.** Any new buildings or any additions or extensions to existing buildings. For all new construction, the currently adopted building and safety codes of the City of Porterville shall apply. Note that assistance for new construction is not currently an Agency priority. Eligibility for future rehabilitation assistance of buildings constructed after the adoption of these Guidelines is contingent upon the new construction meeting the conditions and requirements for new construction contained herein.

Administration.

The Planning Division will review and approve all plans and proposals for work on heritage buildings seeking Redevelopment Agency assistance under these guidelines as part of the building permit process. They will ensure that all work meets the requirements of the Guidelines for Preserving, Protecting and Maintaining Heritage Buildings.

The Engineering and Building Division will ensure that all plans and proposals meet all applicable building code conditions.
A Glossary of
Styles and Terms

Architectural Vocabulary
of Commercial Buildings in Porterville

Architectural vocabulary of Brick Vernacular
commercial buildings—1890-1920.

This style includes the buildings that were the earliest commercial structures in downtown Porterville, and
were characteristically more architecturally exuberant before 1900 than after, when the Beaux Arts
Classical Revival style became the more prestigious style and the vernacular was used for the more low-
profile buildings into the 1920s. The significant features of commercial buildings during this period
include the following:

Walls. The exterior walls were constructed of common red brick with red face brick used on the street
elevations. More elaborate buildings featured decorative brick belt courses on the walls of the second
story. On one story buildings the decorative belt course was often applied near the parapet.

Bulkheads. The bulkheads under the display windows were generally constructed of wood panels.

Display windows. The display windows on the ground floor were set into a wood frame. The lower
section of the window was generally a simple sheet of glass. The upper section was generally divided
into smaller transom panels that were either stationary or moveable.

Transoms. The transom windows over the display windows and entrance doors had wood frames and
sash. The sash was either fixed or operable. The glass in the transoms was either opaque or colored
shot glass.

Entrance doors. The entrance doors to the buildings could be single or double doors. The entrance
had a wood door frame, wood doors with a glass panel and a transom light. The doors were often
located in a recessed entry. The entry had a canted display window on each side.

Side doors. The side doors often had a wood door with a glass panel. These doors may have had a
transom window.

Service doors. The doors to the service entrance or loading area had a wood door frame and a wood
paneled door.

Secondary windows on the first floor. Secondary windows on the first floor had a wood window frame
and a wood sash window or single pane vent window. The head over the window had a flat or
segmental brick arch. The window sill was wood or brick.

Second floor windows. The windows on the second floor were evenly spaced across the facade.
Modest buildings had a row of equally spaced double sash windows with a flat or segmented brick
head. Window openings on more elaborate buildings featured projecting bay windows, large decorative windows or paired windows. The window usually had a double 1/1 sash. Additional features include semi-circular fan lights, transoms decorated with red, yellow and blue glass panels and a segmental head. Windows on the secondary walls tended to have a simple 1/1 sash.

Parapets. The brick parapet on the street façades of the buildings were often the most ornate portion of the building. The parapet walls which were constructed with the same brick as the rest of the wall was often embellished with decorative brick belt courses or a decorative brick cap. Some buildings featured a sheet metal cornice or a cast iron railing at the top of the parapet. Many of the buildings featured a carved stone name plate as the central ornament of the parapet. The name plate contained the name of the building and the date of construction (e.g., the Putnam Block, 1890).

Roof. Most buildings had a flat or gable roof that was hidden by the parapet. A few of the most elaborate buildings included a small decorative roof as a focal point of the parapet composition.

Architectural vocabulary of Beaux Arts Classical commercial buildings—1900-1930.

Following the Columbian Exposition of 1893 in Chicago, commercial architecture in the United States moved away from the dark and ornate brick structures of the late Victorian period in preference for this lighter, classically detailed style. By 1900, the Beaux Arts Classical Revival style was making an impact on downtown Porterville. The significant features of commercial buildings during this period include the following:

Walls. The exterior walls were veneered with buff colored bricks that were often glazed or high fired. The walls were embellished with classical architectural details such as columns, pilasters, entablatures, cornices, belt courses, quoins and pediments. These details were sometimes worked out in another material such as glazed terra cotta.

Bulkheads. Buildings with retail space on the first floor incorporated the bulkhead under the display window into the base of the building. The base was veneered with granite or marble. The base supports the pilaster or column on buildings that have these features.

Display window. The display windows feature single panes of plate glass in a steel or bronze frame. There is a transom above the display window. The display windows are generally canted to create recessed entry for the doors to the shops.

Transom. The transom window was often composed of panels of small obscure panes of purple or clear glass set into lead came.

Secondary windows on street façades. The windows often were grouped together to create a more architecturally interesting composition.
Second floor windows. The windows on the street façade were usually sash windows that had a wood frame, stile and rails. Windows were used singly or grouped together. Several buildings featured the "Chicago" window which was composed of a central fixed glass panel flanked by casement or sash windows. These windows reflect the strong influence of the Chicago School of commercial architecture.

Entrance doors and side doors. The entrance doors to the stores and the second floor were wood with a single plate glass panel. The wood may have been stained rather than painted. The entrance doors to the store would generally be recessed.

Entablature. The entablature was the crowning feature on the composition of the exterior walls on the street façades. It was supported by the pilasters and columns that frame the main body of the exterior walls. The entablature generally was placed only on walls that faced the street.

Parapet. The parapet which rests on the entablature was not a feature found in classical architecture; however, it was needed to hide the roof. The parapet was embellished with a simple moulding. Other designs included recessed panels, projecting bays and open balustrades.

Architectural vocabulary of Streamline Moderne buildings.

By the late 1920s and 1930s, American commercial architecture began to exhibit the influences of the early Modern Movement and Decorative Arts styles in Europe. The significant features of commercial buildings during this period include the following:

Walls. The street façade of the Streamline Moderne buildings are identified by the use of rounded corners, horizontal banded surfaces, stepped elements and decorative pylons that project above the parapet. The face of the wall is finished with plaster giving the façade a smooth aerodynamic appearance. Vitrelight glass panels were often used to veneer a façade or a portion of a façade.

Bulkheads. The bulkhead under the display window is veneered with granite. The bulkhead is low because the floor of the display has been dropped to within 18" of the sidewalk.

Display windows for stores. The display windows are single sheets of plate glass set in a metal frame. There is one transom above the display window.

Restaurant/bar windows. Circular windows were often used in the street façade of restaurants and bars.

Entrance doors for stores. The entrance doors to retail stores were composed of wood stiles and rails and a full length plate glass panel. The wood portion of the door was painted.

Entrance door for restaurant and bar. The entrance door was wood with a small clear glass window. The design of the window could have been circular or some other Streamline motif.
Parapet. The parapet was treated in a number of ways. The most simple design would be the elimination of all detail. The next design would be a simple recessed edge. The more elaborate parapets involved a complex composition, a stepped panel flanked by projecting pylons decorated with horizontal bands.

Signs. The sign for the store was incorporated into the composition of the façade. A long narrow band was integrated into the upper wall above the area reserved for retractable awning. The sign for the restaurant/bar was also integrated into the composition of the façade and in fact became the focal point of the entire design. A projecting roof with curved corners was placed directly between the vitreelite veneer on the lower wall and the plaster finish on the upper wall. The name of the restaurant/bar was spelled out in free standing letters on the roof. The graphic design of the word "MECCA" on the Mecca Bar on North Main Street is an excellent example of the period.

Awnings. Retractable awnings were integrated into the design for the store.

Architectural vocabulary of post-World War II

The final period in downtown Porterville’s development occurred in the post-World War II boom. By the end of the 1950s the Porterville commercial core had reached its zenith in terms of original development. By that date virtually all of the lots had been developed. The significant features of commercial buildings during this period include the following:

Walls. The street façade of the store has a flat wall that is plastered. The only articulation of the façade is a narrow projecting plaster border that creates a frame at the side and on top of the wall. The austere appearance of the façade relies on the juxtaposition of the blank wall and the sign to create a minimalist composition.

Bulkhead. The bulkhead under the display window is veneered with tile or stone that provides a color and texture contrast to the walls.

Display windows. The display windows are simple panes of glass in an aluminum or steel frame. The bottom of the window has been lowered. The display shelf has been eliminated. The top of the window is even with the top of the entrance doors. There are transom windows.

Entrance doors. The entrance door has a steel or aluminum frame with a clear glass panel. The door pull is attached directly to the glass. In some cases the entrance door is not recessed.

Sign. The sign has been designed with special graphics that form the primary design on the façade. The location of the sign may be placed off center in order to create a special effect. The sign is not lighted.

Awnings. Retractable awnings were used although they interfered with the composition of the façade.
Figure 4: Commercial Photographs

Commercial Vernacular (1890 - 1910). The Palace Hotel.

Commercial Vernacular (1890 - 1910). The Arlington Hotel (1888). This building was expanded and remodeled in 1914, and is now the Porterville Hotel.
Figure 5: Commercial Photographs

**DESIGN VOCABULARY OF COMMERCIAL ARCHITECTURE**
Historic Styles found in Downtown Porterville

*Commercial Vernacular.* The building at 200 N. Main was originally built in this style in 1895.

*Beaux Arts Classical Revival.* The same building was remodeled in 1925. The arches were added as a Classical Revival feature.
Figure 6: Commercial Photographs

Beaux Arts Classical Revival. Originally the Pioneer Bank, this building was built in 1911.

Beaux Arts Classical Revival. The Masonic Lodge building was built in 1910.
Figure 7: Commercial Photographs

Commercial Vernacular (1920s). The brick facade of this building at Main and Oak was typical.

Streamline Moderne. Strong horizontals punctuated with vertical fin-like elements often characterized this style. The example was a radical 1930s remodel of an earlier 1890s Commercial Vernacular building.
DESIGN VOCABULARY OF COMMERCIAL ARCHITECTURE
Historic Styles found in Downtown Porterville

Figure 8: Commercial Photographs

Post World War II International. The clean lines and simplified forms of this building are a 1950s re-make of the earlier Commercial Vernacular building at Main and Oak.

Post World War II International. The projected frame around a simple facade was typical.
Architectural vocabulary of existing one story commercial buildings on South Main Street

The significant features of typical commercial buildings on South Main Street include the following:

**Walls.** The wall of the street façade was veneered with common bricks or bricks that had a ruffled finish and variegated color range of light to medium buff. The bricks were laid in running bond. The wall surface was occasionally decorated with a simple band of contrasting brick. The side walls and the back wall of the buildings were constructed of common brick.

**Parapet.** The wall on the primary street façade and adjacent wall at the corner of the secondary street façade has a parapet that rose 18" to 24" above the front and back walls. The main body of the parapet was veneered with the same brick used on the wall. The face of the parapet was plain or decorated with a projecting belt course. The cap of the parapet was decorated with a course brick. The parapets on the side and rear walls were not embellished.

**Entrance Doors.** The entrance doors were generally located in the center of the façade when the building has single occupancy. In buildings where there was more than one story, the doors were centered in the bay flanked by display windows. If the opening in the wall for the doors was flanked by brick piers, the doors were set flush with the wall. If the door and adjacent display windows were located within a single bay, the door was sometimes recessed. The display windows on each side were splayed so that the opening at the street was wider than the door opening. There was a transom over the doors. More elaborate entrances featured glazed sidelights on each side of the single or double entrance doors. Entrance doors had a wood stiles and rails with a single plate glass panel. The door frames were wood.

**Secondary Exterior Doors.** Most secondary doors were wood paneled doors or metal covered doors.

**Bulkheads.** The bulkheads below the display windows were veneered with glazed terra cotta or brick that matched the walls. Wood panels were also used.

**Display Windows.** The opening of the display window was generally rectangular. The width being greater than the height. The window was glazed with a single piece of plate glass set in a wood, bronze or steel frame. If the window opening was too large for a single sheet of glass, a single vertical mullion divided the opening into two equal spaces.

**Windows in Side and Back Walls.** The windows on the sides and rear walls were either double hung sash windows or vent windows that generally hinged at the top. The window frames and sash were constructed of wood or industrial steel. The glass in the wood sash windows was usually clear plate glass. The glass in the wood vent windows was clear plate glass or translucent glass. The glass in the steel frame windows was clear glass, translucent glass or wire glass. The opening in the brick wall for the wood frame windows had either a flat arch or elliptical arch head. The head over the industrial steel windows was flat.

**Transom.** A transom window was located above all display windows and doorways on the primary façades of the building. The transoms were filled with fixed glass or movable glazed vent windows. The glass was clear or translucent. The frames of the transoms were wood, bronze or steel.
Design Vocabulary of Porterville’s Historic Residential Architecture

The historic houses in Porterville that survive from the period 1890 to 1940 were built in the following architectural styles:

Wood Frame Vernacular. Many of the early residences in Porterville were basic structures that were embellished with few architectural elements except those that served a function. The houses have been classified as wood frame vernacular due to the simplicity of the details.

Second Empire. The second empire style is best demonstrated in the Zahud House. The modified mansard roof is the major identifying feature of the period that had reached its zenith as a fashionable style in the 1870s, but continued to be used until the end of the century.

Queen Anne/Eastlake Revival. A large number of the historic houses built in the 1880s and 1890s incorporated details of the Queen Anne Revival style and the Eastlake style that had been popular in the 1870s and 1880s. Details from both styles were often incorporated into the same house.

Classic Box. The Classic Box or Four Square style was a residential style popular after the turn of the century. The style whose antecedents can be traced to the American Colonial Revival style and the neoclassical design inspired by the 1893 Columbian Exposition. The houses are generally two stories with an attic. The simple rectangular box façade was embellished by a simple front porch and a central front door flanked by equally spaced windows on both floors.

Bungalow. The bungalow style is the primary style employed for most houses built from 1905 to 1929. The few houses built in the 1930s often were executed in a modified version of the style.
DESIGN VOCABULARY OF RESIDENTIAL ARCHITECTURE
Historic Styles found in Downtown Porterville

Figure 11: Residential Photographs

Wood Frame Vernacular. The earliest houses had simple massing and details.

Wood Frame Vernacular. Later houses added porches and columns, borrowing some details from other styles.

Wood Frame Vernacular. This example retains the simple massing but uses some Queen Anne Revival details.
DESIGN VOCABULARY OF RESIDENTIAL ARCHITECTURE
Historic Styles found in Downtown Porterville

Figure 12: Residential Photographs

Second Empire. The Zalud House was built in 1891.

Queen Anne Revival. A late Victorian style that often incorporated a wrap-around porch.

Classic Box. The central entrance and porch are typical features.

Bungalow. This style can be identified by its gable roofs and deep eaves.
Glossary of Commonly Used Terms

Awnings. A piece of canvas, metal, or other material spread before a door or window for protection from the sun or rain. Commercial storefront awnings often incorporate a 6-inch to 12-inch "drop" across its front, on which a business's name may be printed.

Balustrades. Vertical supports for a railing or bannister that are usually found on a balcony or terrace but that were sometimes used as non-functional ornament, especially in Beaux Arts design.

Building fabric. The materials and features that, taken together, define a building's architectural and structural integrity.

Canopy. A flat protective covering that projects horizontally from a building, in commercial buildings in Porterville usually covering a portion of the public sidewalk.

Cladding. The exterior skin of a building (e.g., brick, stucco, wood siding) applied to the building's structure.

Columns. Vertical structural supports or posts separated from a building's facade that also often serve an ornamental purpose.

Cornice. An ornamental moulding that projects along the top of a wall, column, or side of a building, or along the top of an ornamental entablature.

Stiles. A vertical piece in a paneled wall or the side of a door.

Enriched paving materials. Materials suitable for front walks, driveways, and common space. materials such as brick, tile, stone, interlocking concrete pavers, or other comparable quality permanent decorative treatment.

Entablature. A horizontal band that runs below the cornice or on a building or canopy fascia, sometimes with ornamental swags, dentils, or egg-and-dart bas relief. Typically found in Beaux Arts or Classical design.

Facade. The front, side or rear face of a building consisting of the wall plane, openings and any projection such as balconies or stairways.

Gable roof. A roof type with a central ridge supported by vertical end walls; the end of such a ridged roof, with the three-cornered piece of wall that it covers.

HVAC. Heating, ventilating, and air conditioning.
Landscape. The improvement of a site or the exterior spaces of a building through the introduction of plant materials, water elements, trees and other decorative elements. Landscape also includes "hardscape," which is exterior decorative materials that are not living plant materials, such as enriched paving materials and outdoor furnishings.

Mansard roof. Traditionally, a four-sided roof with two slopes on each side. The lower slopes are nearly vertical and the upper slopes nearly flat, allowing greater headroom throughout the top story. In contemporary usage, "mansard" roof is used as a kind of false screening device, often not well integrated into the building's architecture. It should be avoided where possible.

Masonry. Brick or concrete units stacked and joined with mortar.

Pointing. The placement of mortar (or the replacement of damaged existing mortar) in the joints between bricks or concrete masonry units.

Ornamentation. Features of a building used to adorn, decorate, or embellish its architecture. Examples include cornices, entablatures, or belt mouldings.

Parapets. A vertical wall or an extension of a wall that extends above the roof line.

Pediment. The low triangular part on the front of buildings in the Classical style; like a gable. Pediments are often the location of decorative elements on a façade.

Piers. A solid masonry support that is larger than a column.

Pilaster. An upright architectural member that is generally rectangular in plan with the appearance of a column projecting from a wall. Often used to visually frame a doorway or building entry.

Pylons. A post or tower, often in open steel framework, that was sometimes used in buildings of the 1930s through the 1950s.

Storefronts. The traditional storefront design in Porterville incorporates all or most of the components shown in the illustration.

Streetscape. The overall image of a street taking into account the height and features of its buildings' facades, the relationships of its sidewalks, parking areas, and roadways, street trees, and street furniture such as benches, signs, planters, etc.

Cames. The small, grooved bars of lead used for framing the glass in latticework or stained-glass windows.

Mullion. A vertical bar between the panes of a window, or a radiating bar in a round window.
**Muntin.** A strip member separating panes of glass within a sash.

**Punched windows.** Individual windows that when viewed from the outside are recessed into the building wall.

**Trompe l’œil.** Literally "fool the eye," this French expression has come to be applied to any highly realistic painting, especially a mural whose painted features are meant to suggest that they are an actual element of the building on which they are painted.
GENERAL GUIDELINES
for the Revitalization of Downtown Porterville

Volume 2
DOWNTOWN PORTERVILLE
ARCHITECTURAL DESIGN GUIDELINES
REDEVELOPMENT PROJECT AREA #1
Porterville Redevelopment Agency
Porterville, California
1.1 Background and Scope

The scope of these guidelines is broader than the definition of conditions that make a rehabilitation project eligible for Agency Assistance under the Facade Grant Program. The terms of the guidelines that are necessary prerequisites to a project's qualification under the Grant Program are all those that fall within the classification of "rehabilitation" or "restoration." No Agency assistance is available under Bond Issue No. 1 for new construction projects or for projects which might involve site improvements or other property improvements that are not directly attached to a building within the project sub-districts. However, the Agency encourages the pursuit of such projects, and offers guidelines for the design of those projects so that they might make the most positive contribution to the image and ambiance of Downtown Porterville.

In general, projects that qualify for Agency assistance under the Facade Grant Program will fall within one of the following construction categories:

*Historic Restoration.* There are numerous examples on Main Street of commercial structures whose architectural fabric has essentially survived the last century, including in many cases buildings which remain largely intact. As noted in the historical review, many of these buildings have architectural or historical significance and deserve to be restored to their original condition. This is perhaps the most ambitious category of physical improvement, as it implies a rigorous observation of the Secretary of the Interior's Standards for Historic Restoration, and entails often costly research and replication of historic materials and details. However, as noted below, there are also incentives and benefits for such restoration, and the outcome can be the return of a landmark building to its original status as a key character-defining element on the street and in the downtown.

*Rehabilitation—Facade Remodels.* A large proportion of the commercial structures on Main Street—both north and south—have been added to and modified over the years in a manner that obscures their architectural and historical origins. Some of these modifications were done in the style and spirit of their own time and contribute to the historic character of the street. Others, however, reflect "re-muddlings" in which all reference to the building's past have been obscured and the "new" treatments have not aged well. Short of a full-scale historic restoration, improvements can be made in the category of rehabilitation and façade remodeling. While in some ways these improvements might be considered superficial in that they do not necessarily include substantial re-working of the building's structure, they can go a long way toward bringing back a building's image and contributing to the quality of streetscape on Main Street. They include updates and clean-ups of signage, improvements to the building's lighting of signage, display, and architectural features, as well as restoration or refinement of the building's storefront (such as improved entrances, display windows, etc.). These improvements also include surface treatments such as cleaning brick of old paint and plaster, removing overlays of stucco to reveal original materials and details, and cleaning and restoring...
ornament and historical details. Finally, and critically for Porterville and its hot summer climate, is the treatment of shade devices, such as canopies, awnings, or trellises.

Adaptive Re-use. There are numerous examples of fine older residential structures in downtown Porterville which are highly desirable for adaptation to professional office use or another similar commercial use. The objective in designing for such adaptive re-use is to retain the character of the original building to the greatest extent possible and to ensure the conservation of the scale and character of the street on which it sits, while adequately providing for the commercial requirements of the new use. Provision of parking on lots designed to residential standards is especially critical, as is the integration of commercial signage into a previously—or in some cases currently—residential neighborhood.

Projects that are encouraged but that do not typically qualify for Agency assistance under the Facade Grant Program are characterized below. It should be noted that, because such work does not qualify for the facade program under Bond Issue No. 1, it does not follow that the Agency in any way discourages this kind of work, nor does it preclude its future eligibility under subsequent bond issues.

Rehabilitation—Structural. In many cases, the superficial rehabilitation treatments of façade features described above are inadequate to save a building and to bring it back to full utility. In downtown Porterville, there are numerous examples of structures of unreinforced masonry which require seismic stabilization and reinforcement to meet current seismic safety codes. Even more broadly impacting the commercial building fabric, the requirements of the Americans with Disabilities Act which became operative in 1993 have wide-ranging implications for the accessibility not only of public areas in commercial structures, but in the accessibility of all interior spaces as well. In each of these cases, owing to the constraints of the original building shells, the kinds of changes necessary to implement the safety and access programs usually entail significant structural modification to the building.

New Construction. Along the entire length of Main Street from Morton to the Tule River, there are empty or underutilized lots that are candidates for infill development. The Porterville Redevelopment Strategic Plan particularly notes the problem of underutilization on South Main Street, where in addition to properties used for parking or open storage, there is also typically a lesser lot coverage and greater setback from the street than there is in the more conventionally "downtown commercial" setting of North Main Street. New development at a larger scale than the single lot or small parcel infill is less likely to occur on the Main Street frontage itself north of Olive, but on South Main and in other areas near to Main Street, larger scale projects are possible and in some cases recommended by the Strategic Plan. Such large scale development should be compatible with the existing historic fabric of downtown Porterville as well as with the specific neighboring context of each respective project.
1.2 General Requirements for Commercial Façade Rehabilitation

Nearly all of the project types described above entail some adherence to historic precedent. The more detailed provisions for restoration and preservation are presented in the sections of these guidelines that apply to each of the dominant building types in each of the identified sub-districts. However, the issues of materials, colors, and awning design cut across the categories and the sub-districts. For that reason, they are presented here as a general set of guidelines and recommendations for façade rehabilitation.

1.2.1 Materials and Colors.

One of the most visible contributors to the image of Main Street and other blocks in the downtown Porterville historic core is the condition and character of the materials and colors on the building façades. Materials have been added over the years to the original building materials in manners not usually sympathetic with the character of the underlying building. Similarly, inappropriate colors have been applied to many buildings according to the prevailing fashion of the time and do not necessarily contribute to the historic integrity—nor the architectural continuity—of the street.

Wherever possible, materials that have been added to older buildings should be removed and the original building fabric restored (see Restoration and Reconstruction standards, Section 5.2) New materials should not be added to older façades except to reconstruct or emulate one of the historic styles described in these guidelines (see Getting Started—A User’s Manual). In no case should materials such as slump block, board and batten, wood or composition shingles, and metal screening be used on new or restored building façades in the downtown (see Sections 5.3e and 7.3.3c).

Colors for buildings are often controversial, owing to the very subjective nature of color preferences among people. The best way to proceed in selecting color for restored or new commercial buildings is to rely on the historic precedents. Even here, however, the matter of color authenticity is difficult since there was no color photography to provide a record and very little original color remains on Porterville’s historic buildings. The color recommendations in these guidelines are based upon research involving microscopic analysis that has been conducted in buildings of similar period in other communities. Examples of the colors described here (and further specified with color chart classifications) are available for inspection at the Community Development counter in City Hall.

During the late nineteenth century, the construction materials of commercial buildings (usually brick) provided the primary exterior color. Trims were painted in dark, somewhat muddy colors; window sashes were often painted black. The Victorians liked deep but not pure colors. These ceased to be popular after the Columbian Exposition of 1893, when Classical Revival styles gained favor. From 1900 on, wood trim on buildings tended to be less assertive, often painted in soft shades of creams, beige, fawn—pale gray colors in the gray-brown range. For the Art Deco period, buildings were often painted white, with trim in white also, or metal trim (real or painted—aluminum paint was popular), or black.

There are a number of colors which should not be used in any application on Main Street: blues, purple, bright red or orange, pink, bright green (except for rare examples of apple green popular in the 1930s). Deep colors should be reserved only for late 19th century buildings.
Recommended colors for Brick Vernacular commercial buildings (1880-1900). Walls and surfaces of early commercial buildings were usually left unpainted, allowing the natural color of the materials used to give the building color. Thus, dark colors of brick red or dark brown prevailed. The window sash was frequently painted black. Sash and trim could be painted in some combination of two of the deep colors, or a combination of two with black as well.

Recommended colors for Beaux Arts and Classical Revival commercial buildings (1900-1930). The most common exterior material in Beaux Arts and Classical Revival buildings was concrete plaster (stucco). This was usually meant to simulate stone and was often left unpainted, with the natural cement color or tinted in gray or gray-brown colors. Trim was not painted to contrast boldly with the natural material—indeed, one of the most common colors was a pale pink-beige.

Recommended colors for Streamline Moderne commercial buildings. Exterior paint was very light in value, and was often white. Besides white, the colors used were very pale beiges and grays. Trim was also frequently painted white, or very pale shades as well. The colors here are slightly darker than those in the list for plasters for Streamline Moderne buildings, but in the same color ranges. Aluminum metallic paint is also an acceptable choice.

Recommended colors for Vernacular commercial buildings (1920-1960). Similar to the earlier Beaux Arts and Classical Revival buildings, exterior plaster was left to resemble a light, natural color. Trim colors in these buildings were often the same lighter neutrals as those used in the Beaux Arts and Classical Revival buildings. In addition to the lighter trim colors, however, later buildings (after 1945) introduced darker trims as well, including some deep gray-blues.

1.2.2 Awnings.

In order to protect the building, the owners, and the customers from the hot sun, many of the first wood structures on Main Street included a deep veranda covered by a shed roof across the street arcade. Additional protection and shade was provided by irregularly spaced trees along the street. As the older wood structures were replaced by the new brick commercial buildings in the late 1890s it was necessary for the merchants and building owners to provide a more urban alternative to the earlier wood porches. The display windows on the street façade of each new building were protected by canvas awnings or a fixed sheet metal roof canopy that enveloped the entire first floor façade. The awnings and canopies extended over the entire sidewalk. The front of the covering was dropped low along the street side in order to provide maximum protection from the sun. By the first decade of the twentieth century the wood verandas and trees had been replaced by awnings and canopies.

The awnings that were used to protect the pedestrians and the stores on North Main were generally made of canvas and they were both fixed and movable. The moveable awnings could be opened and closed. The moveable awnings were made of cotton duck or awning materials that were supported by a moveable metal frame. The duck or awning material was generally plain or striped. The plain color appears to have been light while the striped canvas was alternating bands of light and dark color. The 1897 and 1902 Sears Roebuck catalog offered striped awning ticking in "drab and red" and "drab and blue." In the same
catalog they offered a refreshment tent made of white duck, blue and white striped duck and brown and white striped duck.

The catalog included a drawing of a palmetto (lawn tent) made of 8 oz. awning materials that had an elaborate stripe pattern. The striped canvas was available in blue and white, brown and white and blue and old gold. Other tents made of 8 oz. duck in a variety of unspecified colors were included in the publication. The small drop on the canvas was provided with either straight or scalloped edge.

Historic photographs record that when canvas awnings were used they were generally attached to the wall above the transom window. While this is a predominant location for the awning there are several photographs that show the awning being attached to the façade at the bottom of the transom.

Canvas awnings were also used on second floor windows, although many structures did not have them. The awnings, made of plain and striped duck or canvas, in general appear to have been retractable. The awning was attached to the wood window frame rather than the brick wall. The second floor awnings generally appear to have been made of striped fabric rather than plain material. The edges of the awning were usually scalloped.

Since there is always the exception to the rule it should be noted that two photographs of the Baker Block (c. 1894 and c. 1900) document a single fixed awning that covers all of the windows on the North Main Street façade. The plain canvas awning material is affixed to a metal frame. The frame is attached to the wall.

Equally as popular as the awning were the fixed canopies that had a corrugated sheet metal roof supported on a light wood frame and wood posts. A canvas drop that could be raised and lowered provided additional sun shade and a place for the name of the commercial enterprise. The canopies extended from the face of the building to the edge of the boardwalk. This is in contrast to the moveable canvas awnings which did not extend quite so far.

Due to the fact that the distance between the sidewalk and the top of the transom was different for each building, the slope of each awning or canopy was unlike its neighbor. This created a streetscape that some would consider exciting and others would find unrestrained.

The character of North Main Street was affected by the awnings and canopies that were used on almost every building. The size of the awnings and canopies, the differences in the slope of each covering and the fact that they virtually lined both sides of the street made North Main appear to be more dense and more protected.

Photographs of North Main Street indicate that by 1920 the fixed sheet metal or canvas canopies had been dismantled and replaced by moveable canvas awnings. The buildings on the east side of the street generally had moveable awnings attached to the façade above the transom in order to provide maximum shade to the storefronts. The businesses on the west side of the street usually attached the awning to the bottom of the transom. Due to the orientation of their building they could leave the transom windows unobstructed in order to obtain the benefit of the additional light.
The removal of the fixed canopies and awnings gave the streetscape a brighter and more open aspect. While the canvas awning for each building was different, the awnings appear to be much lighter and less confining than the older canopies.

By 1939 the fixed flat canopy was being used on North Main Street. The canopy which projected over the sidewalk was suspended from the face of the building by metal cable. In order to provide more shade the canopy on the Porterville Hotel was situated below the transom over the first floor display windows. A photograph in the 1960s revealed that canvas drops had been added to the face of the canopy. There were three separate drops that could be adjusted independently. The drops were a plain light color duck that had been embellished with a scalloped edge. The name of the business establishment had been painted on the drop.

Photographs of North Main Street in the 1950s indicate that fixed flat canopies were replacing the moveable awning over the storefronts. Aluminum, which had been an unusual building material prior to World War II, became available and popular after the war. It was used extensively for the new canopies because it was lightweight, had a permanent finish and symbolized the promise of the future.

**Design guidelines for awnings and canopies for existing historic buildings.**

a. *Awning and canopy types.* Existing buildings dating to the historic period 1890 to 1940 should utilize awnings and canopies reflective of those types used on the building in the later historic period which included canvas awnings and metal canopies without the canvas drops that extended to the sidewalk. An awning or canopy type shall be selected that is compatible with the specific style or period of the building; the range of awnings and metal canopy types correspond to the first three types identified in the "Awning and Canopy Types" exhibit (see Figure 3).

- Type A—retractable fabric or metal
- Type B—fixed fabric or metal
- Type C—metal canopy

All awnings should be sloped and flat, regardless of material used; no awnings should be stretched over a curved frame unless photographic evidence can be shown that the building originally had such an awning configuration.

b. *Awning and canopy materials and colors.* Some newer canvas and canvas-like materials with better weathering and maintenance characteristics and sheet metal are all appropriate materials for new retractable and fixed awnings to be applied to existing historic buildings. Awnings may be colored in darker hues, either as solid colors of deep olive, hunter green, deep red, burgundy, or old gold, or striped in combinations of two of these colors or one of these colors with white, cream, or tan. Metal canopies should utilize aluminum anodized in a dark, neutral color or natural metal.

c. *Placement of awnings and canopies.* Awnings depending on the building façade being considered may be fitted so as to attach above the transom window (as illustrated in Figure 3, Type A) or below the transom window (as in Figure 3, Type B). To diminish the interior effects of late afternoon summer sunlight, buildings on the east side of Main Street (or other north-south streets) should consider the advantage of attaching the awning above the transom window. Metal canopies should always be placed below the transom window. Upper level awnings may be eligible.
AWNING AND CANOPY TYPES

Figure 3: Awning and Canopy Types

A Retractable Fabric or Metal

B Fixed Fabric or Metal

C Metal Canopy

D Movable Fabric/Metal
d. Concealed lighting. Awnings and canopies can be used to conceal various forms of façade lighting fixtures. Light fixtures placed under an awning may be used to light a guild sign that may hang from the awning frame, or it may be employed to further illuminate the sidewalk or building entrance below. Concealed direct and accent lights can be placed over metal canopies to illuminate the front façade and/or related front façade signs.

Design guidelines for awnings and canopies for new construction or for non-historic buildings.

a. Awning and canopy types. Awnings and canopies for new buildings or for existing buildings not belonging to the historic structures as defined in these guidelines should be appropriate to the parent building design, but should also reference in general form the historical precedents existing in Porterville. Appropriate awnings or canopies may be movable (see Figure 3, Type D). They may also exhibit shapes that speak of their own time, such as concave, wave, or other irregular shapes, and utilize contemporary attachment systems. Colors, however, should be compatible with the historic awning and canopy colors noted elsewhere in these guidelines.

b. Awning and canopy materials and colors. New materials such as metal meshes and non-gloss synthetic fabrics may be acceptable depending on the new building design concept.

c. Placement of awnings and canopies. New awnings and canopies should be placed in similar locations on the building façade as those places utilized in historic buildings. Awnings and canopies should directly follow the shading and transom window relationships used on earlier historic buildings in Porterville.

Awning and canopy maintenance and repair.

All awnings and canopies described under this section, whether for existing historic structures or for new construction, shall be maintained in good condition.

a. Awnings and canopies shall be regularly cleaned.

b. Awnings and awning frames which are torn, bent, rendered inoperable, or otherwise damaged shall be repaired within a reasonable time by the owner.

c. Awnings and canopies which cannot be repaired shall be removed or replaced within a reasonable time by the owner.
1.3 General Requirements for Development and Rehabilitation Within All Sub-districts

In addition to those specific criteria developed in connection with each of the sub-districts of the downtown and their characteristic building types, there are general conditions that apply to the entire area of Redevlopment Project Area No. 1. These criteria cover issues that apply to all buildings, whether within a sub-district or not, and also address general issues of development to ensure that the historic core of the downtown is not degraded by inappropriate development or imagery on its edges.

1.3.1 Parking Area Standards and Guidelines

_Parking Design_

Parking facilities shall be designed in accordance with the design standards and landscape requirements of applicable City ordinances.
1.3.2 Seismic Reinforcement of Substandard Buildings: Unreinforced Masonry (URM) Buildings

There are numerous unreinforced masonry heritage buildings in the Redevelopment Project Area. Most of these buildings, however, are heritage commercial buildings located in the North Main Street District. Meeting the requirements of the applicable building code may require an extensive rehabilitation program that will affect the appearance of the buildings. In order to ensure that the seismic retrofit of a building does not compromise the ability of the owner to restore the exterior of the building, the following guidelines should be followed:

**Shear Walls and Cross Walls.**

a. New shear walls and cross walls may be constructed to strengthen the building in order to meet the requirements of all applicable building codes.

b. New shear walls or cross walls shall not block storefronts or windows on the principal street façade.

**Steel Frames.**

a. New steel frames may be installed to strengthen the building in order to meet the requirements of all applicable building codes.

b. The steel frame may be exposed on the interior of the building unless the interior has been designated as a significant interior to the historic integrity of the building and should be preserved.

c. The steel frames shall be designed to accommodate the existing fenestration openings.

d. The steel frames shall be installed in a manner to minimize the removal of window trim and ornamentation on the walls.

e. The steel frames shall be designed to match the opening of existing interior columns and pilasters.

f. The steel frames should be painted to blend with the interior space.

g. The steel frames shall not intersect windows or door openings.

h. The steel frames shall not be used on the building's exterior.

**Repainting.**

a. Repainting shall be done with mortar that matches the existing mortar chemically and aesthetically.

b. Repainting may be used to replace inappropriate mortar to improve seismic strength.

c. The repainting shall not widen or otherwise alter the appearance of the original mortar joints on the exterior.
Anchor Bolts.

a. The Anchor Bolts shall be installed at 22-1/2 degrees on the principal façade to obviate the necessity for exposed bolt heads.

b. Anchor Bolts with traditional star-in-circle bolt heads may be installed as through bolts on principal façades with City approval.

c. Anchor Bolts shall not be installed as through bolts on principal façades without approval.

Windows.

a. Window and door openings shall be respected in any seismic strengthening design.

b. Windows may be infilled (with approval) on walls that are not the principal façade if an appropriate infill material is used.

c. Windows and doors on the principal façade shall not be infilled.

Parapets and Ornamentation.

a. Parapets and ornamentation shall be braced.

b. Missing segments of original parapets and ornaments may be replaced with lightweight materials that duplicate the appearance of the original member.

c. Original parapets and ornamentation shall not be removed.

1.3.3 Americans with Disabilities Act Issues

There are various modifications to existing commercial buildings that will probably be necessary to bring them into legal compliance with the provisions of the Americans with Disabilities Act (ADA). Owners of buildings within Redevelopment Project Area No. 1 are encouraged to do so. The design areas covered within the ADA that will have the most relevance to existing commercial structures in Porterville include: minimum door opening widths, ground surface friction coefficients, maximum entrance slopes, type and maximum height of door handles and other hardware, door closer types and adjustments.

In order to access various upper floors within older commercial buildings along North Main Street, and thus implement City goals to permit upper level professional office and residential uses, ADA and state fire code requirements will need to be addressed. Typically elevators, "rated" fire corridors and stair access facilities will need to be constructed. In some cases these facilities may be combined and coordinated among two or more adjacent structures needing upper floor access. Further, such significant and potentially costly modifications should be developed in conjunction with seismic upgrades to unreinforced masonry structures.
1.3.4 Location and Screening of Mechanical Equipment, Utility Infrastructure and Service Areas.

Rooftop equipment.

a. Roof mounted heating, ventilating, air conditioning (HVAC) and other mechanical equipment should generally be placed towards the rear portions of the building roof to distance it from public view and public noise reception. In cases where a commercial business abuts a residential use the mechanical equipment should be placed so as to minimize visual and noise impacts upon the residential use.

b. Roof mounted HVAC and other mechanical equipment should be shielded from public view by parapets or architectural enclosures that are visually integrated with the parent structure. Noise shielding should also be employed when equipment is both loud and located relatively close to residential uses or areas of high pedestrian activity.

Window and wall mounted air conditioners.

a. When possible, window mounted air conditioners should be avoided on primary building façades or in other areas exposed to major public view.

b. Side and non-ventilating portions of window and wall mounted air conditioning equipment that project beyond the exterior building plane should be enclosed in housings that visually match the parent building in form, material and color.

Trash, storage and utility enclosures.

a. When possible, trash and open storage areas should be located in the rear portions of the lot to conceal them from public view.

b. Outdoor trash and open storage areas should be enclosed in solid permanent enclosures that screen trash receptacles and storage materials when located on private property in areas visible to the public such as in business side yards and parking areas. The enclosure shall meet City standards for construction of enclosures, and should be constructed of materials that match or are sympathetic to the parent structure or neighboring structure in form, material and color or be visually compatible with the parent structure. Chain link fences of any kind are not permitted. When consistent with the landscape theme used, these enclosures may be further softened with landscape materials.

c. Utility infrastructure such as telephone cabinets, water main valves, cable TV boxes, etc. when located in landscaped areas should be painted in green or earth tones and/or screened with plant materials.

Service and loading areas.

a. Wherever possible, service and loading areas should be placed towards the rear of the lot so as to conceal them from primary public view.
b. When a commercial use is adjacent to a residential use consideration should be made to locate the service or loading area away from the residential use and/or to screen the area with a permanent solid wall.

Exterior pipes, vents, utility infrastructure/cabinetry, railings and metal flashing.

a. Exterior pipes, ducts, conduits, vents, utility cabinets, railings, stairs and metal flashing should be painted in colors that match the color of the parent structure.

b. Where possible and appropriate, wiring, multiple conduit runs/junctions, meter groups and/or valve turn-offs should be enclosed in cabinets or enclosures painted to match the parent structure.

Non-functioning elements.

Non-functioning equipment and signs from former tenants should be removed by the building’s owners from all buildings, including rear façades exposed to public view.

1.3.5 Rear Façades Facing Public Alleys or Public Parking Areas

Rear entries.

a. Rear entry doors, door frames, door hardware and lighting fixtures should match types utilized on the front façade and/or that are appropriate to the parent building’s historic period.

b. If utilized as a public entrance rear entries should include small signs and lighting fixtures that match the imagery utilized on the front façade. (e.g., sign types, materials and colors, see Section 2).

Repair and maintenance.

Rear façades and related façade elements such as business signs, façade lighting, rear windows, HVAC equipment and trash/storage enclosures should be kept in good physical condition through routine cleaning, painting and maintenance.

1.3.6 Building Security

Provision of security for commercial uses is an essential element of design and building rehabilitation. Components of such security systems should be integrated into the building’s design and be effective but unobtrusive. The following guidelines should be observed.

a. Where security doors are provided, they shall not encroach into the public way in the front or in rear of the building, in either an opened or closed position.
b. Lighting shall be provided at all entryways to the building, and in any alcoves or other features of the building which impede the visual surveillability of the building and its public areas.

c. Where security grilles are required or otherwise provided, they shall be painted to match the trim colors of the building. Unobtrusive roll-down grilles with thin vertical and horizontal elements are preferred; heavy steel and accordion fold grates are discouraged.

d. Grilles, security doors, and other security devices designed for nighttime security should not be visible to the public during business hours or when they are in an open position.

e. The use of display window lighting in storefronts and lighting under the awning are encouraged both as a security measure and as a means for enlivening the downtown streetscape at night.

1.4 Site Amenities for Larger New Multi-Tenant Commercial Projects

New multi-tenant commercial projects with a lot size of 15,000 sq. ft. or larger shall provide a publicly-oriented common space with a minimum area of 600 sq. ft. and a minimum dimension of 20 feet, which shall contain pedestrian oriented amenities such as shade structures, benches, business or community kiosks, trash receptacles, water features, public sculpture/art, murals, clocks, enriched paving materials, specimen and floral landscape materials. When possible such areas should be located near restaurant uses, if any, within the development. The common space may be outdoor, indoor, and/or atrium space.

When developed as an open space and located adjacent to parking areas, the common space shall be buffered from the parking area with a landscape hedge or low masonry wall.
Guidelines and Standards for Commercial Signs

Excessive diversity in the size, number, type (material, color, source of illumination) and location of commercial signs can help to create a weak visual image on North Main Street. Similarly, South Main Street and areas adjacent to Main Street exhibit various visual disharmonies stemming from the inappropriate use of signs. To encourage the use of historically appropriate signs—and of signs that contribute positively to a pedestrian-oriented ambience for Downtown Porterville—a set of sign guidelines is presented that limits the types, sizes, number and locations of signs that can be used in the downtown area.

These sign guidelines do not supersede the City’s sign ordinance (e.g., the total aggregate area of all signs on a building is still limited to a maximum of 15 percent of the building’s façade area). Many signs that are permitted under the ordinance are not eligible for assistance as they do not reflect the image of the downtown envisioned by the Guidelines. The sign guidelines add to the package of other fundamental design guidelines (covering exterior building architecture, awnings, exterior lighting) that as a group work together to address the creation of a more visually attractive and cohesive downtown visual image and the establishment of an historically appropriate setting. To be eligible for assistance, a sign must be attached to the building and integrated with the facade design; in no case are freestanding signs eligible. Backlighted signs or "can" signs, internally illuminated signs, or signs painted directly onto a wall or other surface are also discouraged and not eligible, although they are permitted under the ordinance.

The following types of signs are eligible for Agency assistance (subject to the conditions noted herein) within the various subdistricts in the downtown area.

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Downtown Sub-district</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A</td>
</tr>
<tr>
<td>Awning Signs</td>
<td>YES</td>
</tr>
<tr>
<td>Front Façade/Upper Transom</td>
<td>YES</td>
</tr>
<tr>
<td>Guild Signs</td>
<td>YES</td>
</tr>
<tr>
<td>Monument Sign*</td>
<td>NO</td>
</tr>
<tr>
<td>Painted Wall Sign</td>
<td>NO</td>
</tr>
<tr>
<td>Pole Signs</td>
<td>NO</td>
</tr>
<tr>
<td>Projecting Blade</td>
<td>YES</td>
</tr>
<tr>
<td>Rear and Side Facade Signs</td>
<td>YES</td>
</tr>
<tr>
<td>Roof Sign</td>
<td>NO</td>
</tr>
<tr>
<td>Window Signs</td>
<td>YES</td>
</tr>
</tbody>
</table>

a. A monument sign is generally defined as any detached sign mounted on the ground in such a way that a substantial portion of the bottom edge of the sign image area is in contact with the ground. As freestanding signs, monument signs are not eligible for assistance; however, in Sub-district B, such signs are encouraged if they meet the conditions for Front Yard Signs in these Guidelines.

b. Eligible for assistance on commercial structures only.
ELIGIBLE TYPES OF SIGNS FOR FRONT FACADES ON NORTH MAIN STREET
Also for other Downtown Buildings built to the rear of sidewalk

Parapet

Front Facade/Upper Transom Sign Individual Applied Letters

Tom's

Awning Sign (valance only)
(7" letters maximum)

Window Sign
(Maximum 25% window area)

18" maximum

NOTE: Internally illuminated or backlighted signs are not eligible.
Awning Signs

Awning signs are usually stenciled or applied directly on an awning edge, valance, or “fringe” area. Sign lettering should generally be black or white, chosen to provide good contrast with the awning color. Awning signs are visible from passing automobiles and from pedestrians across the street who may survey several businesses at a glance. Awnings with side valances that hang over sidewalks provide an opportunity to present a business identification sign clearly visible to the passing sidewalk pedestrian. Awning signs should be limited to providing the name of business.

Awning Signs Design Standards

<table>
<thead>
<tr>
<th>Sign Material:</th>
<th>Screen/paint on canvas (or other permitted awning fabric)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Colors:</td>
<td>Light colored lettering on dark colored awnings; dark colored lettering on light colored awnings. All lettering to be one color only.</td>
</tr>
<tr>
<td>Maximum size of Sign:</td>
<td>Lettering not to exceed 7&quot; in height on the drop/valance.</td>
</tr>
<tr>
<td>Lighting:</td>
<td>None required; interior lighting limited to pedestrian-oriented down-lighting only.</td>
</tr>
</tbody>
</table>

Signage is permitted on the slope of the awning, but is subject to the maximum area limitations for the building.
Front Façade/Upper Transom Signs

The front façade sign is the sign where most businesses receive their primary identification. These signs need to be visible from the adjacent street but not necessarily from the front sidewalk where other signs such as window signs or hanging guild signs are more important.

For Main Street and other buildings in the downtown area that have front façades that are built to the back-of-sidewalk, individual applied letter signs made of either metal, painted wood, or plastic are prescribed in these guidelines as a way of limiting the diversity of the number of the types of signs as a way of bringing greater visual unity to the front façade image. These types of signs are further limited in size and placement upon the front façades. Lighting of these signs would come from external sources—depending on the building’s historic period, either industrial “goose neck” type or concealed accent lighting sources would be used. Internally lighted or backlighted box-type signs are not permitted.

Use of the individually supplied letter signs allows for individual business expression through the availability of a wide variety of type styles and colors that can be drawn upon.

Front Façade/Upper Transom Signs Design Standards

| Sign Material:  | Individual applied letters. |
| Eligible Locations: |  |
| a) 1890-1950 Buildings: | Front façade wall face directly above transom or display windows. On façades with awnings, the bottoms of individual applied letters should be placed within 6" above the top of the awning or above the awning on the first available façade wall surface where the sign can physically be placed. The top of the letters should not extend beyond 36" from the top of awnings nor in any case should the top of the letters be located nearer than 12" from the top of a parapet or bottom of a cornice on a one-story façade, nor nearer than 12" from the bottom of a belt moulding on a multi-story façade. |
| b) Moderne Buildings: | Same locations as 1890-1950 buildings, or individual letters placed on top of a solid entry projection or marquis. |
| c) New Construction: | Same locations as either the 1890-1950 or Moderne buildings as in (a) or (b) above. |
| Number of Signs: | One per business. Not eligible if projecting blade sign is used. |
| Maximum Area: | Area of sign image rectangle shall not exceed one square foot for each two linear feet of façade frontage; the total shall not in any case exceed 75 square feet. |
| Lighting: | Required. External source consisting of historic "goose neck" type fixtures or concealed accent lights. |
Front Façade/Upper Transom Signs

These storefronts use a combination of awning signs and applied-letter façade signs. Notice the use of planter boxes in the example on the left, and the low hedge to screen parking in the example on the right.
Applied letters may take on a wide range of type and images. Each business's selection should be sensitive to the historical period of the building (such as the Art Moderne "Mecca" sign at right), or to the spirit of the business it advertises (such as the maternity shop sign above).
Guild Signs

The guild sign is generally small and pedestrian oriented. The guild sign may be placed on an open front façade or under an awning. This type of sign typically consists of paint on wood or paint on metal. Illumination is received by ambient and/or accent sources the hanging sign/guild sign lends itself to artistic expression on both sign faces and in some cases on the mounting frame itself which can become a further decorative design element.

<table>
<thead>
<tr>
<th><strong>Guild Signs Design Standards</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sign Material:</strong> Painted metal and painted wood are eligible. Plastic and internally illuminated blade signs are prohibited. Decorative supports, frames, and/or suspension chains are encouraged.</td>
</tr>
<tr>
<td><strong>Sign Colors:</strong> No limitations.</td>
</tr>
<tr>
<td><strong>Eligible Locations:</strong> Placed on downtown commercial structures built directly in back of a public sidewalk with no front setback.</td>
</tr>
<tr>
<td><strong>Number of Signs:</strong> One per street façade per business.</td>
</tr>
<tr>
<td><strong>Maximum Size of Sign:</strong></td>
</tr>
<tr>
<td>(a) If mounted under an awning or marquee: 6&quot; in height and 36&quot; in length (may be two-sided). A minimum 8 foot vertical clearance between the public sidewalk and the bottom of the guild sign is required.</td>
</tr>
<tr>
<td>(b) If mounted to the wall: 5 square feet maximum area per side. A minimum 10 foot vertical clearance between the public sidewalk and the bottom of the guild sign is required. The sign shall not project more than 18&quot; from the face of the building.</td>
</tr>
<tr>
<td><strong>Lighting:</strong> Optional. External direct or accent light sources should be used. Fixtures should be hidden from view.</td>
</tr>
<tr>
<td><strong>Other Guidelines:</strong> Incorporation of decorative illustrations, logos, typography and utilization of varied sign shapes and colors is encouraged. Multiple guild signs used on one architecturally common building façade should be placed in the same location, made of the same materials and use the same mounting system for all businesses located within that building.</td>
</tr>
</tbody>
</table>
Window Signs

These signs are generally painted directly on display windows but also include neon signs and other signs that hang indoors directly behind the window pane. Historically, painted window signs were gold or gold leaf. Window signs may be used for permanent business identification only. They are usually fairly small in nature which maximizes window display space and makes the signs easily comprehensible to pedestrians. Window signs are also appropriate for professional offices located in structures that maintain an entrance and windows directly adjacent to a commercially oriented pedestrian street.

Window Signs Design Standards

<table>
<thead>
<tr>
<th>Sign Material:</th>
<th>Paint on window; neon signs are acceptable, if not flashing or moving. Other materials acceptable if hung indoors.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Colors:</td>
<td>Gold, gold leaf, black, white. If neon is used, any color is acceptable.</td>
</tr>
<tr>
<td>Eligible Locations:</td>
<td>Display windows, front façade windows, entry area windows on retail/commercial structures or professional offices.</td>
</tr>
<tr>
<td>Number of Signs:</td>
<td>One per building address.</td>
</tr>
<tr>
<td>Maximum Size of Sign:</td>
<td>25% of each window area.</td>
</tr>
<tr>
<td>Lighting:</td>
<td>Optional. Display window/door illumination through indoor or outdoor ambient or accent lighting. Backlighted sign boxes not permitted.</td>
</tr>
</tbody>
</table>
Projecting Blade Signs

Historically, projecting blade signs were used on some commercial structures in the downtown core. These signs are auto and distant viewer oriented. At street intersections they can be placed to run up the building corner being equally viewed from both block directions. Historically, these signs were paint on metal or paint and neon on metal.

Projecting Blade Signs Design Standards

| Sign Material:                  | Painted metal and/or neon on painted metal. Plastic signs prohibited. |
| Sign Colors:                    | Limited to three.                                                   |
| Eligible Locations:             | Front or front corner façades of downtown commercial structures built directly in back of a public sidewalk with no front setback. |
| Number of Signs:                | One per business primary street façade. Not eligible if front façade/upper transom sign is used. |
| Maximum Size of Sign:           | Not to exceed 10 square feet sign area per side. To be included in overall total sign area allowed for the business. Not to extend beyond 18" from the building face or to extend lower than 10 feet (or 8 feet if the sign projects 6" or less) above the adjacent sidewalk. |
| Lighting:                       | Required if the projecting blade sign is the only business sign. Neon or external direct, accent or indirect light sources shall be used. Non-neon fixtures to be hidden from public view. No backlighted sign boxes are permitted. |
Rear and Side Façade Signs

Generally the rear and side façades or walls of businesses are more pedestrian oriented and have lesser size requirements than the auto and pedestrian oriented front façades. Rear and side façade signs should be similar in design to the front façade in terms of materials, colors and type style/face. This design similarity will help visitors mentally connect and reinforce all a building's signs to a particular business.

Rear and Side Façade Signs Design Standards

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Material:</td>
<td>Individual applied letter to match the type style used on the front façade.</td>
</tr>
<tr>
<td>Sign Materials:</td>
<td>Metal, painted metal, painted wood, plastic to match materials and color of</td>
</tr>
<tr>
<td></td>
<td>front façade sign.</td>
</tr>
<tr>
<td>Eligible Locations:</td>
<td></td>
</tr>
<tr>
<td>a) Rear Façade:</td>
<td>Required for businesses with public rear entrance. To be placed within five</td>
</tr>
<tr>
<td></td>
<td>feet of a business rear entry door or on nearest available wall surface</td>
</tr>
<tr>
<td></td>
<td>adjacent to the rear entry door.</td>
</tr>
<tr>
<td>b) Side Façade:</td>
<td>No limitations.</td>
</tr>
<tr>
<td>Number of Signs Eligible:</td>
<td>One per façade per business.</td>
</tr>
<tr>
<td>Maximum Area of Sign:</td>
<td></td>
</tr>
<tr>
<td>a) Rear Façade:</td>
<td>Area of sign image rectangle limited to 4 square feet minimum and 30</td>
</tr>
<tr>
<td></td>
<td>square feet maximum.</td>
</tr>
<tr>
<td>b) Side Façade:</td>
<td>30 square feet.</td>
</tr>
<tr>
<td>Lighting:</td>
<td></td>
</tr>
<tr>
<td>a) Rear Façade:</td>
<td>Required for businesses with public rear entrance. External source</td>
</tr>
<tr>
<td></td>
<td>consisting of historic &quot;goose neck&quot; type fixtures or concealed accent light(s)</td>
</tr>
<tr>
<td></td>
<td>to match type used on front façade.</td>
</tr>
<tr>
<td>b) Side Façade:</td>
<td>External source consisting of historic &quot;goose neck&quot; type fixtures or</td>
</tr>
<tr>
<td></td>
<td>concealed accent light(s).</td>
</tr>
</tbody>
</table>
Rear and Side Façade Signs

With simple signage, proper lighting, and perhaps a planter box or a show window where possible, a rear entrance from an alley can be as inviting as a front entrance on the sidewalk.
Front Yard Signs

Front yard signs are not eligible for Agency assistance as they are not attached to a building. However, they are encouraged in those areas where appropriate. Front yard signs are appropriate for businesses that are located within structures originally designed as residences: structures that are generally set back from the sidewalk 15 to 20 feet, have landscaping on the front yard, and have a pitched roof. Uses housed in these structures are often professional or low volume pedestrian oriented retail. Similarly, new commercial structures designed to be historically referenced to a residential neighborhood (e.g., within Sub-district B) should use front yard signs.

Except for any signs and possible wares displayed in front windows, the structures should maintain their residential character. The front yard sign becomes the place where the business receives its primary exposure and visibility. These types of signs are generally positioned perpendicular to sidewalk/roadway traffic and are moderate in height allowing good visibility but at a residential scale. These signs are not internally illuminated nor constructed of non-residential types of materials such as plastic.

### Front Yard Signs Design Standards

<table>
<thead>
<tr>
<th>Sign Material:</th>
<th>Painted wood or painted metal. Decorative support structure may recall the architectural style of the parent building. Plastic signs are prohibited.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eligible Locations:</td>
<td>Commercial use residential structures with a front yard.</td>
</tr>
<tr>
<td>Number of Signs:</td>
<td>One per business.</td>
</tr>
<tr>
<td>Maximum Size of Sign:</td>
<td>20 square feet per side; maximum height to top of sign to be 6 feet (6'-0&quot;), measured from top of nearest adjacent public street curb. Front yard signs shall be set back a minimum of 5 feet (5'-0&quot;) from the front property line.</td>
</tr>
<tr>
<td>Lighting:</td>
<td>Strongly encouraged if the front yard sign is the only business sign. External direct or accent. Fixture or lighting source to be concealed. Lighting levels to be consistent with residential practice.</td>
</tr>
</tbody>
</table>
Front Yard Signs

- Front Yard Sign
  - Character to blend with parent structure

A well-designed sign is the most definitive way to announce the re-use of a residential structure for a business, but such signs should be compatible with the historic residential character of the neighborhood. Notice in the photograph the similarity of the wood turnings for the sign posts to the porch columns of the parent building in the background.
3.0 Maintenance of Private Property

By maintaining clean streets, sidewalks, parking areas, store façades, display windows and awnings; by keeping exterior wall paint fresh and by keeping landscaping pruned and watered a commercial district improves its attractiveness to visitors and patrons. This appears particularly important for shopping areas such as North Main Street that has now begun to compete for patronage with newer centers located in outlying areas.

There are both public and private responsibilities for basic maintenance in Porterville's downtown commercial district. These need to be clearly defined for those areas, like alleyways and sidewalks, where public and private "zones" interface. In order for the full range of all downtown improvements—public and private—to be permanent and successful, financial and physical responsibility must be assigned to the various components of basic maintenance. This must include consideration of the following issues:

- Number and placement of trash receptacles
- Frequency of street and sidewalk cleaning (potential for periodic steam cleaning of high use areas).
- Future hardscape materials, selection of easily maintained/replaced hardscape materials.
- Future street tree and other landscape selection.

3.1 Maintenance of Private Improvements Implemented with Agency Assistance

The Agency encourages that all improvements within Redevelopment Project No. 1 be maintained at an appropriate level to contribute positively to the image and vitality of Downtown Porterville. Specifically, however, maintenance of all improvements to private property made with the assistance of the Agency shall be the responsibility of the private property owner. To ensure that such maintenance is performed, it is a requirement of the Agency's Façade Grant Program that all owners enter into a Façade Basement Agreement with the Agency, authorizing the Agency to uphold the maintenance of the private façade improvements at the expense of the owner in the event of the owner's failure to meet the maintenance guidelines and standards outlined here and required elsewhere by City code.
Relationship of Architectural Design Guidelines to Public Infrastructure Improvements

4.0

The Architectural Design Guidelines are principally aimed at strengthening the external image of current or to be developed privately owned buildings and properties (particularly front façades and front yards of commercial properties) within the six subdistricts of the redevelopment project area. Although the visual improvement of these buildings and properties will enhance the overall image of downtown, publicly owned zones of pedestrian and automobile activity which generally lie adjacent to these private areas, contribute equally to the overall visual/aesthetic image of downtown. Further, the two areas of respective private and public responsibility are directly interrelated and plans for one area must be coordinated with plans for the other.

The Porterville Redevelopment Agency is currently embarked on a public improvement program, parallel to the private rehabilitation incentives described in this document, to enhance public investments in the downtown area through new street, sidewalk and curbside parking improvements, street lighting, street trees, public signage and various other features. Most of these improvements will occur in the public rights-of-way immediately adjacent to the front façades or front yards of private businesses in the downtown area.

There are a few major issues that relate to the interface between the anticipated public right-of-way improvements and the private façade/front yard improvements articulated in these Architectural Design Guidelines. These issues are summarized below.

4.1 Street Tree Type and Placement

The type and placement of street trees will affect the visibility of most front façade commercial signs. Street trees that have an open branch structure/foliage, that are planted away from front building façades (e.g. in peninsula planters) and that are spaced at wider intervals will enhance commercial sign visibility from both the roadway and sidewalk. Street trees planted in close proximity to front building façades could also overlap with the extension of various awnings over the sidewalk. A three to five foot awning extension would typically imply a minimum 13 to 15 foot setback from front façades for a 20-foot crown diameter tree. A 5 to 10 foot awning extension would imply a 15 to 20 foot setback. In general, the type and placement of street trees also determines sidewalk shade and ambient glare levels. Thus, the placement of street trees relative to the type and size of awnings (e.g., on Main Street) should be coordinated to determine the "weight" each will have in providing the desired level of pedestrian shade.

Street tree placement should also be coordinated with light standard placement to avoid underground conflicts between tree roots and light standard conduits and related infrastructure.
4.2 Street Lamp Placement

Street light standards placed on sidewalks and/or on peninsula areas can, as in the case of street trees, limit the size of awnings that can be used on adjacent storefronts (Main Street situations). Street lamp standard placement also must be considered along with street tree locations so as to prevent excessive tree foliage related reductions in the amount of light reaching the sidewalk, parking areas and storefronts.

4.3 Curbside Parking and Street Furniture Conflicts

The relationship between curbside parking and the placement of street furniture items such as trash receptacles, benches, newspaper racks as well as the above discussed items of lamp standards and street trees can affect the ease of access of pedestrians as they exit their automobiles and/or as the move from their vehicles onto the sidewalk zone closest to the storefront.
The entire streetscape image of Main Street reflects the visual appearance of both the private business building facades and the adjacent public improvements such as sidewalks, street trees, lighting standards and curbside parking. Coordination of the two areas of responsibility is needed to ensure that private and public improvements do not conflict with one another. In particular, street trees, lamp standards and facade awnings should not overly impinge upon the functions of each other.
SUB-DISTRICT GUIDELINES
for the Revitalization of Downtown Porterville

Volume 3
DOWNTOWN PORTERVILLE
ARCHITECTURAL DESIGN GUIDELINES
REDEVELOPMENT PROJECT AREA #1
Porterville Redevelopment Agency
Porterville, California
Requirements for Sub-district A

Sub-district A includes the properties fronting on North Main Street between Putnam Avenue and Olive Avenue, the Main Street frontage from Thurman Avenue to Putnam, and the properties between Hockett Street and Division Street north of Willow Avenue and south of Putnam. This sub-district is a primary focus of these guidelines in that the image of North Main Street is the principal character-defining component to the entire downtown. The focus of the guidelines is on the restoration of the area's historic character, and the enhancement of the pedestrian environment centered on the Main Street streetscape. It includes full scale restoration guidelines, as well as more modest facade remodeling standards and guidelines.
5.1 Goals

The following goals define the directions to be taken for buildings on North Main Street through implementation of the design guidelines for Sub-district A.

- Preserve and/or completely restore the exterior architecture of all historic structures whose essential historic exterior characteristics still survive.

- Restore some character-defining exterior historic architectural features on historic structures that still contain major historic exterior characteristics.

- Provide for the rehabilitation of existing non-historic structures or historic structures whose character-defining features have been lost or seriously compromised in order to maintain visual continuity and compatibility on North Main Street.

- Encourage the installation of commercial signs that create a visually cohesive and pleasant image for the North Main district.

- Maintain visual compatibility and cohesiveness throughout North Main Street.

- Encourage new construction that is historically referenced to the primary historic architectural image of Main Street.

- Promote design solutions that encourage pedestrian access to and use of Main Street.

- Promote a stronger nighttime image for Main Street through aesthetic lighting treatments for building façades (front, rear and/or sides as appropriate), and encourage the use of night lighting in storefront windows, under awnings, etc., in order to provide an image of security and prosperity.
5.2 Restoration and Reconstruction of Commercial Building Façades

Some of the existing commercial buildings in Porterville have survived without being substantially remodeled. In some cases only the storefronts have been altered while others have had the storefront and other architectural features changed. In all cases the overall architectural integrity of the building has not been compromised. Other existing commercial buildings in Porterville have been extensively remodeled on the exterior; however, the nature of the renovation appears to indicate that portions of the original character defining architectural features may survive intact beneath the later additions. Finally, there are a group of buildings where little of the original fabric survives.

The historic buildings in Downtown Porterville are the greatest historical resource of the city. In order to ensure that these buildings are preserved for the benefit of future generations, the following Standards have been prepared to assist the owners in the preservation, protection and maintenance of their heritage building. The following standards are adapted from the United States Department of the Interior’s Secretary’s Guidelines for the Rehabilitation of Historic Buildings.

5.2.1 Standards for preserving, protecting, and maintaining surviving heritage buildings.

Owners who wish to restore their commercial heritage buildings in which the majority of the building’s historic character-defining features survive shall meet the following standards:

a. A heritage property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

b. The historic character of a heritage property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property is strongly discouraged.

c. Each heritage property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other building, shall not be undertaken.

d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

e. Distinctive features, finishes, and construction techniques or examples of craftmanship that characterize a historic property shall be preserved.

f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible for more detail).
h. New additions, exterior alterations; or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

i. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

5.2.2 Standards for restoration and rehabilitation of modified heritage structures.

Owners who wish to restore their commercial heritage buildings which have been substantially modified over their original design or condition and in which not all of the building’s historic character-defining features survive shall meet the following standards:

a. All existing historic elements on the exterior of the building shall be preserved.

b. All demolition work on the exterior shall be limited to the removal of non-historic architectural features.

c. All deteriorated existing original architectural features shall be repaired or restored.

d. Original missing architectural features for which there is sufficient historic documentary, pictorial or physical evidence may be reproduced to match the missing original feature or they may be replaced with architectural features that are compatible with the massing, size, scale and texture of the original.

e. Original missing architectural features for which there is insufficient historic documentary, pictorial or physical evidence should be replaced with features that are compatible with the massing, size, scale and texture of architectural features appropriate to the period.

f. The original or significant configuration of the exterior walls shall be restored.

g. New stories shall not be added to existing heritage buildings.

h. The location, size and configuration of original door and window openings shall be restored.

i. Signs for the building shall be in keeping with the type of historic signs appropriate for the period of the buildings in Porterville (see Section 2).

j. Exterior awnings shall be in keeping with the configuration and materials appropriate for the period of the building in Porterville.

k. Paving in recessed entryways, between the property line and the building wall, shall conform to the historic paving material. Where original paving does not survive and where there is no photographic evidence of the original material and design, the following materials may be installed:

* For any building period or style, concrete in its natural color scored in 6-inch, 12-inch, or 24-inch grids may be installed. Brass or stainless steel lettering not to exceed 6 inches in height may be inset flush with the paving surface to indicate the building address or the business name.
• For Brick Vernacular, Beaux Arts, and Classical Revival buildings, white or gray hexagonal tiles 1-inch in diameter may be used. The tiles shall have a matte glaze, and may be worked in a mosaic pattern to incorporate the name of the business in letters not to exceed 9 inches in height.

• For Streamline Moderne buildings, terrazzo paving may be used, in colors compatible with the colors of the building facade. The terrazzo may be patterned appropriate to the period of the building and may incorporate brass or stainless steel letters not greater than 6 inches in height to indicate the name of the business or the building address.

• For Mediterranean Revival buildings, 12-inch square quarry tile in red or gray clay may be used, but such tiles must have a matte glaze and be treated with a non-skid coating.

5.2.3 Guidelines for the identification of historic resources.

The Porterville Historic and Cultural Resources Survey identifies the architectural style and contributory features of heritage buildings in Porterville; however, it does not necessarily provide a comprehensive inventory and description of the character-defining historic architectural resources of the building. Before proceeding with the design and renovation process for heritage buildings, owners should follow the following guidelines to determine how much of the building’s original fabric survives:

a. Document the original appearance of the building with historic photographs.

b. Compare existing appearance of the building with the historic appearance of the building.

c. Remove a small sample of the non-historic feature to determine if the original feature is underneath.

d. Removal of larger areas of non-historic material should be carried out in a manner that will not disturb the original feature underneath.

e. Ensure that the building is always watertight as the non-historic material is removed.

5.2.4 Guidelines for restoration of historic resources.

Once having identified and described the extent and nature of a building’s surviving historic resources, restoration of those architectural elements should proceed according to the following guidelines:

Wood siding and architectural details.

a. Preservation.

1. Identify, retain and preserve all original wood siding and architectural details on the exterior.

2. Remove all wall coverings that hide original wood siding and architectural details.

b. Protection.

1. Identify, evaluate and treat all causes of wood siding and detail deterioration:
   • faulty flashing
   • leaking gutters
   • breaks and cracks
   • deteriorated coating such as paint and stain
   • open joints
   • deteriorated caulking and sealants
   • insect or fungus infestation
c. **Cleaning.**

1. Remove deteriorated paint by gentlest method possible:
   - hand scraping
   - hand sanding
   - hot air heat guns
   - chemical strippers

2. Paint shall not be removed by the following methods:
   - propane or butane torches
   - sand blasting
   - water blasting

3. All wood surfaces from which paint or stain has been removed shall be given new coatings to protect the wood.

d. **Repairs.**

1. Remove all deteriorated wood elements that cannot be repaired.

2. Replace all wood elements with new wood details that match the size, shape and profile of the original element.

3. Remove all deteriorated materials from wood architectural features that are otherwise sound.

4. Do not remove entire features if only a portion is deteriorated.

5. Repair wood features with new wood patches, wood filler or epoxy.

**Concrete walls.**

a. **Preservation.**

1. Identify, retain and preserve all original exterior concrete walls.

2. Identify all original finish materials and coatings that have been applied over the concrete.

b. **Protection.**

1. Identify, evaluate and treat all causes of concrete deterioration:
   - exposed steel reinforcing members or metal ties that are rusting
   - cracked or broken concrete
   - flat surfaces that permit water to penetrate the concrete
   - faulty flashing
   - leaking gutters

c. **Cleaning.**

1. Concrete walls shall be cleaned with gentle methods that will not damage the plaster finish or concrete surface:
   - water and detergents applied with natural bristle brushes
   - low water pressure

2. Cleaning procedures that may be permitted after adequate testing has been performed:
   - liquid chemical cleaners that do not damage the concrete
   - high pressure water
   - paint removal strippers

3. Cleaning procedures that will not be permitted:
   - sand blasting
d. Repairs.
   1. Remove all rusted steel reinforcing and metal ties.
   2. Remove all broken and loose concrete.
   3. Patch all concrete using appropriate repair procedures.
   4. Repair all original finish materials.

e. Replace Missing Concrete Details.
   1. Replace missing or broken concrete details to match size, shape, color and texture of the original.

Masonry walls.

a. Preservation.
   1. Identify, retain and preserve all original exterior masonry walls and masonry veneer.
   2. Identify all coatings and materials that have been applied over the original exterior masonry walls.

b. Protection.
   1. Identify, evaluate and treat all causes of masonry deterioration:
      - faulty flashing
      - leaking gutters
      - deteriorated roofs
      - insufficient drainage
      - deferred pointing
      - application of coatings and finish materials

c. Cleaning.
   1. Masonry walls shall be cleaned with gentle methods that will not damage the masonry or the mortar:
      - water and detergents applied with natural bristle brushes
      - low water pressure
   2. Cleaning procedures that may be permitted after adequate testing has been performed:
      - liquid chemical cleaners that do not damage the masonry or the mortar or cause ecological damage
      - high pressure water
      - paint removal strippers
   3. Cleaning procedures that will not be permitted:
      - sand blasting
      - acid wash on limestone and marble
      - metal bristle brushes
   4. Prior to initiating the work, all cleaning procedures should be tested to ensure that the masonry will not be damaged.

d. Pointing Repair.
   1. Deteriorated pointing will be repaired when it is identified.
   2. The deteriorated mortar shall be removed using hand tools.
   3. No power tools shall be used to remove deteriorated pointing.
4. The new mortar should match or exceed the strength of the original.
5. The new mortar shall match the color, texture and style of the original mortar.
6. The width and profile of the new pointing shall match the original pointing.

e. Repairing the Masonry.
   1. Masonry units shall be replaced with new masonry units that match the size, texture and color of the original material.
   2. Broken masonry units should be patched instead of replaced, if possible.

f. Replacing Masonry.
   1. Missing masonry units or broken masonry units that cannot be repaired shall be replaced with masonry units that match the size, color and texture of the original.

Architectural metals.

a. Preservation.
   1. Identify, retain and preserve original metal architectural features.
   2. Do not remove metal architectural features which are important in defining the overall historic character of the building.

b. Protection.
   1. Identify, evaluate and treat all causes of metal corrosion:
      • exposing bare metal to water and moisture
      • deterioration of protective coatings
      • galvanic action between two incompatible metals

c. Cleaning non-ferrous materials and alloys.
   1. Identify the type of metal material that is being used in order to determine the type of cleaning that is appropriate.
   2. Identify non-ferrous metals (lead, tin, copper, zinc) whose natural patina should be preserved.
   3. Use gentle cleaning methods on non-ferrous materials with a natural patina in order to clean the surface without damaging the patina or coating.
   4. Identify alloys that may require protective coatings.
   5. Use a gentle cleaning method that will not abrade the protective coating.

d. Cleaning Ferrous Metals.
   1. Identify the type of ferrous material (cast iron, wrought iron, steel).
   2. Determine the type of coating and condition of metal.
   3. Use hand scraping to remove corrosion and deteriorated paint.
   4. Where hand scraping is ineffective, low pressure grit blasting may be used to remove corrosion and coatings.
   5. Cleaned ferrous metals should be painted immediately with a corrosive resistant coating.
e. **Repairs.**
   1. Repair metal features that are broken or dented.
   2. Do not replace broken or dented metal features.

f. **Replacement.**
   1. Metal features that are too deteriorated to be repaired should be replaced.
   2. Utilize the original metal feature as a model for the new feature.
   3. Do not replace missing features with details that do not convey the same visual appearance.

**Exterior plaster (stucco).**

a. **Preservation.**
   1. Identify, retain and preserve original exterior plaster features.
   2. Do not remove original exterior plaster features which are important in defining the overall historic character of the building.

b. **Protection.**
   1. Identify, evaluate and treat all causes of plaster deterioration:
      - leaking roofs
      - faulty metal flashing
      - leaking gutter
      - broken concrete substrate
      - deteriorated or rusted metal lath
      - deteriorated wood members

c. **Cleaning.**
   1. Plaster shall be cleaned with gentle methods that do not damage the plaster:
      - water and detergent
      - soft natural bristle brushes
   2. Cleaning procedures that are not permitted include:
      - sand blasting
      - high pressure water

d. **Repairs.**
   1. Identify all types of deterioration:
      - spalling plaster
      - broken plaster
      - cracked plaster
      - missing plaster details
   2. Remove and repair all deteriorated substrate material.
   3. Repair and patch all plaster using industry approved repair procedures and materials.
   4. Match the texture of the new plaster with the original texture.
   5. Where a large area of plaster needs to be replaced, the adjacent panel should be completely replaced in order to avoid a patched appearance.
Roofs.

a. Preservation.
   1. Identify, retain and preserve the original character defining features of the roof:
      - shape
      - slope
      - roofing materials
      - decorative details
   2. Identify original defining features that have been removed or altered.
   3. Do not alter the character defining features of the roof.
   4. Do not remove sound character defining features.

b. Protection.
   1. Identify, evaluate and treat all causes of roof deterioration:
      - blocked drains and gutters
      - moisture condensation
      - faulty flashing
      - overhanging tree limbs
      - insect and fungus infestation
      - build-up of pigeon droppings
      - deteriorated roofing material
      - faulty application of roof fasteners
      - deteriorated fasteners

c. Repairs.
   1. Repair features with similar materials.

d. Replacement.
   1. Replace features that are not repairable.
   2. Replace deteriorated elements of the roof with new material that preserves the overall shape and slope of the roof.
   3. Do not use materials that do not convey the visual appearance of the original roof.

e. Additions to Buildings.
   1. Add roofs over new additions that retain the character defining features of the original roof.

f. Additions to Original Roofs.
   1. Install mechanical or solar collection devices to roofs so that they are not conspicuous from the public right-of-way.

Doors.

a. Preservation.
   1. Identify, retain and preserve the original character defining features of doors:
      - frames
      - jambs
      - door
      - transoms
      - sills
      - trim
      - screen door
      - fan lights and sidelights
2. Do not remove or radically change doors which are important in defining the overall historic character of the building.

3. Do not change the pattern of the door.

4. Do not change the historic appearance of doors through the use of inappropriate design, materials, finishes or color.

5. Do not obscure door trim with other materials.

6. Do not strip doors of original fittings.

b. Protection.

1. Identify, evaluate and treat all causes of deterioration:
   - weathering due to paint deterioration
   - rusting due to paint deterioration
   - sealant and caulking deterioration

c. Repairs.

1. Repair original broken door detail.

2. Do not replace entire door when repair of material or missing parts is appropriate.

d. Replacement.

1. When a door can no longer be repaired, or is missing, replace it with a new door that matches the original.

2. Do not replace character defining doors with new doors that do not convey the same visual appearance as the original.

e. Doors in Additions to the Original Buildings.

1. New doors in additions to the original buildings should be compatible with the overall design of the original building, but should not duplicate the pattern of the original door.

Windows.

a. Preservation.

1. Identify, retain and preserve the original character defining features of windows:
   - frames
   - heads
   - trim
   - muntins
   - shutters
   - sashings
   - sills
   - jambs
   - sash
   - glazing
   - blinds
   - screens

2. Do not remove or radically change windows which are important in defining the overall historic character of the building.

3. Do not change the number, location, size or glazing pattern of windows.

4. Do not change the historic appearance of windows through the use of inappropriate design, materials, finishes or color.

5. Do not obscure window trim with other materials.

6. Do not strip windows of original fittings.
b. **Protection.**
   1. Identify, evaluate and treat all causes of deterioration:
      - water penetration
      - weathering due to paint deterioration
      - rusting due to paint deterioration
      - sealant and caulking deterioration.

c. **Repairs.**
   1. Repair original broken window features.
   2. Do not replace entire windows when repair or materials or missing parts is appropriate.

d. **Replacement.**
   1. When a window can no longer be repaired or is missing, replace it with a new window that matches the original.
   2. Do not replace character defining windows with new windows that do not convey the same visual appearance as the original.

e. **Windows in Additions to the Original Buildings.**
   1. New windows in additions to the original buildings should be compatible with the overall design of the original building, but should not duplicate the fenestration pattern and detailing of the original.

**Entrances and Porches**

a. **Preservation.**
   1. Identify, retain and preserve the original entrance or porch such as doors, entablatures, columns, balustrades and stairs.
   2. Do not remove an entrance or porch in order to reorient the building for a new use.
   3. Do not cut new entrances into the primary façade.
   4. Do not alter utilitarian or service entrances so that they appear to be the formal entrance.

b. **Protection.**
   1. Identify, evaluate and treat causes of deterioration to the porch or entrance:
      - water penetration
      - weathering due to paint deterioration
      - rusting due to paint deterioration
      - sealant and caulking deterioration

c. **Repairs.**
   1. Repair the historic materials used in the character defining features.
   2. Use original materials for repairs or substitute materials that are compatible.
   3. Do not substitute materials or features that do not convey the visual appearance of the original features.
d. Replacement.

1. If the entrance or porch cannot be repaired, or it is missing, replace it with a new entrance or porch that conveys the same visual appearance.

e. A New Entrance or Porch on Additions to the Original Building.

1. Design a new entrance or porch that is compatible with the original building.

Storefronts.

a. Preservation.

1. Identify, retain and preserve the features of the original storefront:
   - bulkhead
   - window frame
   - door transom
   - recessed ceiling
   - lighting
   - wall material
   - display window
   - door
   - awnings
   - recessed paving
   - parapets
   - tile work

2. Do not remove original features of the storefront.

3. Do not change the location of the storefront main entrance.

4. Do not alter the original configuration of the storefront.

5. Do not add inappropriate materials over original materials.

b. Protection.

1. Identify, evaluate and treat causes of deterioration on the storefront:
   - water penetration
   - weathering due to paint deterioration
   - rusting due to paint deterioration
   - sealant and caulking deterioration

2. Do not strip historic materials from storefront.

c. Repairs.

1. Repair the historic materials used in the character defining features of the storefront.

2. Use original materials for repair or substitute materials that are compatible.

3. Do not substitute materials or features that do not convey the visual appearance of the original features.

d. Replacement.

1. If there is insufficient information about the original appearance of the storefront, it should be rebuilt using a new design whose size, scale, style, detail and color are compatible with the original appearance.

2. If the storefront cannot be repaired, or it is missing, replace it with a reconstructed storefront based on the available historical, pictorial and physical documentation available.

3. Do not introduce a new design that is incompatible in size, scale, material, style and color with the original appearance of the storefront.
5.2.5 Guidelines for rehabilitation of post-World War II Modern buildings

Buildings in the Modern Design style of the post-World War II era—exemplified by the Porter Theater in downtown and the old Food King building on South Main Street—are different from most of the commercial buildings in Porterville in several ways. The vertical sign attached to the building is a significant feature of the design and the buildings are free standing. When the owners of these buildings wish to renovate them the following guidelines shall be met:

a. All existing historic elements on the exterior shall be preserved.

b. All demolition work on the exterior shall be limited to the removal of non-historic architectural features.

c. All deteriorated existing original architectural features shall be repaired or restored.

d. When the severity of the deteriorated architectural feature requires replacement it shall be replaced with a new feature that matches the design, material, texture and color of the original or a new feature that has the same scale, material, color and texture of the original.

e. Original missing architectural features for which there is sufficient historic documentary, pictorial or physical evidence may be reproduced to match the missing original feature or they may be replaced with architectural features that are compatible with the massing, size, scale and texture of the original.

f. Original missing architectural features for which there is insufficient historic documentary, pictorial or physical evidence should be replaced with features that are compatible with the massing, size, scale and texture of architectural features appropriate to the period.

5.3 Design Guidelines for New Commercial Buildings on or Adjacent to North Main Street

When owners wish to erect a new building on North Main Street, or on the side streets within Sub-district A that are adjacent to Main Street, the structure should be designed to enhance the ambience of the historical commercial buildings. The following guidelines shall be met:

a. The street façade of the building shall meet the sidewalk.

b. The Main Street frontage of the building will fill the entire width of the lot. No parking areas nor curb cuts for parking are permitted on the Main Street frontage. Where the owner or the Agency wishes to provide for a public pedestrian passageway through the site to parking or other uses in the rear, the Main Street entry shall be incorporated into the architectural design of the building façade in order to maintain the continuity of the blockfront.
c. The building will be one or two stories in height. Buildings of three stories are discouraged except within a blockfront that contains one or more existing three-story heritage buildings.

d. The highest point on the parapet wall for a new one story building shall be no taller than the highest parapet of an existing historic one story building on the block. The highest point on the parapet for a new two or three story building can be no taller than the highest parapet on an existing historic building of a comparable number of stories on the block.

e. The new buildings shall have the same massing, size, scale, proportions and materials of the historic commercial buildings on North Main Street. In no case should materials such as board and batten, wood or composition shingles, and metal screening be used on new buildings on North Main Street.

f. The new buildings shall be designed in one of the styles or reflect the characteristics of one of the styles that is representative of one of the historic commercial buildings built on North Main Street between 1890 and 1960.

g. The style of the new building will be representative of only one historic commercial style. The new building may not incorporate architectural features from more than one style.

h. Architectural details may be based on the historical details that can be documented to have been used on the buildings situated on North Main Street. More elaborate architectural details of the period may not be incorporated into the design.

i. Two story buildings may utilize the following styles: 1890-1930 Brick Vernacular, Commercial Queen Anne, Beaux Arts.

j. The one story buildings may utilize the following styles: 1890-1930 Brick Vernacular, Concrete Block Vernacular, and Streamline Moderne.

k. Signs for the building shall be in keeping with the type of historic signs appropriate for the historic style of the building prototype (see Section 2).

l. Exterior awnings shall be in keeping with configuration and materials appropriate for the historic style of the building prototype.

m. Exterior lighting for the building shall be in keeping with the type of exterior lighting found on the historic style of the building prototype. Contemporary interpretations of such historic lighting may be acceptable.
Requirements for Sub-district B

Sub-district B is geographically non-contiguous. It includes in its easterly portion those properties east of Second Street and west of the AT&SF right-of-way, and north of Putnam Avenue and south of Morton Avenue. In its westerly portion, it also spans from Putnam Avenue on the south to Morton Avenue on the north, and the Southern Pacific Railroad right-of-way on the west, and Hockett and Division Streets on the east.

There are numerous examples of fine older residential structures in Sub-district B which are highly desirable for adaptation to professional office use or another similar commercial use. The objective in designing for such adaptive re-use is to retain the character of the original building to the greatest extent possible and to ensure the conservation of the scale and character of the street on which it sits, while adequately providing for the commercial requirements of the new use. Provision of parking on lots designed to residential standards is especially critical, as is the integration of commercial signage into a previously—or in some cases currently—residential neighborhood. A number of existing historic houses in the area may remain in residential use for many years to come. The guidelines encourage this, and specify the type and level of preservation efforts that should be carried out to preserve these historic structures as an important part of the visual and historic fabric of Porterville.
6.1 Goals

The following goals define the directions to be taken for the preservation and adaptive re-use of residential buildings through implementation of the design guidelines for Sub-district B.

- Protect and enhance the residential characteristics present in the area while promoting professional office activities.

- Protect existing historic homes while permitting their adaptive re-use for low intensity professional businesses.

- Encourage new professional office development that is referenced to the historic residential nature of the neighborhood with respect to scale, placement, design of buildings and landscape character.
6.2 Preservation of Historic Single Family Houses

6.2.1 Design guidelines for rehabilitating existing heritage residential structures.

Many of the existing historic residences in Porterville have been renovated over the years. The renovation of such houses in Sub-district B for adaptive re-use for commercial purposes is eligible for Agency assistance under the Facade Grant Program. When the owners of a heritage residence wish to renovate the house the following guidelines shall be met:

a. All existing historic elements on the exterior shall be preserved.

b. All demolition work on the exterior shall be limited to the removal of non-historic architectural features.

c. All deteriorated existing original architectural features shall be repaired or restored.

d. When the severity of the deteriorated architectural feature requires replacement it shall be replaced with a new feature that matches the design, material, texture and color of the original or a new feature that has the same scale, material, color and texture of the original.

e. Original missing architectural features for which there is sufficient historic documentary, pictorial or physical evidence may be reproduced to match the missing original feature or they may be replaced with architectural features that are compatible with the massing, size, scale and texture of the original.

f. Original missing architectural features for which there is insufficient historic documentary, pictorial or physical evidence should be replaced with features that are compatible with the massing, size, scale and texture of architectural features appropriate to the period.

6.2.2 Design guidelines for additions to existing historic residences.

While new construction is not eligible for Agency assistance under the Facade Grant Program, when the owners of a historic house wish to make an addition to the historic house the following guidelines should be met:

a. The new addition shall match the original style, massing, scale configuration and proportion of the original house.

b. The height of the roof on the new addition shall not exceed the height of the existing roof of the house.

c. The original set back of the house from the street shall be maintained.

d. The new architectural features on the addition shall match the scale, materials, texture and color of the original details.

e. The number of stories shall be the same or less than the original house.
ADAPTIVE REUSE OF HISTORIC RESIDENTIAL STRUCTURES: REMODEL, REHABILITATION AND ADDITIONS GUIDELINES

Figure 13: Adaptive Re-use of Historic Residential Structures (rehab and additions)

Remodels, rehabilitations and additions should utilize original structure exterior building materials and architectural forms. Materials: roof, wall siding, window frames/sashes; stonework, detailing. Architectural forms: Roof pitch, window type, window spacing, door type, eave-rafter treatment, entry types, degree of treatment.

Handicapped access can often be achieved through the construction of a ramp placed along the side of the structure. Parent structure materials and forms are used to visually integrate the addition with the parent structure.

Room additions not to exceed height and width of parent building - contiguous ground floor expansion permitted up to 45 percent of lot coverage for 1 Story structures and 35 percent of lot coverage for 2 Story structures. Roof lines/pitches, overhangs and wall forms to conform to parent structure.
ADAPTIVE REUSE OF HISTORIC RESIDENTIAL STRUCTURES: FRONT YARDS AND LANDSCAPING

Figure 14: Adaptive Re-use of Historic Residential Structures (landscape)

Landscape hedges used to screen structure from adjacent commercial driveways or multi-family buildings. Wood fences also provide a visually better alternative to concrete block walls.

Consistent Street Tree

Foundation Plantings - common during the 1900 - 1940 period

Front Yard Setback, Front Walk and Lawn should be retained to maintain a residential image.
f. The set back of the main walls of the new house from the street shall be the same as the original house.

g. The height of the first floor from the ground shall be the same as the original house.

h. The cladding on the walls shall be the same material as the original cladding.

i. The configuration, scale, proportions and materials of the new doors and windows and the proportional relationships between wall and openings shall match the original doors and windows.

j. The configuration and massing of the roof shall match the original roof.

k. The scale, proportion and materials of the trim and other decorative features shall match the original.

l. The scale, proportion and material of the porches shall match the new house.

6.2.3 Design guidelines for adaptive re-use of residential structures for low intensity commercial/professional office use.

Additions and alterations.

When the owners of a historic house wish to make an addition to the historic house for the purposes of adapting it to commercial or professional office use, the following guidelines shall be met:

a. The new addition shall match the original style, massing, scale configuration and proportion of the original house.

b. The height of the roof on the new addition shall not exceed the height of the existing roof of the house.

c. The original set back of the house from the street shall be maintained.

d. The new architectural features on the addition shall match the scale, materials, texture and color of the original details.

e. The number of stories shall be the same or less than the original house.

f. The set back of the main walls of the new addition from the street shall be the same as the original house.

g. The height of the first floor from the ground shall be the same as the original house.

h. The cladding on the walls shall be the same material as the original cladding.

i. The configuration, scale, proportions and materials of the new doors and windows and the proportional relationships between wall and openings shall match the original doors and windows.
j. The configuration and massing of the roof shall match the original roof.

k. The scale, proportion and materials of the trim and other decorative features shall match the original.

l. The scale, proportion and material of the porches shall match the new house.

**Accessibility adaptations.**

Use of residential structures for commercial purposes will require adaptation of the original house and any additions to it to allow access that satisfies the requirements of the Americans with Disabilities Act (ADA). Certified historic structures may use the State Historic Building Code for alternative solutions to ADA requirements.

a. Where handicapped access ramps must be added to the original structure, or to a new addition that meets the requirements of Section 6.4, then the ramp shall be placed along the side of the building. Materials and forms used in the original structure shall be used to visually integrate the ramp addition with the original structure.

b. Where doorways must be widened to provide access, the alteration of the door shall respect the integrity of the historic door opening in regard to materials, proportions, trim, and details. Historic hardware should be preserved and augmented where required with hardware that meets ADA requirements.

**Site improvements.**

a. The landscape features, driveway and sidewalk will be representative of the historic landscape and paving features on the street.

b. All front yards shall be landscaped and provided with permanent irrigation systems.

c. All front yards shall contain an area planted in sod not less than 50 percent of the total front yard area.

d. All front yards shall contain a continuous concrete or decorative masonry front walk connecting the public sidewalk to the front entrance steps of the building. If concrete is used it should be scored in such a way that it follows those patterns utilized on existing heritage houses in Sub-district B.

e. If necessary, a service entrance should be provided from a rear alley. If there is no alley a service drive may be provided through a front or side yard but the associated service entrance should not face a public street. Service drives should be constructed of concrete with a lawn strip provided in between.
f. Front yards and exposed side yards of corner lots should use plant materials and planting schemes reflective of those used in the period referenced in the parent building architecture and/or of those used on the street on which the lot front yard is attached.

g. Most commercial properties within Sub-district B lie within the City’s parking district, allowing for in-lieu contributions for parking to minimize or eliminate the need for onsite parking. However, where parking must be provided on-site, it shall be located in the rear of the property and screened from view from public streets by appropriate landscape materials.

h. Street trees shall be provided on parkways bordering the lot according to the approved Street Tree Plan and Planting Standards.

i. Front yard business signs shall be used; window signs are optional; other sign types are prohibited (see Section 2).
6.3 New Professional Office Construction in Sub-district B

Sub-district B is currently zoned largely as Professional Office (P-O) which would permit construction of office buildings of a larger scale and of a significantly different image from the area’s predominantly residential character. Design guidelines are presented here that provide for the type of professional office uses that are currently occupying some of the area’s older residential structures.

The design guidelines allow for the construction of new Professional Offices that essentially appear as historic residential structures found throughout Sub-district B. In order to provide a sympathetic environment for the historic residences that survive in the original residential neighborhoods adjacent to the commercial core, all new construction in the area should be compatible with the existing historic houses (1890-1940) in the District yet be recognizable as a product of its own age. Similarly, residential landscape schemes based on historic precedents in the area are prescribed.

The historical point of reference for the new buildings will be the historic houses in the neighborhood that were constructed between 1890-1940. Since many of the residences have been modified, only the original portions of the houses should be used as models for the new buildings.

6.3.1 Heights and yards.

a. All new Professional Office buildings shall be limited to a maximum of two stories. One story structures shall have a maximum height of 25 feet; two story structures shall have a maximum height of 35 feet.

b. The new building will have the same set back from the street as the historic houses that are adjacent to the site. Where there are no historic structures adjacent to the new building, new Professional Office structures shall have a front yard with a minimum setback of 20 feet.

6.3.2 Site design guidelines.

a. The landscape features, driveway and sidewalk will be representative of the historic landscape and paving features on the street.

b. All front yards shall be landscaped and provided with permanent irrigation systems.

c. All front yards shall contain an area planted in sod not less than 50 percent of the total front yard area.

d. All front yards shall contain a continuous concrete or decorative masonry front walk connecting the public sidewalk to the front entrance steps of the building. If concrete is used it should be scored in such a way that it follows those patterns utilized on existing heritage homes in Sub-district B.
e. If necessary, a service entrance should be provided from a rear alley. If there is no alley a service drive may be provided through a front or side yard but the associated service entrance should not face a public street. Service drives should be constructed of concrete with a lawn strip provided in between.

f. Front yards and exposed side yards of corner lots should use plant materials and planting schemes reflective of those used in the period referenced in the parent building architecture and/or of those used on the street on which the lot front yard is attached.

g. Where parking must be provided on-site, it shall be located in the rear of the property and screened from view from public streets by appropriate landscape materials.

h. Street trees shall be provided on parkways bordering the lot according to the approved Street Tree Plan and Planting Standards.

i. Front yard business signs shall be used; window signs are optional; other sign types are prohibited (refer to Section 2).

6.3.3 Architectural design guidelines.

When owners wish to construct new buildings in residential neighborhoods the following guidelines shall be met:

a. New Professional Office structures should be patterned after one of the historic architectural styles found in the residential buildings in Sub-district B. Architectural design elements of form, materials and colors should be utilized from the architectural vocabulary for those styles as defined in Section 1.2.

b. The style of the new building will be representative of only one residential style. The building may not incorporate architectural features from more than one style.

c. The design on the new building will incorporate the massing, scale, shape, height, proportions and materials of the historic style that has been selected.

d. The new building may be no larger than the largest house of the selected style within Sub-district B. This pertains to number of stories, square footage per floor and total building height.

e. The orientation of the new building to the street will be the same as the adjacent historic structures.

f. All new Professional Office structures shall maintain a principal entrance facing the front of the lot and facing a public street.
Sub-district C is a geographically non-contiguous area. Please consult the map below for precise boundaries. Almost the entire area designated as Sub-district C lies within the Central Commercial Zone (C-2) which permits the construction of a wide variety of general commercial businesses. The Design Guidelines for Sub-district C seek to set a limited number of standards for the area basically addressing the development of parking on site, orientation of the commercial building on its site and some limitations on building forms and materials. Also, since there are a number of architecturally significant structures in Sub-district C (many of which are churches), there are specific guidelines that address the development of new buildings adjacent to these significant structures.
7.1 Goals

The following goals define the directions to be taken for buildings in Sub-district C.

- Encourage architectural design for new structures that respects surrounding heritage structures (e.g., historic churches) permitting those structures to visually dominate their immediate areas.

- Visually and functionally protect existing multi-family areas from any negative impacts (traffic, noise, privacy negation) associated with new or existing commercial development.

- Enhance the visual and functional quality of new and existing public alleys.

- Encourage aesthetic improvements through landscaping to existing parking facilities.

- Promote primary building orientation towards the street and basic visual harmony among façade elements such as signage, building materials and architectural forms.
7.2 Guidelines for Rehabilitation of Existing Buildings in Sub-district C

Rehabilitation efforts for existing buildings when upgraded and/or when utilizing Agency directed funds shall comply with the following guidelines. Restoration of historic resources, where applicable, shall observe the general standards for historic preservation described for historic buildings in Sub-district A.

a. All existing historic elements on the exterior of the building shall be preserved.

b. All demolition work on the exterior shall be limited to the removal of non-historic architectural features.

c. All deteriorated existing original architectural features shall be repaired or restored.

d. Original missing architectural features for which there is sufficient historic documentary, pictorial or physical evidence may be reproduced to match the missing original feature or they may be replaced with architectural features that are compatible with the massing, size, scale and texture of the original.

e. Original missing architectural features for which there is insufficient historic documentary, pictorial or physical evidence should be replaced with features that are compatible with the massing, size, scale and texture of architectural features appropriate to the period.

f. The original or significant configuration of the exterior walls shall be restored.

g. New stories shall not be added to existing heritage buildings.

h. The location, size and configuration of original door and window openings shall be restored.

i. Signs for the building shall be in keeping with the type of historic signs appropriate for the period of the buildings in Porterville.

j. Exterior awnings shall be in keeping with the configuration and materials appropriate for the period of the building in Porterville.
7.3 Guidelines for New Commercial Buildings in Sub-district C

New construction is not eligible for Agency assistance under the Facade Grant Program. However, the Agency encourages new construction within this sub-district to meet the following guidelines.

7.3.1 Heights and yards.

a. New commercial buildings shall not exceed 2 stories or 35 feet in height.

b. All new central commercial buildings shall be built to the front property line and/or rear of sidewalk.

7.3.2 Site design guidelines.

a. All buildings shall maintain a primary entrance at the front of the lot facing the public street.

b. Wherever possible, parking and trash facilities shall be placed on the rear of the lot gaining primary vehicle access from the rear alley.

c. If there is a parkway between the lot and a public street, street trees shall be provided according to the approved Street Tree Plan and Planting Standards.

7.3.3 Architectural design guidelines.

a. If windows are provided on the structure they shall follow a "punched" pattern whereby a window inset of at least 4 inches from the exterior wall surface is achieved. No individual window should exceed 40 SF in area. "Band" windows uninterrupted by building wall sections or members are prohibited.

b. Flat, vaulted and sloped roofs (where the roof pitch is hidden on the principal façade by a parapet) shall be used. Mansard roofs are prohibited.

c. Appropriate exterior building materials include: Brick, stucco, concrete block, painted wood clapboard or painted metal clapboard. The exterior use of slump block, board and batten, and wood or composition shingles is prohibited.

7.3.4 Contextual integration of commercial architecture.

Throughout Sub-district C there are a number of architecturally significant structures that contribute to the beauty of the downtown area and to the City of Porterville. These structures are indicated in Table 1. These structures themselves not only merit special consideration for their physical protection and conservation but their physical presence in the neighborhood must be protected from potential visually detracting influences imposed by poorly placed or designed neighboring structures and landscaping. Buildings or landscaping that directly obstruct the view of a visually important structure prevent the public
from enjoying the building's architectural form and from using the building as a visual landmark. Similarly, an important building can be "overshadowed" by the imposing size, color, divergent style or divergent material of a inappropriately designed neighboring building.

Design guidelines that "protect" a locally designated significant building are given below. The basic approach taken protects significant buildings from the construction of a neighboring building that would visually obstruct it and provides for new neighboring structures and landscaping that permit the significant structure to assume a prominent image in its context -- often by prescribing a new building that exhibits passive, understated or non-dominant characteristics.

**Guidelines for contextual integration of new construction.**

New structures built on lots directly abutting and adjacent and/or located within 120 feet of a designated locally significant building (see Figure 15) shall adhere to the following guidelines.

a. New structures shall not exceed the height or the number of stories of the neighboring significant building's exterior wall top plate height. In no instance shall the height exceed 35 feet. In no instance shall the new building's height extend 5 feet above its exterior wall top plate height. If there are taller portions of the new structure they should be placed to minimize the visual impact upon the neighboring significant structure as viewed from the adjacent public street(s).

b. New buildings located on the same street(s) as the significant building shall be setback from property lines abutting public right-of-ways at least as far as the average building setback of the significant structure.

c. New buildings should exhibit simplified forms and utilize muted colors chosen to subdue the building's visual presence. The new building's exterior wall colors whether derived from exterior materials or paint should, however, contrast with those of the significant structure.

d. New landscaping, hardscape materials or fencing should not be placed so as to block important views of the significant building as viewed from public areas.

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**Significant Local Structures Requiring Compliance with Contextual Design Guidelines**

<table>
<thead>
<tr>
<th>U.S. Post Office</th>
<th>Tulare County Fruit Exchange</th>
</tr>
</thead>
<tbody>
<tr>
<td>65 West Hill Avenue</td>
<td>81 West Putnam Avenue</td>
</tr>
<tr>
<td>First Congregational Church</td>
<td>Royal Porter Putnam House</td>
</tr>
<tr>
<td>165 East Mill Avenue</td>
<td>Southeast corner of Mill and North Third Streets</td>
</tr>
<tr>
<td>Commercial Building (Porterville Thrift Shop)</td>
<td>First Missionary Baptist Church</td>
</tr>
<tr>
<td>88 East Mill Avenue</td>
<td>165 East Putnam Avenue</td>
</tr>
</tbody>
</table>
Figure 15: Contextual Integration

**Architecturally Significant Building A**
- Remains architecturally dominant building in local block context

**New Neighboring Building B**
- Same or greater front set-back maintains view and dominance of Building A.
- Simplified architectural forms (roof, detailing, fenestration) designed not to detract from neighboring significant structure or to draw undue attention to itself.
- Front yard and other landscaping not to block views to Building A.
- Lesser height than Building A.
- Neutral colors on Building B give Building A visual dominance.
Requirements for Sub-district D

Sub-district D includes all South Main Street properties south of Olive Avenue and north of Orange Avenue between C Street and the Southern Pacific Railroad right-of-way.

South Main Street between Olive and Orange Avenues has the potential for incremental new commercial and professional office development and for the long term recycling of businesses. The entire area is currently zoned heavy commercial (C-3). The Porterville Redevelopment Strategic Plan anticipates that over the long term, new development in this sub-district may achieve greater intensity than the historic downtown core between Olive and Morton Avenues, with Olive Avenue serving as an "edge" between the historic imagery of North Main Street and the compatible but contemporary imagery of the new South Main Street. New buildings will be encouraged to mix ground floor retail uses with upper level and/or rear office uses, with the taller office structures held back from the Main Street frontage. New development on Main Street would provide pedestrian access orientation on Main Street and vehicular access on Hockett and C Streets, providing parking towards the rear of lots.
8.1 Goals

The following goals define the design guideline directions to be taken for buildings located in Sub-district D.

- Encourage over the long term new mixed-use retail and office commercial development and/or redevelopment projects with architectural characteristics that are compatible with the historic core of downtown Porterville.

- Develop South Main Street as a key link in the entrance corridor into the downtown from Highway 190, with a continuous blockfront of one- and two-story retail and service façades built to a consistent front setback and parking in the rear accessible from Hockett and C Streets.

- Promote the introduction of additional landscaping into the area to screen automobile parking areas, to provide shade and to visually soften the presence of buildings and hardscape.

- Provide in the short term for the rehabilitation of existing commercial structures.
Many of the buildings along South Main Street are similar in architectural character to those of North Main and should follow the corresponding building type rehabilitation guidelines.

Other types of commercial structures will retain their current image but on-site landscape, parking, screening and maintenance guidelines coupled with city sponsored right-of-way improvements such as street trees and seasonal banners will work together to enliven the composite South Main Street image.
8.2 Revitalization of Existing Commercial Buildings

While the *Porterville Redevelopment Strategic Plan* provides in the long term for significant new development within Sub-district D, it is anticipated that in the short-term there may be demand for the revitalization or rehabilitation of existing commercial buildings on South Main Street. Owners wishing to upgrade an existing commercial building should respect the underlying historic building fabric of the building, and utilize the basic architectural vocabulary and character-defining features described below.

8.2.1 Guidelines for restoration and rehabilitation of existing commercial buildings on South Main Street.

Rehabilitation efforts for existing buildings when upgraded and/or when utilizing Agency directed funds shall comply with the following guidelines. Restoration of historic resources, where applicable, shall observe the general standards for historic preservation described for historic buildings on North Main Street in Section 5.

a. All existing historic elements on the exterior of the building shall be preserved.

b. All demolition work on the exterior shall be limited to the removal of non-historic architectural features.

c. All deteriorated existing original architectural features shall be repaired or restored.

d. Original missing architectural features for which there is sufficient historic documentary, pictorial or physical evidence may be reproduced to match the missing original feature or they may be replaced with architectural features that are compatible with the massing, size, scale and texture of the original.

e. Original missing architectural features for which there is insufficient historic documentary, pictorial or physical evidence should be replaced with features that are compatible with the massing, size, scale and texture of architectural features appropriate to the period.

f. The original or significant configuration of the exterior walls shall be restored.

g. New stories shall not be added to existing heritage buildings.

h. The location, size and configuration of original door and window openings shall be restored.

i. Signs for the building shall be in keeping with the type of historic signs appropriate for the period of the buildings in Porterville.

j. Exterior awnings shall be in keeping with the configuration and materials appropriate for the period of the building in Porterville.
8.3 New Commercial and Professional Office Development Guidelines

New development on South Main Street or adjacent to the street should be designed to be compatible with the ambience of the historical commercial buildings of the downtown core, but should also reflect its own time. The following guidelines apply to the planning and design of new buildings in Sub-district D.

8.3.1 Site design guidelines.

a. New Commercial and Professional Office buildings built in Sub-district D with a Main Street frontage shall be set back 5 feet from the front property line. Landscaping of the setback area is encouraged; however, retail and service-oriented businesses shall have their primary orientation and maintain their primary entry on Main Street.

b. New buildings with Main Street frontage shall be the full width of the lot, with no curb cuts for access to parking in the rear. Exceptions will be made for pedestrian-oriented paseos or small landscaped plazas connecting to development behind the street frontage.

c. On-site parking shall be placed at the rear of the lot with primary vehicular access provided off of Hockett and C Streets. New parking facilities are not permitted immediately adjacent to Main Street.

8.3.2 Architectural design guidelines.

a. The Main Street façade of the building shall be a maximum of two stories in height to a distance of fifteen (15) feet from the front property line; thereafter, the building height shall not exceed fifty (50) feet unless subject to approval of a Conditional Use Permit.

b. Flat, vaulted, or sloped roofs (where the roof pitch is hidden on the principal façade by a parapet) shall be used for new commercial buildings fronting on Main Street. Mansard roofs are prohibited.

c. For the commercial frontage on Main Street, appropriate exterior building materials include brick, stucco, concrete block, painted wood clapboard or painted metal clapboard. The exterior use of slump block, board and batten or shingles is prohibited.

d. New commercial buildings with Main Street frontage should include display-type storefront windows with a 12" to 18" high brick, tile, wood or sheet metal bulkhead.

e. New commercial buildings with Main Street frontage shall provide awnings or permanent shade devices such as projections, wire mesh awnings, solid panels or other suitable devices to shade all first floor front façade windows and door/entryway areas.

f. A parapet or wall band located above the display windows shall be provided on all Main Street front façades. Transom windows are encouraged.
g. All upper-level windows shall follow a "punched" pattern whereby a window inset of at least 4 inches from the exterior wall surface is achieved. No individual window should exceed 40 SF in area. "Band" windows uninterrupted by building wall sections or members are prohibited.

h. A cornice shall be provided within the upper two (2) feet of the front façade along the top of all one- and two-story commercial structures with Main Street frontage.

i. Commercial signs for the building shall be of the following types: Front façade/Upper transom; Rear and Side façade signs, awning signs, window signs, guild signs and projecting blade signs. The Commercial Sign Guidelines and Standards shall be followed (see Section 2).

j. Entryway lighting shall be provided at rear entries. Rear entries should receive enhanced architectural treatments such as awnings, projections, accent wall and/or walkway materials, planters/landscape areas, decorative signage or decorative lighting.
South Main Street between Orange and Date Avenues is proposed in the *Porterville Redevelopment Strategic Plan* to become a focus of future multi-family housing development. The section of South Main Street in Sub-district D represents the largest concentration of candidate properties that could be redeveloped. The area also serves as a gateway district many would pass through or by en route from Highway 190 to the North Main Street downtown historic core. Unfortunately, the area also currently exhibits some of the weaker images that exist within the downtown. Together these factors point to the need for guidelines and other planning measures to address new multi-family development in the area in the long term future, and for short term image enhancements as well as upgrades to existing commercial structures that will remain in the area.
9.1 Goals

The following goals define the design guideline directions to be taken for buildings in Sub-district E.

- Encourage, over the long term, appropriately scaled multi-family residential development.

- Encourage architectural and landscape treatments in the area that will create a "gateway" image for downtown.

- Encourage new retail in-fill development that will serve adjacent neighborhood residential areas.

- Promote short and mid-term aesthetic enhancements to the area in anticipation of a potentially slow process of new investment.
9.2 Revitalization of Existing and Historic Commercial Buildings

While the Strategic Plan provides in the long term for significant new development within Sub-district E, it is anticipated that in the short-term there may be demand for the revitalization or rehabilitation of existing commercial buildings on South Main Street. Owners wishing to upgrade an existing commercial building should respect the underlying historic building fabric of the building, and utilize the basic architectural vocabulary and character-defining features. The significant features of typical commercial buildings on South Main Street are identified in Getting Started—A User’s Manual.

9.2.1 Guidelines for restoration and rehabilitation of existing commercial buildings on South Main Street.

Rehabilitation efforts for existing buildings when upgraded and/or when utilizing Agency directed funds shall comply with the following guidelines. Restoration of historic resources, where applicable, shall observe the general standards for historic preservation described for historic buildings on North Main Street in Section 5.

a. All existing historic elements on the exterior of the building shall be preserved.

b. All demolition work on the exterior shall be limited to the removal of non-historic architectural features.

c. All deteriorated existing original architectural features shall be repaired or restored.

d. Original missing architectural features for which there is sufficient historic documentary, pictorial or physical evidence may be reproduced to match the missing original feature or they may be replaced with architectural features that are compatible with the massing, size, scale and texture of the original.

e. Original missing architectural features for which there is insufficient historic documentary, pictorial or physical evidence should be replaced with features that are compatible with the massing, size, scale and texture of architectural features appropriate to the period.

f. The original or significant configuration of the exterior walls shall be restored.

g. New stories shall not be added to existing heritage buildings.

h. The location, size and configuration of original door and window openings shall be restored.

i. Signs for the building shall be in keeping with the type of historic signs appropriate for the period of the buildings in Porterville.

j. Exterior awnings shall be in keeping, with the configuration and materials appropriate for the period of the building in Porterville.
9.3 Design Guidelines for New Multi-Family Housing

It is the intent of the Strategic Plan to provide for the development of multi-family housing within Sub-district E. The architectural character of the residential development will be important in the definition of the overall character of the downtown because it will be among the first of Porterville’s neighborhoods to be seen by travelers coming north from Highway 190 on Main Street. The following design guidelines offer a profile of the quality and character of that multi-family housing development as it might contribute to the overall quality of the downtown.

9.3.1 Heights and yards.

a. New multi-family housing should not exceed 2 stories nor 35 feet in height.

b. The minimum front yard setback shall be 15 feet.

c. The minimum rear setback shall be 10 feet.

d. The minimum side yard setback shall be 10 feet from a public street or from an on-site detached habitable building.

9.3.2 Site design guidelines.

a. New multi-family housing should not exceed a density of 15 dwelling units/acre.

b. The minimum lot size for new multi-family residential development should not be less than 19,000 square feet in area.

c. Each residential unit shall maintain a primary ground level entrance facing Main Street, Orange, Locust or Date Avenues, and be provided with a concrete or masonry walk connecting it with the adjacent public sidewalk.

d. Common open space shall be provided at a rate of 200 square feet per unit. The open space(s) should be grouped not to be less than 750 square feet. All of the common open space should be usable and should contain a minimum of 50 percent landscaping materials.

e. Parking provided on site should not be visible from Main Street, and wherever possible should not take its access from Main Street. All parking areas shall be landscaped and landscape materials should be used to screen parking from public and resident view.
9.3.3 Architectural design guidelines.

a. Multi-unit structures should reflect the character-defining features of an architectural style from a single period significant in the residential development of Porterville. These styles include Wood Frame Vernacular, Second Empire, Queen Anne/Eastlake Revival, Classic Box, and California Bungalow, as described in Glossary of Styles and Terms in Volume 1: Getting Started—A User's Manual.

b. All units should maintain a covered front porch at the principal entrance.

9.3.4 Relocation and treatment of existing single family houses.

a. Single family homes in sound condition and built during the period 1890 - 1940 should be relocated to vacant sites in older residential neighborhoods with similar structures.

b. If existing single family structures are adaptively reused as small professional offices of less than 5,000 SF the Guidelines outlined for Sub-district B should be followed (see Section 6).

9.4 New Commercial Infill Buildings

Construction of new commercial buildings should follow the Guidelines for New Commercial Buildings for South Main Street as covered in Section 8.
Requirements for Sub-district F

The westerly and southerly "edges" of downtown Porterville are defined by the relatively strong barriers of the Southern Pacific Railroad right-of-way on the west and the Tule River on the south. Currently, the uses that are found along these edges are a mix of industrial, commercial, and some residential, with an inconsistent visual image. From an urban design perspective, these areas around downtown's periphery are important in that they help to contain the downtown into an easily recognizable area, and also present the first image of downtown to incoming motorists. The Porterville Redevelopment Strategic Plan seeks to maintain the existing light industrial uses—in particular, the historic packinghouses—along E Street between Orange and Putnam Avenues, to develop a commercial "gateway" into the downtown from Highway 190 from the south between the river and Date Avenue, and to infill most of the rest with new multifamily housing. In addition, Orange Avenue provides another entry into the downtown from its connections with Plano Street and Highway 190 to the southeast; this connection is proposed to be retained in the Strategic Plan. Implementation of the plan's recommendations will depend on numerous changes, including a change of the underlying zoning in several areas. However, the guidelines included in this section may serve as an indication of the Agency's preferred direction for the urban design of this sub-district.
10.1 Goals

The following goals define the design guideline directions to be taken for buildings in Sub-district F.

- Promote the upgrading of the area's image as a gateway district into downtown Porterville.

- Develop South Main Street as a key link in the entrance corridor into the downtown from Highway 190.

- Develop Orange Avenue as a secondary entrance corridor into the downtown from Highway 190.

- Encourage over the long term appropriately scaled multifamily residential development in selected areas of the sub-district.
10.2 Revitalization of Existing Commercial Buildings

Owners wishing to upgrade an existing commercial building should respect the underlying historic building fabric of the building, and utilize the basic architectural vocabulary and character-defining features. The significant features of typical commercial buildings in Sub-district F are similar to those found on South Main Street, and these are identified in the Glossary of Styles and Terms in Volume 1: *Getting Started—A User’s Manual*.

10.2.1 Guidelines for restoration and rehabilitation of existing commercial buildings.

Rehabilitation efforts for existing buildings when upgraded and/or when utilizing Agency directed funds shall comply with the following guidelines. Restoration of historic resources, where applicable, shall observe the general standards for historic preservation described for historic buildings on North Main Street in Section 5.

a. All existing historic elements on the exterior of the building shall be preserved.

b. All demolition work on the exterior shall be limited to the removal of non-historic architectural features.

c. All deteriorated existing original architectural features shall be repaired or restored.

d. Original missing architectural features for which there is sufficient historic documentary, pictorial or physical evidence may be reproduced to match the missing original feature or they may be replaced with architectural features that are compatible with the massing, size, scale and texture of the original.

e. Original missing architectural features for which there is insufficient historic documentary, pictorial or physical evidence should be replaced with features that are compatible with the massing, size, scale and texture of architectural features appropriate to the period.

f. The original or significant configuration of the exterior walls shall be restored.

g. New stories shall not be added to existing heritage buildings.

h. The location, size and configuration of original door and window openings shall be restored.

i. Signs for the building shall be in keeping with the type of historic signs appropriate for the period of the buildings in Porterville.

j. Exteriorawnings shall be in keeping with the configuration and materials appropriate for the period of the building in Porterville.
10.3 Design Guidelines for New Multi-Family Housing

As with Sub-district E, it is the long-term intent of the Strategic Plan to provide for the development of multi-family housing within Sub-district F at its southerly end between the river and Date Avenue. The following design guidelines offer a profile of the quality and character of that multi-family housing development as it might contribute to the overall quality of the downtown.

10.3.1 Heights and yards.

a. New multi-family housing should not exceed 2 stories nor 35 feet in height.

b. The minimum front yard setback shall be 15 feet.

c. The minimum rear setback shall be 10 feet.

d. The minimum side yard setback shall be 10 feet from a public street or from an on-site detached habitable building.

10.3.2 Site design guidelines.

a. New multi-family housing should not exceed a density of 15 dwelling units/acre.

b. The minimum lot size for new multi-family residential development in Sub-district F should not be less than 19,000 square feet in area.

c. Each residential unit shall maintain a primary ground level entrance facing Main Street, Orange, Locust or Date Avenues, and be provided with a concrete or masonry walk connecting it with the adjacent sidewalk.

d. Common open space shall be provided at a rate of 200 square feet per unit. The open space(s) should be grouped not to be less than 750 square feet. All of the common open space should be usable and should contain a minimum of 50 percent landscaping materials.

e. Parking provided on site should not be visible from Main Street, and wherever possible should not take its access from Main Street. All parking areas shall be landscaped and landscape materials should be used to screen parking from public and resident view.
10.3.3 Architectural design guidelines.

a. Multi-unit structures should reflect the character-defining features of an architectural style from a single period significant in the residential development of Porterville. These styles include Wood Frame Vernacular, Second Empire, Queen Anne/Eastlake Revival, Classic Box, and California Bungalow, as described in the Glossary of Styles and Terms in Getting Started—A User’s Manual.

b. All units should maintain a covered front porch at the principal entrance.

10.4 Design Guidelines for New Commercial Development

In addition to the commercial development which exists on the Orange Avenue corridor and that which is proposed in connection with the mixed-use residential/commercial neighborhood in Sub-district E on South Main Street, the Strategic Plan also anticipates the development of a community-scaled commercial center on South Main Street between Date Avenue and the Tule River. This development would function as a gateway into the downtown area from the south. The following design guidelines offer a profile of the quality and character of that commercial development as it might contribute to the overall quality of the downtown.

a. New commercial development shall provide landscaped parking in accordance with the general requirements outlined in Section 1.

b. New commercial development need not comply with any special setback requirements other than those required by the underlying zoning, with one exception. Such development is encouraged to provide a retail or service commercial use at any corner of South Main Street and Date Avenue, in the first fifty feet of the site from either street frontage. This may be integrated into the overall commercial structure or built as outlying structures; in either case, it should serve as a gateway landmark marking an entry into the downtown along the Main Street corridor.

10.5 Design Guidelines for Orange Avenue

Orange Avenue is a key connector between westbound traffic on Highway 190 and downtown Porterville. Its image is currently weakened by older scattered highway-oriented type commercial structures and the back or side yards of single family residential structures. Despite their highway-oriented architectural style, the commercial uses serve an important function as neighborhood commercial outlets and should be encouraged to remain; however, their design should be more reflective of their neighborhood function. Similarly, the portions of Orange Avenue that are lined with single family residences offer no buffer between the occasionally heavily trafficked roadway and the residential lots. What should be a pleasant view from the road of single family residences is undercut by inadequate streetscape improvements, and the residents' quality of life is compromised by the impacts of the passing traffic. The following guidelines indicate efforts that should be undertaken through both public and private improvements.
10.5.1 Guidelines for public improvements.

a. The parkways on Orange Avenue where they abut or are adjacent to residential property should be landscaped with street trees and a hedge of lower plant materials in order to screen private residential yards from the public view from Orange Avenue.

b. Where possible, the City or the Redevelopment Agency should secure control or rights of use for the irregularly-shaped "excess" sawtooth parcels formed by the diagonal intersection of Orange Avenue with single family residential lots. These irregular parcels should be landscaped with ornamental plant materials (in accordance with the City's water efficient landscape ordinance).

10.5.2 Guidelines for commercial development.

a. New commercial structures built in Sub-district F with an Orange Avenue or Date Avenue frontage shall provide landscaped parking in accordance with the general requirements outlined in Section 1.

b. New commercial development with an Orange Avenue or Date Avenue frontage shall be a maximum of one story in height.

c. Gable, hip, or shed roofs shall be used for new commercial buildings fronting on Orange Avenue or Date Avenue. Mansard roofs are prohibited.

d. For the commercial frontage on Orange Avenue and Date Avenue, appropriate exterior building materials include brick, stucco, concrete block, painted wood clapboard or painted metal clapboard. The exterior use of slump block, board and batten, and wood or composite shingles is prohibited.
CITY COUNCIL AGENDA: JULY 1, 2008

PUBLIC HEARING

TITLE: ZONE VARIANCE 1-2008 TENTATIVE PARCEL MAP 1-2008 (DAVID PHILLIPS)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

PROJECT LOCATION: 816 North Division Street in the R-1 (One Family Residential) Zone.

SPECIFIC REQUEST: The applicant is requesting approval of a zone variance to allow for a reduction of the required 60 foot minimum lot width for two (2) parcels proposed by Tentative Parcel Map 1-2008. The proposed reduction would allow both proposed parcels to have a lot width of 48.755 feet each.

In addition to the proposed zone variance and as part of approval for Tentative Parcel Map 1-2008, the applicant has submitted a request to allow for an excessive lot depth for Parcels 1 and 2.

PROJECT DETAILS: The proposed division of the 19,543.03± square foot lot would create two parcels, both narrower than 50 feet in width and having a lot depth of 200± feet each. Pursuant to Section 21-7 b of the Porterville Subdivision Ordinance a maximum lot depth for residential lots is 180 feet. The standard minimum lot width pursuant to Section 238 B of the Porterville Zoning Ordinance requires a minimum of 60 feet in width for residential lots. Section 238 A of the Porterville Zoning Ordinance requires a minimum lot size of 6,000 square feet.

Proposed Parcel 1 will consist of 9,771.61± square feet (vacant) and proposed Parcel 2 will consist of 9,771.42± square feet with an existing single family residential dwelling and attached single car garage that is located 1.5 feet from the south property line of proposed Parcel 2. Rolled curb, gutter and sidewalk exists across the full frontage of both proposed parcels. It should be noted that Condition No. 2 of the Tentative Parcel Map resolution addresses the alternatives to bring the existing garage into conformance.

In order for the City Council to approve a zone variance request, three (3) findings must be made as outlined in the staff report. Pursuant to Section 21-1.4 of the Subdivision Ordinance, the City Council can modify any of the requirements and regulations set forth in the Subdivision Ordinance provided findings are made which are also addressed in the staff report.
Based on the required findings, staff is recommending approval of Zone Variance 1-2008 and Tentative Parcel Map 1-2008.

Pursuant to Section 15305 Class 5 (Minor alterations in land use limitations) of CEQA, the project is Categorically Exempt.

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the Zone Variance 1-2008; and


ATTACHMENTS:

1. Complete Staff Report
ZONE VARIANCE 1-2008 AND TENTATIVE PARCEL MAP 1-2008
FOR CITY COUNCIL MEETING OF JULY 1, 2008
For that site located at 816 North Division Street.

APPLICANT: David Phillips
925 S. Valinda Ave.
West Covina, CA 91790

AGENT: R.L. Schafer & Associates
2904 W. Main
Visalia, CA 93291

PROPERTY OWNERS: David Phillips
Douglas Phillips
925 S. Valinda Ave.
816 N. Division St.
West Covina, CA 91790
Porterville, CA 93257

PROJECT DESCRIPTION: The applicant is requesting approval of a zone variance to allow for a reduction of the required 60 foot minimum lot width for two (2) parcels proposed by Tentative Parcel Map 1-2008. The proposed reduction would allow both proposed parcels to have a lot width of 48.755 feet each.

In addition to the proposed zone variance and as part of approval for Tentative Parcel Map 1-2008, the applicant has submitted a request to allow for an excessive lot depth for Parcels 1 and 2.

The proposed division of the 19,543.03± square foot lot would create two parcels, both narrower than 50 feet in width and having a lot depth of 200± feet each. Pursuant to Section 21-7 b of the Porterville Subdivision Ordinance a maximum lot depth for residential lots is 180 feet. The standard minimum lot width pursuant to Section 238 B of the Porterville Zoning Ordinance requires a minimum of 60 feet in width for residential lots. Section 238 A of the Porterville Zoning Ordinance requires a minimum lot size of 6,000 square feet.

Proposed Parcel 1 will consist of 9,771.61± square feet (vacant) and proposed Parcel 2 will consist of 9,771.42± square feet with an existing single family residential dwelling and attached single car garage that is located 1.5 feet from the south property line of proposed Parcel 2. Rolled curb, gutter and sidewalk exists across the full frontage of both proposed parcels. It should be noted that Condition No. 2 of the Tentative Parcel Map resolution addresses the alternatives to bring the existing garage into conformance.
In order for the City Council to approve a zone variance request, three (3) findings must be made. Pursuant to Section 21-1.4 of the Subdivision Ordinance, the City Council can modify any of the requirements and regulations set forth in the Subdivision Ordinance provided findings are made.

**GENERAL PLAN CLASSIFICATION:** Low Density Residential (2-7 du/acre)

**ZONING CLASSIFICATION:** R-1

**SURROUNDING ZONING LAND USE:**

| North: | City R-1 - Single family residential dwellings. |
| South: | City C-1 - Apartments and Henderson Avenue. |
| East:  | City R-1 - Developed single family residential subdivision. |
| West:  | City R-1 - Division Street and single family residential dwellings. |

**LEGAL NOTICES:**

<table>
<thead>
<tr>
<th>Date Environmental Document Distributed</th>
<th>Date Notice Published in Porterville Recorder</th>
<th>Date Notice Mailed to Property Owners within 300 feet of property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cat. Exempt</td>
<td>June 9, 2008</td>
<td>June 6, 2008</td>
</tr>
</tbody>
</table>

**ENVIRONMENTAL SETTING:**

The FIRM Flood Insurance Map 060407 0010 D, dated October 15, 1985, indicates that the subject site is located in Flood Zone AH. The developer/applicant shall comply with the City Flood Damage Prevention Ordinance No. 1397, and the requirements of the State Department of Water Resources where applicable.

Pursuant to Section 15305 Class 5 (Minor alterations in land use limitations) of CEQA, the project is Categorically Exempt.
PROJECT DESCRIPTION/ANALYSIS:

Pursuant to Section 2801 of the Zoning Ordinance, before a variance may be granted the City Council must make the following findings:

1. That because of special circumstances applicable to the subject development, including size, shape, location or surrounding, the strict application of this ordinance deprives said development of privileges enjoyed by other such developments in the vicinity and under identical zone classification; and

2. That granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or zone in which the property is located; and

3. That the granting of such variance will not adversely affect the General Plan or the purposes of the Zoning Ordinance.

Project specific findings for Zone Variance 1-2008

1. The neighborhood in which the site is located consists of older development patterns and standards which typically contain lot configurations inconsistent with current City requirements. A majority of lots in the vicinity have lot depths in excess of 200± feet. As such, existing area conditions and the prevalence of deep lots on Division Street lend support to this proposal.

2. A majority of lots in the project vicinity have narrow widths. Three parcels to the north of the subject site have lot widths of 48± feet. Most all of those lots located to the rear of the subject site fronting on the east and west side of Second Street extending north of Henderson Avenue have lot widths of 50 feet.

3. The General Plan designation for this site is Low Density Residential. The proposed lot split will not alter the density of the site or result in residential development inconsistent with the General Plan Designation. Article Two of the Porterville Zoning Ordinance allows for one (1) single family dwelling unit per lot.

Section 234 A of the Porterville Zoning Ordinance states the following:

Every interior lot shall have side yards with a minimum width of five (5) feet on each side of the main building, except that if a lot is less than fifty (50) feet in width, each side yard shall be a minimum of ten percent of the width of the lot, or three (3) feet, whichever is greater.

Since both parcels as proposed will consist of 48.76 feet in width, the minimum setback for any new construction would require a side yard setback of 4.7 feet.
The location of the existing single car garage is 1.5± feet from the south property line. In the R-1 Zone a minimum of 5 feet of setback is required for lots with frontages of 60 feet. Due to the location of the garage, it is considered as a “legal non-conforming use”.

As a condition of approval for recording of the final map, one of the alternatives would have to be met:

Alternative#1: Construct a one (1) hour firewall on the south side of the garage and construct an additional one (1) car carport (10'x20') or garage on the property.

Alternative#2: Remove the existing garage and construct a two (2) car carport or garage (20'x20'), elsewhere on Parcel 1.

The proposed zone variance in conjunction with the proposed tentative parcel map will require the garage to be brought into conformance by means of either alternative.

**Project specific findings for Tentative Parcel Map 1-2008**

The applicant is requesting City Council’s approval to allow for an excessive lot depth for Parcels 1 and 2. Pursuant to Section 21-7 b of the Subdivision Ordinance, the depth of each residential lot shall not be less than ninety (90) feet nor more than one hundred eighty (180) feet. Parcels 1 and 2 exceed 180 feet. Proposed Parcel 1 has a depth of 200.42± feet; proposed Parcel 2 has a depth of 200.41± feet.

Pursuant to Section 21-1.4 of the Subdivision Ordinance, the City Council can modify any of the requirements and regulations set forth in the Subdivision Ordinance provided that the City Council makes the following findings with respect thereto:

a. That there are special circumstances or conditions affecting such property.

Response: The existing lot lines on the north and south side of the subject lot have an average depth of 200.41± feet. Due to the existing depth of the subject site, no other configuration or design was feasible to eliminate the excessive lot depths for Parcels 1 and 2, therefore, the exception to the lot depth was requested.

b. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

Response: The modification is requested to allow the remaining portion of the property to be developed pursuant to City standards.
c. That the granting of the modification will not be detrimental to the public welfare or injurious to other property in the territory in which such property is situated.

Response: The exception will allow Parcels 1 and 2 to have a lot depths of 20± feet more than the allowed maximum of 180 feet. Additionally, most all of those lots located to the north of the subject site have lot depths of 200± feet and as such it is not expected that this will negatively impact the community.

d. That the granting of the exception is in accordance with the purposes prescribed in Section 21-1.1 of the Subdivision Ordinance and Sate Map Act.

Response: The modifications will allow for the subject site to be developed insuring that pursuant to Section 21-1.1 (Purpose and Scope) of the Subdivision Ordinance the objectives in this section are achieved.

e. That the granting of the exception is consistent with the General Plan. Any exception may be granted subject to any reasonable conditions which are deemed necessary to effectuate the purposes of this Chapter.

Response: The design of the tentative parcel map is consistent with the density allowed by the General Plan.

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. No Project. Denial of the proposed zone variance would not allow for the approval of the tentative parcel map with a garage remaining as a legal non-conforming use due to the existing side yard back.

2. Approve the Project. Approval of the zone variance will allow for the approval of the tentative parcel map.


RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the Zone Variance 1-2008; and

ATTACHMENTS:

1. Locator map/surrounding lot dimensions
2. Zone Variance Application
3. Letter requesting exception to Section 21.7b (lot depth)
4. Tentative Parcel Map
5. Notice of Exemption
6. Draft Resolution approving Zone Variance 1-2008
7. Draft Resolution approving Tentative Parcel Map 1-2008

Bubba Frasher ___________________________ June 6, 2008
Project Planner __________________________ Date
CITY OF PORTERVILLE
APPLICATION FOR ZONE VARIANCE
No. __________

NOTE: The basic purpose of the Zone Variance Article 28 of the City Zoning Ordinance is to assure that the approval of a variance will be reviewed in order to carry out the purposes of the Ordinance and to protect the public health, safety and welfare, due to the unique and special characteristics of such uses.

PROJECT NAME:
____________________________
David Phillips Tentative Parcel Map

NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF PROPERTY OWNER(S):
____________________________
Douglas Phillips, 816 North Division, Porterville, CA 93257 (559) 789-9801 &
____________________________
David Phillips, 925 S Valinda Avenue, West Covina, CA 91790 (616) 814-2889

NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF APPLICANT/CONTACT PERSON:
____________________________
R. L. Schafer & Associates & Dee Jaspar & Associates Inc, 2904 W Main Street, Visalia, CA 93291 (559) 734-1348; fax (559) 734-1413; e-mail: mbalslev@rlsmap.com

PROJECT ADDRESS AND NEAREST CROSS STREETS:
____________________________
816 North Division, Porterville: cross street Henderson to the south

The applicant requests a Zone Variance for the following purposes:
____________________________
Request for a reduction of lot width pursuant to Section 238 B of the Porterville Zoning Ordinance for proposed Parcels 1 and 2

Date of most recent sale of property: ____________

If applicant is the lessee, give date property was leased: ____________

List below the original deed restrictions pertaining to the type of improvements permitted: ____________

Date said restrictions expire: ____________

(Please attach a copy of original printed restrictions in answer to this question. Properly underline those features controlling the type and class of uses permitted.)

ATTACHMENT
ITEM NO. 2
A Plot Plan and 300' radius property owners map, and corresponding mailing list are attached and made a part of this application. (See detailed instructions on Page 4 of this form.)

The Porterville City Council is requested by law to make written findings of fact to show that beyond a reasonable doubt, the following conditions apply. On a separate sheet, explain in detail how your request conforms to the following conditions:

1. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

The lot widths proposed for Parcels 1 and 2 of the tentative parcel map will have lot widths of 48.76 feet each, respectively. Although this is 11.44 feet less than the 60 foot frontage required by Section 236 B of the Porterville Zoning Ordinance, the total square footage of each lot will contain 9,772+ square feet. This is approximately 3,772+ square feet more than the 6,000 square feet required for R-1 Residential lots. Additionally, the three (3) parcels located to the north of the subject site have an average lot width of 48+ feet and most all of the lots to the rear of the subject site fronting on Second Street have a lot width of 50+ feet.

2. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or zone in which the property is located.

The variance will not grant any rights or privileges which will be detrimental to the public welfare or injurious to the property or improvements in the vicinity or zone. The residence exists and no changes are proposed which will alter the existing non-conforming situation.

3. That the granting of such variance will not adversely affect the General Plan or the purpose of this ordinance.

The variance will not grant any rights or use which are not consistent with the General Plan for this site and surrounding area, nor inconsistent with the purpose of the ordinance.

---

**OWNER'S DECLARATION**

**STATE OF CALIFORNIA**

**COUNTY OF TULARE**

I, [Name], being duly sworn, declare and say that I am the owner of part (or all) of the property involved and that this application has been prepared in compliance with the requirements of the Porterville City Council as printed herein and that the foregoing information thoroughly and completely, to the best of my ability, presents the argument in behalf of the application except as to the matters stated to be on my information and belief.

I declare under penalty of perjury that the foregoing is true and correct, executed at [Location], this [Date] day of [Month] 2008.

Telephone [Phone Number]  
Signed [Signature]  
Mailing Address [Address]  
Porterville, CA 93257
This is to certify that the foregoing application has been inspected by me and found to be complete and acceptable for filing with the Porterville City Council.

Received ______________________  Receipt No. ________  
                                      Date

By ____________________________________________
April 24, 2008

Jose Ortiz
Associate Planner
City of Porterville
291 N. Main Street
Porterville, CA 93257

SUBJECT: REQUEST FOR EXCEPTION TO SUBDIVISION ORDINANCE SECTION 21.7b FOR THAT SITE LOCATED AT 816 N. DIVISION STREET

Dear Mr. Ortiz,

As owners of the property, we are requesting an exception to allow for the excessive lot depth for the proposed parcel line to divide Parcels 1 and 2 (proposed 200± feet) pursuant to Section 21-7 b of the Porterville Subdivision Ordinance (maximum lot depth-180 feet in residential zones).

Due to the depth of the existing lot, no other option is available to shorten the depth of the proposed two (2) parcels. Additionally, all of the lots located north of the subject site and fronting on the east side of Division Street have lot depths of 200± feet.

Respectfully submitted,

[Signature]

ATTACHMENT
ITEM NO. 3
NOTICE OF EXEMPTION

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Tulare County Clerk
County Civic Center
Visalia, CA 93291

FROM: City of Porterville
291 N. Main Street
Porterville, California 93257

David Phillips
925 S. Valinda Ave.
West Covina, CA 91790

David Phillips
816 N. Division St.
Porterville, CA 93257

Zone Variance 1-2008 and Tentative Parcel Map 1-2008
Project Title

816 N. Division Street
Project Location (Specific)

City of Porterville
Project Location (City)

Tulare
Project Location (County)

A zone variance to allow a reduction of the 60 foot minimum lot width required in the R-1 Zone and consideration of a tentative parcel map to divide a 19,543.03± square foot lot into two (2) parcels for that site located at 816 N. Division Street.

Description of Nature, Purpose, and Beneficiaries of Project

City of Porterville
Name of Public Agency Approving Project

David Phillips, 925 S. Valinda Ave., West Covina, CA 91790 and David Phillips 816 N. Division, Porterville CA 93257
Name of Person or Agency Carrying Out Project

Exempt Status: (Check One)

☐ Ministerial (Section 15073)
☐ Declared Emergency (Section 15071 (a))
☐ Emergency Project (Section 15071 (b) and (c))
☐ X Categorical Exemption. State type and section number: 15305 Class 5

Minor alterations in land use limitations.

Reasons why project is exempt

Benjamin Kimball, City Planner
Contact Person

If Filed by Applicant:

1. Attached certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the Project? Yes: ______ No: ______

Date Received for filing: ______

Signature

City Planner ______
Title

U/NoticeExemptZV 1-2008

ATTACHMENT
ITEM NO. 5
RESOLUTION NO._______

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT
OF APPROVAL OF PROPOSED ZONE VARIANCE 1-2008 FOR THAT SITE LOCATE ON
AT 816 NORTH DIVISION STREET

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of July 1, 2008, conducted a public hearing to consider Zone Variance 1-2008 to allow for a
reduction of the 60-foot minimum lot width required in the R-1 Zone for that site located at 816
North Division Street; and

WHEREAS: The proposed reduction would allow both proposed parcels to have a lot width
of 48.755 square feet each; and

WHEREAS: In conjunction with Zone Variance 1-2008, the City Council of the City of
Porterville also reviewed Tentative Parcel Map 1-2008 for the same site to allow for the division of
a 19,543.03±-square-foot lot consisting of proposed Parcel 1 - 9,771.62± square feet and proposed
Parcel 2 - 9,771.42± square feet; and

WHEREAS: The project is Categorically Exempt pursuant to Section 15305 Class 5 (Minor
alterations in land use limitations), of the CEQA Guidelines; and

WHEREAS: Pursuant to Section 2801 of the Zoning Ordinance, before a variance may be
granted the City Council must make the following findings:

1. That because of special circumstances applicable to the subject development,
   including size, shape, location or surrounding, the strict application of this ordinance
deprives said development of privileges enjoyed by other such developments in the
vicinity and under identical zone classification; and

2. That granting of the variance will not be materially detrimental to the public welfare
   or injurious to the property or improvements in the vicinity or zone in which the
   property is located; and

3. That the granting of such variance will not adversely affect the General Plan or the
   purposes of the Zoning Ordinance.
Project specific findings for Zone Variance 1-2005

1. The neighborhood in which the site is located consists of older development patterns and standards which is not uncommon to find lot configurations inconsistent with current City requirements. Almost all of the lots fronting on the east and west sides of Division Street have lot depths in excess of 200± feet. As such, existing area conditions lend support to this proposal.

2. Three parcels to the north of the subject site have lot widths of 48± feet. Most all of those lots located to the rear of the subject site fronting on the east and west side of Second Street extending north of Henderson Avenue have lot widths of 50 feet.

3. The General Plan designation for this site is Low Density Residential. The R-1 (One Family Residential) Zoning is consistent with the General Plan. Article Two of the Porterville Zoning Ordinance allows for one (1) single family dwelling unit per lot.

Section 234 A of the Porterville Zoning Ordinance states the following:

Every interior lot shall have side yards with a minimum width of five (5) feet on each side of the main building, except that if a lot is less than fifty (50) feet in width, each side yard shall be a minimum of ten percent of the width of the lot, or three (3) feet, whichever is greater.

Since both parcels as proposed will consist of 48.76 feet in width, the minimum setback for any new construction would require a side yard setback of 4.7 feet.

The location of the existing garage is 1.5± feet from the south property line. In the R-1 Zone a minimum of 5 feet of setback is required for lots with frontages of 60 feet. Due to the location of the garage, it is considered as a “legal non-conforming use”.

As a condition of approval for recording of the final map, one of the alternatives would have to be met:

Alternative#1: Construct a one (1) hour firewall on the south side of the garage and construct an additional one (1) car carport (10’x20’) or garage on the property.

Alternative#2: Remove the existing garage and construct a two (2) car carport or garage (20’x20’).

The proposed zone variance in conjunction with the proposed tentative parcel map will require the garage to be brought into conformance by means of either alternative.
NOW, THEREFORE, BE IT RESOLVED THAT: The City Council does hereby approve Zone Variance 1-2008.

Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By ____________________________  
Patrice Hildreth, Chief Deputy City Clerk
RESOLUTION NO.__________

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT
OF APPROVAL OF PROPOSED TENTATIVE PARCEL MAP 1-2008 FOR THAT SITE
LOCATE AT 816 NORTH DIVISION STREET

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of July 1, 2008, conducted a public hearing to consider Tentative Parcel Map 1-2008 to allow
for the division of a 19,543.03±-square-foot lot into two (2) parcels consisting of Parcel 1 -
9,771.61± square feet and Parcel 2 - 9,771.42± square feet for that the for that site located at 816
North Division Street; and

WHEREAS: In conjunction with Tentative Parcel Map 1-2008, the City Council of the City
of Porterville at its regularly scheduled meeting of July 1, 2008, conducted a public hearing to
consider Zone Variance 1-2008 to allow for a reduction of the 60-foot minimum lot width required
in the R-1 Zone for that site located at 816 North Division Street; and

WHEREAS: The proposed reduction would allow both proposed parcels to have a lot width
of 48.755 square feet each; and

WHEREAS: The City Council of the City of Porterville made the following findings in its
review of the proposed tentative parcel map:

1. The project is Categorically Exempt pursuant to Section 15305 Class 5 (Minor
alterations in land use limitations), of the CEQA Guidelines; and

2. That the proposed parcelization conforms to the land use designation of the General
Plan.

The General Plan designates the subject site for Low Density Residential uses. The
existing R-1 (One Family Residential) Zone is supported by the General Plan.

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

The General Plan designates the site for Low Density Residential uses. The site is
surrounded by developed single family residential dwellings on all sides. Conditions
of approval are included to ensure adequate development standards are met.

ATTACHMENT
ITEM NO. 7
4. That the standards of population density, site area dimensions, site coverage, yard spaces, height of structures, distance between structures, off-street parking facilities and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the Zoning Ordinance.

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

6. That Parcels 1 and 2 do not conform to the maximum lot depth of 180 feet pursuant to Section 21-7 b of the Subdivision Ordinance.

WHEREAS: Pursuant to Section 21-1.4 of the Subdivision Ordinance, the City Council or Parcel Map Committee with respect to tentative parcel maps and tentative subdivision maps, respectfully as provided in Section 21.7 b of the Subdivision Ordinance can modify any of the requirements and regulations set forth in this chapter provided that the City Council makes the following findings with respect thereto:

Pursuant to Section 21-1.4 of the Subdivision Ordinance, the City Council can modify any of the requirements and regulations set forth in the Subdivision Ordinance provided that the City Council makes the following findings with respect thereto:

a. That there are special circumstances or conditions affecting such property.

Response: The existing lot lines on the north and south side of the subject lot have an average depth of 200.41± feet. Due to the existing depth of the subject site, no other configuration or design was feasible to eliminate the excessive lot depths for Parcels 1 and 2; therefore, the exception to the lot depth was requested.

b. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

Response: The modification is requested to allow the remaining portion of the property to be developed pursuant to City standards.
c. That the granting of the modification will not be detrimental to the public welfare or injurious to other property in the territory in which such property is situated.

Response: The exception will allow Parcels 1 and 2 to have lot depths of 20± feet more than the allowed maximum of 180 feet. Additionally, most all of those lots located to the north of the subject site have lot depths of 200± feet and as such it is not expected that this will negatively impact the community.

d. That the granting of the exception is in accordance with the purposes prescribed in Section 21-1.1 of the Subdivision Ordinance and State Map Act.

Response: The modifications will allow for the subject site to be developed insuring that pursuant to Section 21-1.1 (Purpose and Scope) of the Subdivision Ordinance the objectives in this section are achieved.

e. That the granting of the exception is consistent with the General Plan. Any exception may be granted subject to any reasonable conditions which are deemed necessary to effectuate the purposes of this Chapter.

Response: The design of the tentative parcel map complies with the requirements of the Zoning Ordinance and Subdivision Ordinance (with the exception of lot depth for Parcels 1 and 2 and lot widths for Parcels 1 and 2) and is consistent with the density allowed by the General Plan.

6. That the City Council is the decision - making body.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Tentative Parcel Map 1-2008, creating two (2) separate parcels subject to the following conditions:

1. Section 234 A of the Porterville Zoning Ordinance states the following:

   Every interior lot shall have side yards with a minimum width of five (5) feet on each side of the main building, except that if a lot is less than fifty (50) feet in width, each side yard shall be a minimum of ten percent of the width of the lot, or three (3) feet, whichever is greater.

Since both parcels as proposed will consist of 48.76 feet in width, the minimum setback for any new construction will require a side yard setback of 4.7 feet.
2. The location of the existing garage is 1.5± feet from the south property line. In the R-1 zone a minimum of 5 feet of setback is required for lots with frontages of 60 feet. Due to the location of the garage, it is considered as a “legal non-conforming use”.

As a condition of approval for recording of the final map, one of the alternatives would have to be met:

Alternative#1: Construct a one (1) hour firewall on the south side of the garage and construct an additional one (1) car carport (10’x20’) or garage on the property.

Alternative#2: Remove the existing garage and construct a two (2) car carport or garage (20’x20’).

IT SHOULD BE NOTED: That any new construction of either of the above mentioned alternatives will require a minimum setback of 4.8 feet from the side yards to include a one (1) hour firewall. If any new construction of either of the above mentioned alternatives is placed a minimum of five (5) feet from the side property line, the need for a one (1) hour firewall on the new construction will not be required.


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

5. At the time of approval of the Final Map the developer/applicant shall dedicate right-of-way for a street width that matches the ultimate width in the adopted Land Use and Circulation Element and/or that established by the City Council (Section 21-23). Additional street dedication will not be a requirement of the proposed land division; however, dedicating utility easements may be required.

6. The developer/applicant shall submit a Tentative Parcel Map is conformance with Section 21-31 of the Subdivision Ordinance. Attached is a copy of Section 21-31. Existing power poles, lot dimensions, existing septic tank(s), existing water well(s), proposed street light locations, etc., are not shown on the map.
7. The developer/applicant shall comply with Appendix J of the 2007 California Building Code including the provisions for Expansion Index testing and recommendations regarding construction of public improvements, satisfactory to the City Engineer, prior to the start of grading. The developer/applicant shall provide the items indicated below:
   
   a. Grading/Drainage Plans and Specifications prepared by licensed Civil Engineer for proposed Parcel 1 with the building permit application.

8. Prior to approval of a permit or other grant of approval for development of the property, the developer/applicant shall comply with or provide plans that comply with City Retaining Wall Standards at Lot Lines (adopted by City Council January 3, 1989).

9. Prior to recording the final map, the developer/applicant shall provide improvements by the method indicated below:
   
   a. Construct or provide surety for constructing a parking structure in accordance with Article 22 of the Zoning Ordinance.

   b. Simultaneous recording of a separate legal instrument or placement of a statement on the Final Map, if appropriate, that reads as follows:

   "In accordance with Section 66411.1 of the Government Code, the construction of curb, gutter, sidewalk, sewer, water, connection pavement, (i.e. frontage improvements), submittal of a grading/drainage plan and compliance with the City’s Flood Damage Prevention Ordinance has been deferred until such time as a permit or other grant of approval for development of proposed Parcel 1 is issued."

10. Prior to recordation of the final map, the developer/applicant shall have a 5800 lumen street light installed on the property line between the proposed parcels. The street light shall be a Marbelite pole complying with Southern California Edison Company specifications, as approved by the City Engineer. Use of wood pole is for mounting a street light is prohibited without prior written approval of the City Engineer.

11. Prior to recording the final map, the developer/applicant shall provide easements, permits, calculations, etc., if, in the opinion of the City Engineer, they are needed for the proper functioning or phasing of the development (e.g., water, sewer, drainage, "turn arounds", etc.). If the City Engineer determines that construction of improvements are needed to protect public health and safety or for orderly development of the surrounding area, the developer/applicant shall construct or provide a surety for said improvements.
12. The developer/applicant shall comply with the City Flood Damage Prevention Ordinance No. 1397, and the requirements of the State Reclamation Board, where applicable. In all areas of special flood hazards (i.e., Zones A, AO, A1-A30, AE, A99 or AH) the following conditions are required: All building plans and grading plans shall recognize that the site is within a Zone AH flood hazard area with a Base Flood Elevation of 447.6 feet above mean sea level. A registered professional engineer or surveyor shall certify that the finished floors will be constructed at or above the Base Flood Elevation in letter form or by providing a Preliminary Elevation Certificate. The same professional shall confirm that the finished floor is at or above the Base Flood Elevation by submitting an Elevation Certificate to the City Engineer for approval prior to issuance of a certificate of occupancy. Preliminary Elevation Certificates and Elevation Certificate forms are available within the Engineering Division upon request.

13. Furthermore, prior to recording the final map, a registered professional engineer or surveyor shall complete an Elevation Certificate for the existing dwelling on proposed Parcel 2. Conformance with the City's Flood Damage Prevention Ordinance as it relates to the existing dwelling is mandatory. “Substantial Improvements” to the existing dwelling will trigger compliance with this ordinance.

14. A statement shall be placed on the map that clearly disclosed that the parcels are within a Special Flood Hazard AE. The Base Flood Elevation shall be clearly shown of the final map.

15. Prior to recording the final map, the developer/applicant shall enter into an agreement that provides for completion of the non-deferred improvements within six (6) months.

16. Submit three (3) complete sets of plans, signed by a licensed Architect or Engineer, to include two (2) sets of energy calculations and structural calculations.

17. A minimum five (5) foot setback required to face of structure.

18. If closer then five (5) feet it shall be 1 hour rated.

19. Compliance with all applicable codes is required.

20. The southern wall of the existing garage is less than three feet from the property line. A condition of approval for this project is construction of a one-hour firewall along the southern wall of the garage or demolition or remodel of the structure to achieve compliance. Construction of a firewall will require submittal of plans and securing required building permits.
21. Access roads shall be provided for every facility, building or portion of a building, when any portion of the facility or portion of an exterior wall is located more than 150 feet from a fire apparatus access as measured by an approved route around the exterior of the building.

22. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City Standards.

23. The minimum fire flow for one and two family dwellings having a fire area not exceeding 3,600 square feet shall be 1,000 g.p.m. with 20 psi residual pressure. One and two family dwellings having a fire area greater than 3,600 square feet shall be 1,500 g.p.m. with 20 psi residual pressure.

_____________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By ___________________________
Patrice Hildreth, Chief Deputy City Clerk
SUBJECT: SECOND READING – ORDINANCE 1741, NON-DRIVEWAY PARKING

SOURCE: ADMINISTRATION/CITY CLERK DIVISION

COMMENT: Ordinance No. 1741, an Ordinance of the City Council of the City of Porterville Amending Section 18-25 of Chapter 18, Article I of the Porterville Municipal Code Regarding Non-Driveway Parking, was given First Reading on June 17, 2008, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1741, waive further reading, and adopt said Ordinance.

Attachment: Ordinance No. 1741

Item No. 15
ORDINANCE NO. 1741

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING SECTION 18-25 OF CHAPTER 18, ARTICLE I OF THE
PORTERVILLE MUNICIPAL CODE REGARDING NON-DRIVEWAY PARKING

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS
FOLLOWS:

Section 1. Code Amendment. Chapter 18, Section 18-25 of the
Porterville Municipal Code is hereby amended to read as follows:

Section 18-25 Parking or Storing of Vehicles on Lawns

A. Purpose/Findings.

The Parking or storing of vehicles on residential area lawns is
unsightly, poses a potential threat to groundwater quality, and
constitutes a public nuisance.

B. Definitions

1. Driveway: As used in this section, a “driveway” is defined as a
passage way composed of concrete or asphalt that connects to a
public street or legal right-of-way, controlled by the City of
Porterville, allowing vehicles to access a garage, carport, or other
legal parking space.

2. Improved Area: The term “improved area” refers to a section of the
lot that has been altered and defined by concrete, asphalt, or
gravel, with a positive boundary, for the means of providing a
parking space for a vehicle. The improved area must be entered
via a driveway or curb cut, except where adjacent to a paved street
where there is no curb.

3. Park or store: The parking or storing of a vehicle for any period of
time.

C. Prohibition

1. The parking of vehicles is prohibited on any front yard setback
within a residentially zoned area, except in an area defined as a
driveway or improved area. This prohibition shall not apply to
properties that do not have a driveway or improved area as defined
in this Section.
2. The parking or storing of vehicles on blocks, jacks, or stands, regardless of whether said vehicle is on a non-driveway area or a driveway or improved area, is prohibited. To the extent said vehicles are abandoned, wrecked, dismantled or in an inoperative condition, Chapter 17, Article 17 of this Code shall apply.

Section 2. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 3. Effective Date. This Ordinance shall take effect thirty days after adoption as provided by Porterville Charter Section 12.

Section 4. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to law.

PASSED, APPROVED AND ADOPTED, this _____ day of July, 2008.

______________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By: Patrice Hildreth, Chief Deputy
SUBJECT: SECOND READING – ORDINANCE 1742, DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES

SOURCE: ADMINISTRATION/CITY CLERK DIVISION

COMMENT: Ordinance No. 1742, an Ordinance of the City Council of the City of Porterville Amending Appendix A (Zoning), Article 26, Section 2621 of the Porterville Municipal Code Regarding Development Standards in Residential Zones, was given First Reading on June 17, 2008, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1742, waive further reading, and adopt said Ordinance.

Attachment: Ordinance No. 1742

Item No. 16
ORDINANCE NO. 1742

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING APPENDIX A (ZONING), ARTICLE 26, SECTION 2621 OF THE PORTERVILLE MUNICIPAL CODE REGARDING DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES

WHEREAS, the City Council of the City of Porterville wishes to require that new residential properties be built with paved driveways, and that existing residential properties be required to construct paved driveways when undertaking construction of improvements in the amount of $25,000 or more;

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS FOLLOWS:

Section 1. Code Amendment. Appendix A (Zoning), Article 26, Section 2621 of the Porterville Municipal Code is hereby amended to read as follows:

Section 18-2621 Development Standards in Residential Zones

A. The following minimum standards shall apply to all single-family structures in the R-A, R-E, R-1-8, R-1, R-2, R-3 and R-4 zones.

(1) The minimum width of a residential structure shall be twenty (20) feet.

(2) Exterior siding materials for any residential structure shall be stucco, wood, masonry, or any combination of the above or equivalent, alternate acceptable to the building official, said exterior siding material shall extend to the top of the perimeter foundation or to the ground if other than a perimeter foundation is used.

(3) Roof materials shall be tile, wood shake or shingle, asphalt composition or equivalent alternate acceptable to the building official.

(4) Energy conservation requirement shall be a minimum of R-19 for roofs, R-11 for walls, and R-11 for floors if appropriate.

(5) The construction of new residences shall include the construction of a paved driveway consisting of asphalt, concrete or other surface materials approved by the Zoning Administrator. Owners of residences without a paved driveway, when making residential improvements at a cost of $25,000 or more within a two (2) year period, shall be required to construct a paved driveway on the property in conformity with this section. This requirement shall not apply to repair and maintenance as specified in and as limited by 20-40.3 of this Code.
B. Variance from the standards listed above may be approved by the zoning administrator under procedures contained in article thirty, provided that the alternative proposed is at least the equal in quality both in functions and appearance to the standard or material specified.

C. Standards for manufactured homes.

(1) The installation of a manufactured home in accordance with section 201 A(1) or 221 A(1) of Ordinance No. 1198 shall not be permitted if more than ten (10) years have elapsed between the date of manufacture of the manufactured home and the date of issuance of a permit to install the manufactured home.

(2) Every manufactured home for which a permit is issued after the effective date of this ordinance, May 18, 1989, shall comply with the following architectural requirements:

a. **Roof overhang:** Shall not be less than twelve (12) inches around the entire perimeter of the manufactured home as measured from the vertical side of the home. The overhang requirement may be waived at the point of connection where an accessory structure is attached to the manufactured home.

b. **Roof material:** Shall consist of material customarily used for conventional one-family dwellings, such as tile, composition shingles, and wood shakes and shingles. If shingles and/or wood shakes are used, the pitch of the roof shall be not less than a nominal three (3) inches vertical to twelve (12) inches horizontal.

c. **Siding material:** Shall consist of exterior material customarily used for conventional one-family dwellings, such as stucco, wood, brick, stone or decorative concrete. Metal siding, if utilized, shall be non-reflective and horizontally lapping. Siding material utilized as skirting shall be the same as the material used on the exterior wall surface of the manufactured home.

d. **Skirting:** All mobilehomes and manufactured homes for which a permit is issued after the effective date of this ordinance, May 18, 1989, shall have the perimeter of the space between the ground and undercarriage of the mobile-home structure enclosed by construction materials approved pursuant to the Uniform Building Code, as adopted by the City of Porterville Municipal Code. Such requirement shall also be applicable to a mobilehome or manufactured home which is to be placed on a foundation system pursuant to section 18551 of the Health and Safety Code of the State of California.
Section 2. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 3. Effective Date. This Ordinance shall take effect thirty days after adoption as provided by Porterville Charter Section 12.

Section 4. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to law.

PASSED, APPROVED AND ADOPTED, this ___ day of __________ 2008.

______________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

______________________________
By: Patrice Hildreth, Chief Deputy
SUBJECT: SECOND READING – ORDINANCE 1743, ESTABLISHING A ROTATION LIST FOR TOWING SERVICES

SOURCE: ADMINISTRATION/CITY CLERK DIVISION

COMMENT: Ordinance No. 1743, an Ordinance of the City Council of the City of Porterville Adding Article VII, Rotational Tow Services, to Chapter 15 of the Porterville Municipal Code Regarding the Establishment of a Rotation List for Towing Services, was given First Reading on June 17, 2008, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1743, waive further reading, and adopt said Ordinance.

Attachment: Ordinance No. 1743

Item No. 17
ORDINANCE NO. 1743

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ADDING ARTICLE VII, ROTATIONAL TOW SERVICES, TO CHAPTER 15
OF THE PORTERVILLE MUNICIPAL CODE REGARDING THE
ESTABLISHMENT OF A ROTATION LIST FOR TOWING SERVICES

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS FOLLOWS:

Section 1. Code Amendment. Chapter 15 of the Porterville Municipal Code is hereby amended to add Article VII, Rotational Tow Services, Sections 15-66.1 through 15-66.15, as follows:

ARTICLE VII. ROTATIONAL TOW SERVICES

Sec. 15-66.1 Purpose.
The City Council hereby finds that it is in the public interest to establish a rotation list for towing services to provide the police department with an expedient means of moving damaged and disabled vehicles, illegally parked vehicles, vehicles that must be moved for safekeeping and evidentiary purposes, and abandoned, wrecked, dismantled or inoperative vehicles constituting a nuisance.

Sec. 15-66.2 Definitions.
"Chief" means the Chief of Police of the City. For purposes of this article, "Chief" also includes any appropriate designee of the Chief of Police.

"Patrol Division Commander" means the person commanding the Patrol Division of the Department.

"Department" means the City Police Department.

"Eligibility list" means the City's list of towing operators who have filed an application to participate in the rotation list and who the chief has determined to be qualified to participate in the rotation list.

"Rotation list" means the City’s list of towing operators who have been selected from the eligibility list to be used by the department for the purpose of providing tow truck services in accordance with the provisions of this article.

"Rules and specifications" means the City's rules and specifications for towing services, drivers and vehicle storage facilities, which shall be promulgated by the Patrol Division Commander pursuant to Section 15-68.

"Tow" or "towing" means the act of moving damaged or disabled vehicles, illegally parked vehicles, vehicles that must be moved for safekeeping and evidentiary purposes, and abandoned, wrecked, dismantled or inoperative vehicles constituting a nuisance.

"Tow truck" means a motor vehicle that has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, tow bar, tow line, dolly or rollback carrier or is otherwise used to render emergency assistance to disabled and other vehicles.
"Towing operator" means any person, firm or corporation with a valid business license from the city and engaged in the business of towing and storing vehicles in the city.

Sec. 15-66.3 Rules and specifications.
(a) The Patrol Division Commander shall promulgate written rules and specifications governing the provision of towing services, the qualifications and conduct of drivers, and the requirements for vehicle storage facilities. The rules and specifications may be modified from time to time as deemed appropriate by the chief. All towing services provided pursuant to the rotation list shall be subject to the requirements set forth in the rules and specifications.

(b) The rules and specifications shall include, but not be limited to, provisions requiring that all towing operators participating in the rotation list do the following:

(1) Obtain a city business license;
(2) Enter into a Tow Service Agreement (TSA) with the city;
(3) Pass a background check as determined by the Patrol Division Commander, and;
(3) Abide by the provisions of this article and the rules and specifications promulgated by the Patrol Division Commander and the Tow Service Agreement.

Sec. 15-66.4 Determination of the number of towing operators needed.
(a) The Patrol Division Commander shall determine the number of towing operators needed to provide towing services to the Police Department. On or before July 1st of each calendar year, the Patrol Division Commander shall make a determination as to the appropriate number of towing operators to be placed on the rotation list for the following year. The Patrol Division Commander’s determination shall be based upon the number of towing service providers that may be required by the public convenience and necessity and for the efficient operation of the department. In determining the required number of towing operators, the Patrol Division Commander shall consider the following factors:

(1) The operational needs of the police department;
(2) The population growth in the city;
(3) The additional land area annexed into the city;
(4) The number of currently authorized towing operators and their average response times;
(5) The administrative burdens imposed by the number of towing operators to be included on the rotation list; and
(6) Other relevant, objective factors to be determined by the Patrol Division Commander.

(b) The Patrol Division Commander’s determination shall be made in writing and shall include the number of towing operators to be included on the rotation list.
Sec. 15-66.5 Application for Rotation Tow List.
(a) Any persons requesting to be on the PPD rotation tow listing shall submit a letter of interest to the Patrol Division Commander between July 1st and July 15th of each calendar year. This letter of interest shall be accompanied by:

(1) A signed Porterville Police Department Tow Service Agreement;

(2) A completed Rotation Tow Listing Application (CHP 234A)
   (a) Under CHP AREA on the form, mark N/A

(3) A completed Tow Operator/Driver Information form (CHP 234F) for each person who will be driving for the business, and;

(4) All documentation required by the Porterville Police Department Tow Service Agreement, including documentation of a satisfactory Level One inspection and local tow truck inspection.

Sec. 15-66.6 Referral to the Patrol Division Commander.
(a) During July of each calendar year, an open enrollment meeting shall be conducted to discuss any changes in the new TSA as well as any issues concerning the Rotation Tow Program. Upon receiving an application, the Patrol Division Commander shall cause an investigation to be conducted to determine the applicant's qualifications to comply with the provisions of this article. Within thirty days after the filing of the application, the Patrol Division Commander shall determine whether the towing operator is eligible for the rotation list. The Patrol Division Commander shall determine eligibility pursuant to guidelines set forth in the rules and specifications. If the Patrol Division Commander determines that a towing operator is qualified, the towing operator's name shall be placed on the eligibility list. Qualified towing operators shall be placed on the eligibility list in the order in which their complete applications were received. If the Patrol Division Commander determines that a towing operator is not qualified, the towing operator shall receive a written statement of the reasons for the Patrol Division Commander's decision.

(1) In response to the department's duty to protect the public, and upon completion of a background check, the Patrol Division Commander may disqualify an operator or driver for various reasons. These reasons include, but are not limited to:
   (a) Prior felony conviction
   (b) Pattern of thefts
   (c) Crimes of moral turpitude

Sec. 15-66.7 Towing rotation list.
(a) Towing operators selected to provide towing services to the city and to participate in the rotation list shall abide by the rules and specifications set forth in this article and the Tow Service Agreement.

(b) Based on the number of towing operators needed, as determined by the Patrol Division Commander pursuant to Section 15-69, the Patrol Division Commander shall select from the eligibility list the appropriate number of towing operators to be placed on the rotation list and participate in the towing rotation program for the following year. The Patrol Division Commander shall select towing operators from the eligibility list in the order in which their complete applications were received. If a towing operator is currently on the rotation list and is deemed to
be in good standing, that operator shall be granted a place on the next rotation list providing they meet the terms and conditions set forth in the TSA for that year.

(c) When the Patrol Division Commander or Chief of Police determines that an emergency exists, nothing shall prohibit a City employee from requesting services from a towing operator who is not on the list.

(d) The rotation list may be amended from time to time as part of the Chief's promulgation or modification of the rules and specifications.

Sec. 15-66.8 Appeal.
Any applicant deemed ineligible by the Patrol Division Commander shall have the right to appeal the decision to the Chief of Police. Appeals must be made by filing a notice of appeal with the Chief of Police within ten days of receipt of a notice of the Patrol Division Commander's decision. The Chief of Police shall hear the appeal within thirty days after the appeal is filed. The Chief of Police shall notify the applicant of the decision within ten days after the decision is made. The Chief of Police may affirm or overrule the Patrol Division Commander's decision. The Chief of Police's decision shall be final.

Sec. 15-66.9 Annual renewal application.
To continue to participate in the rotation program, each towing operator on the rotation list must file with the Patrol Division Commander a renewal application for the following year. The renewal application must be filed during the annual enrollment period in the year prior to the year for which the renewal is sought. The application must describe any changes regarding the information in the original application. If there are no material changes and if the Patrol Division Commander determines that the towing operator has performed well during the preceding year, the Patrol Division Commander may place the towing operator on the rotation list for the following year. If there are material changes or if the Patrol Division Commander determines that the towing operator has not performed well, the renewal application will be treated as if it were an original application and will be subject to the procedures for reviewing new applications, as set forth in this article and in the rules and specifications.

Sec. 15-66.10 Removal from the rotation list.
(a) The Patrol Division Commander may remove a towing operator from the rotation list on any of the following grounds:

(1) A finding that a towing operator falsified any portion of its application or failed to include required or important information on the application;

(2) A finding that the towing operator has failed to comply with or violated any of the terms or conditions of either this article, the towing services agreement or the rules and specifications;

(3) A finding that the towing operator has engaged in misconduct or a pattern of behavior, by or through its agents or otherwise, that is either inconsistent with the goals of providing quality service to the community or not in the best interests of the City or its residents.

(b) If the towing operator does not agree with the Patrol Division Commander's decision to remove the towing operator from the rotation list, it may file an appeal with the Chief of Police, following the procedures set forth in Section 15-73 of this article.
Sec. 15-66-11 Execution of agreements. 
All towing operators selected to participate in the rotation list shall enter into a towing services agreement with the city. The written agreement shall be in a form approved by the City Attorney.

Sec. 15-66.12 Exceptions. 
Nothing in this article shall prohibit or otherwise restrict owners or operators of a vehicle from selecting and calling a towing vehicle of their own choice.

Sec. 15-66.13 Authority for city to maintain its own towing operations and towing storage yard. 
Nothing in this article shall be construed to restrict or prohibit the City from conducting its own towing operations or maintaining its own towing storage yard, either in lieu of or in addition to the towing services provided by and the towing storage yards maintained by any towing operators participating in the rotation list.

Sec. 15-66.14 Violation - Penalty. 
Any towing operator or officer, official, employee or agent thereof who violates any provision of this article shall be guilty of a misdemeanor. In addition to any other penalties, any towing operator violating any provision of this article shall be subject to removal from the rotation list.

Sec. 15-66.15 Severability. 
If any section, subsection, sentence, clause or phrase of this article is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this article. The council declares that it would have adopted this article, including every section, subsection, sentence, clause and phrase, irrespective of whether one or more sections, subsections, sentences, clauses or phrases is held invalid.

SECTION 2. This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

PASSED, APPROVED AND ADOPTED, this 1st day of July, 2008.

______________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk
THIS ITEM HAS BEEN REMOVED.
SUBJECT: RE-CONSIDERATION TO ALLOW CONNECTION TO CITY WATER IN COUNTY

SOURCE: Public Works Department - Engineering Division

COMMENT: Council previously heard from Staff regarding a County resident’s (Kelly West) desire to connect to City water because of poor water quality from a private well. The property in question has two single family homes and is located in East Porterville at 1910 & 1950 East Roby Avenue.

Staff informed Council that connecting a County residence located outside the Urban Development Boundary to City water was problematic and not within staff’s authority to approve. The “concerns” include providing water to un-annexable customers knowing the City has its challenges meeting the water needs of its citizens during the months of July and August, providing water service within an established utility district (Porter Vista Public Utility District), and issues concerning whether providing water to areas in the County mandate the paying of prevailing wage rates on all future water related construction work.

A preliminary hydraulic analysis indicates that the current 185 customers connected to the East-Side Hillcrest-Baxley water system will not tax the infrastructure system. In other words, the existing pipe line and the 3 MG reservoir that “feeds” the system is more than adequate.

There are approximately 65 lots that front Roby Avenue that could potentially connect to City water. These additional 65 customers would not tax the existing infrastructure. The scenario that will tax the infrastructure is fire flow demands. Sustaining proper pressures and maintaining adequate water volume over an extended period would definitely be a challenge.

Staff commented above that the physical infrastructure can accommodate the inclusion of additional customers but that we face challenges meeting the water needs of Porterville residents during the months of July and August. The argument can be made that it makes no sense to connect un-annexable County residents to City water knowing that the system has difficulty meeting the needs of its citizens during the hottest days of summer.
Regarding the matter of providing City water service within an established utility district, the Porter Vista Public Utility District Manager (PVPUD), Ms. Bonnie Nall, acknowledged that their utility district is a sewer district. Nevertheless, Ms. Nall asked that the City present a letter to the PVPUD Board describing the situation and request that the Board provide comment.

Of equal or greater concern is the “prevailing wage rate” issue. State prevailing wage rates are based on averaged rates utilizing the urban and more heavily populated areas of the State, and have not historically been indicative of the rates in the San Joaquin Valley. As a charter City, Porterville is not currently subject to prevailing wage rates, if local funds are utilized for City projects, and the matter has not been deemed by the State to be of statewide concern. The City attorney has researched this matter and has concluded that given the most recent determinations by the California Department of Industrial Relations (DIR), any expansion of water or sewer services to areas outside the City limits increases the risk of a determination by the DIR that all construction projects related to the City’s water treatment and delivery facilities will be subject to the payment of prevailing wages as set by the State.

That being said, new legislation has been adopted that provides that the cities of Exeter or Porterville may contract with unincorporated “disadvantaged communities” to provide water services to the community without triggering prevailing wages on all other city water projects. A “disadvantage community” is defined as a community with an annual median household income that is less than 80% of the statewide annual median household income, that is unable to meet the health and safety standards for water pursuant to State law. The households applying may qualify under this regulation; if not it underscores the potential risk for a negative determination by the DIR.

There are additional steps that may be taken to minimize the risk, such as requiring the applicants to consent to annex, and placing the fees paid by properties outside the City limits into a separate fund and ensuring that those revenues are not utilized in any general capital improvements to the system. These steps, however, do not eliminate the risk of a negative determination. Also, while recent DIR determinations have found that prevailing wage rates apply, DIR determinations are no longer precedent-setting, which means that the DIR can reverse (or modify) itself in future decisions.

With all that has been said above, the Council has the authority to approve a water connection under Section 1A & 1C of the "Annexation Policy Manual and Municipal Services Policy for Unincorporated Areas (MSP)" provided the following conditions are satisfied:
1. Make application for water connection consideration to the City Council.

2. Execute a “consent to annex” form by all owners.

3. Proposed uses and improvements must be consistent with the adopted Land Use Element of the Porterville General Plan.

4. Existing uses and improvements not consistent with the Land Use Element shall be considered at the discretion of the City Council and may be subject to other restrictions.

5. The approval may include a time restriction as a condition of approval.

Further, additional conditions are codified in the City’s “Wholesale Water Policy.” The conditions specific to this case are:

1. The City can only sell water if a source of supply is established which meets 120% of the requesting system’s requirements.

2. Requesting system must adhere to the City’s water conservation policies including any reduction in supply as warranted during summer months and/or during emergencies.

3. Prior to receiving City water, requesting system shall apply for and receive LAFCO approval to enter into and receive City water.

Previously, the “Wholesale Water Policy” has only applied in concept to water systems. The policy issue before the Council is whether to extend the policy to single ownerships in addition to systems. In this regard, there are several issues:

- Should the private ownership or ownership in aggregate be a minimum size, say 1 to 3 acres?
- Should the connection have any limitation, specifically it may only serve existing facilities or the owner may be required to disconnect?
- During periods of peak use in the City’s system, should the City have the ability to require higher standards of conservation, beyond that required for other customers?

The key issue before Council is whether to extend the “Wholesale Water Policy” to single ownerships. If this policy decision is made, then the applicant must sign the “consent to annex” form and payment of $1,900 above and beyond the “normal” water connection fees to satisfy the 120%
condition.

If the policy is extended, the City's main issue pertains to the precedent of offering water to an un-annexable parcel and the potential for numerous applications for City water in the County, written confirmation by Porter Vista Public Utility District that it will not challenge or dispute the City's right to provide water service within their district and of course, paying prevailing wage rates on future water construction projects.

RECOMMENDATION: If the Council determines to apply the "Wholesale Water Policy" to single ownerships, staff recommends the following:

1. Act on recommendations 3, 4, 5 & 6 upon written notification that the PVPUD will not challenge or in any way dispute the City's right to provide water service within the District area;

2. Act on recommendations 3, 4, 5 & 6 upon written declaration that providing water service to the County will not initiate payment of prevailing wage on future City water projects;

3. Set the minimum parcel size for private ownership or ownership in aggregate at 1 acre;

4. If annexation is not achieved, limit water use to the existing structure with an agreement to disconnect if the condition is violated. Additions, modifications and other minor alterations to the existing structure would not be considered a violation;

5. Connection shall be allowed only if adequate line capacity is demonstrated; and

6. Authorize the Public Works Director to enhance, by one degree, conservation requirements as a condition of connection.

ATTACHMENTS: Roberts Engineering Letter of Request
Bacteriological Sample Results
Nitrate Analysis Results
Locator Map
May 27, 2008

Mayor Cam Hamilton  
City Council  
City of Porterville  
291 North Main Street  
Porterville, CA  93257

Dear Mayor Hamilton:

We have been asked by Mr. Kelly West to work with him in his endeavor to receive city water service for his property located in East Porterville. The site is approximately 4.75 acres in size and contains two (2) single family residences. The addresses for the site are 1910 and 1950 East Roby Avenue.

As you are aware, East Porterville has a long history of problematic groundwater. Mr. West has had water analysis performed by the City’s lab and his most recent nitrate test indicated a level of 108 mg/l. The test results are approximately 2-1/2 times the State maximum contaminant level of 45. Nitrates exceeding 45 parts per million in drinking water can be a potential health risk to children and some adults. Mr. West is willing to comply with the City’s requirements for signing a “consent to annexation” form and working with Tulare County LAFCo to obtain approval to receive city water service within the county area.

It would be appreciated if we could have City Council approval to receive water service if certain conditions and requirements are met.

If you have any questions, please contact our office.

Very truly yours,

Donna Shamley
Donna Shamley

xc:  Mr. John Longley, City Manager
## Bacteriological Sample Results

**City of Porterville Laboratory**

**Contact**
- Client: Kelly West
- Address: 679 W. McComb Ave., Porterville, CA 93257

**Sample Collector**: K. WEST

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<th>Lab ID</th>
<th>Location</th>
<th>Time Sampled</th>
<th>Date Sampled</th>
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<th>Fecal Coliforms</th>
<th>Total Coliform</th>
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<th>Analyst</th>
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**Date**
- Samples Received: 9/20/2007
- Analysis Started: 9/20/2007
- Report Date: 9/21/2007

**Time**
- 1:22 PM
- 1:41 PM

**Analyst**
- MC

**California ELAP Certification # 1653**

**City of Porterville Laboratory, 291 N. Main St., Porterville, CA 93258**

**Phone (559) 782 7510**

**Analysis**
- P/A = Colliert -24hr
- Standard Methods 9223
- MPN = 10/15 Tubes
- Standard Methods 9221

**N/A = Not Analyzed**
# Nitrate Analysis Results

**To:** Kelly West  
679 W. McComb Ave.  
Porterville, CA 93257

**Report Date:** 9/21/2007  
**Analyzer:** CT  
**Sampler:** K. WEST  
**Analysis Started:** 9/21/2007  
**Analysis Completed:** 9/21/2007

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<td>108</td>
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*ELAP Certificate # 1653  
City of Porterville Laboratory, 291 N. Main St, Porterville, CA 93258  
Phone (559) 782 7510  
Analysis Method: EPA 300.0  
MCL = Maximum Contaminant Level Set By State  
ND = Not Detected*
SCHEDULED MATTER

SUBJECT: REQUEST TO SET A PUBLIC HEARING TO CONSIDER MODIFICATION OR REVOCATION OF CONDITIONAL USE PERMIT 5-2007 (SEAFOOD CAFÉ/EL REVENTON)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT-PLANNING DIVISION

COMMENT: Staff is requesting direction from the City Council to set a public hearing and consider modification or revocation of Conditional Use Permit 5-2007 (Seafood Café/El Reventon). On three occasions between October 12 and November 2, 2007 the Department of Alcoholic Beverage Control (ABC) found that the El Reventon nightclub had violated three separate sections of the Department’s Code. The first was section 23038 Business and Professions Code (B&P), which requires the nightclub to serve meals and make the kitchen available during regular hours of operation. The second issue was that the club was found engaging in discriminatory practices by requiring males to pay a cover charge but not females. Lastly, the club had changed ownership and was now owned by two people. One of the new owners (Luis Farias) had not been previously qualified by the Department. With the change in ownership of the business, previously owned by Gabriela Farias and managed by Luis Farias, now both owners, a “Notice of Change in Ownership” is required by the ABC.

One of the conditions of approval for the El Reventon Conditional Use Permit 5-2007 reads “The kitchen must remain open for all meals served during normal hours of the club operation.” As such, the operation of the club also violates at least one condition of the conditional use permit (CUP5-2007). As a result of the ABC investigation, the ABC has ordered the alcohol license suspended for a period of 15 days and indefinitely thereafter until the ownership is corrected. Prior to reopening, the premises must comply fully with the provisions of Section 23038 B&P. Suspension began on June 4, 2008.

Staff spoke with the ABC on June 19, 2008 and was informed that all of the violations have been resolved and that investigations would continue in an effort to monitor compliance with all applicable laws and regulations.

The City of Porterville Zoning Ordinance identifies grounds for modification or revocation of a conditional use permit. Section 3101D identifies “Grounds for Revocation” - That there is or has been a violation of or failure to observe the terms or conditions of the permit or variance, or the use has been conducted in violation of the provisions of this ordinance, law or regulation.
In addition, Section 3101E “Grounds for Revocation” - That the use to which the permit or variance applies has been conducted in a manner detrimental to the public safety, health and welfare, or so as to be a nuisance. (Ord. 1198, 5-6-1980)
Section 3102A identifies “Grounds for Modification” - That the grounds which would otherwise justify a revocation of the permit or variance can be corrected or cured by a modification imposing new or additional conditions.

This matter is being brought to the City Council to consider whether further action should be taken pursuant to the conditions of approval in CUP 5-2007 (Seafood Café/El Reventon) and applicable sections of the Zoning Ordinance. The City Council may set a Public Hearing to consider modification or revocation of the CUP as described in the conditions of approval. Additionally, an interoffice Police Department memo has been attached listing a chronological history of events that have taken place at the subject business site.

In a prior situation (different business), the City Council considered revocation or modification of a CUP due to repeated violations of state and local laws. Staff made a recommendation the City Council to revoke the conditional use permit but the Council voted to modify the CUP; suspending the sale of alcohol at the business site for 60 days and placing the business on probation for a period of (3) years following the adoption of the new resolution.

OPTIONS:
1. Set a Public Hearing to consider modification or revocation of CUP 5-2007. Following the Public Hearing, the City Council would choose whether or not to impose new conditions of approval, revoke the CUP, or allow the CUP to remain.
2. Take no action. The Conditional Use Permit would remain in effect. Any other legal or administrative review processes would continue.

RECOMMENDATION: That the City Council direct staff on how to proceed

ATTACHMENT

1. Letter to Chief of Police from ABC regarding violations.
2. Interoffice Police Department memo – El Reventon
June 6, 2008

Chief McMillian
PORTERVILLE POLICE DEPARTMENT
350 North D Street
Porterville, CA 93257

FARIAS, Graciela
1091 W Olive Ave
Porterville, CA 93257
File No. 47-433294
ABC# FSO-07101654

Dear Chief McMillian:

On three occasions between October 12 and November 2, 2007, Department investigators found that the premises was not operating in compliance with Section 23038 B&P, was engaging in discriminatory practices (requiring males to pay a cover charge but not females), and had changed ownership and was now owned by two persons who had not been previously qualified by the Department.

The license has been ordered suspended for a period of 15 days and indefinitely thereafter until the ownership is corrected; and that the premises complies fully with the provisions of Section 23038 B&P, or that the license shall be exchanged to an On-Sale General Public Premises license. The suspension began on June 4, 2008.

Exercising the privileges of a license during a suspension of such license is a violation of Section 23300 of the Alcoholic Beverage Control Act.

Sincerely,

[Signature]
Christine Weldon
District Administrator

CW:

ABC-334 (2/05)
No. I-065

PORTERVILLE POLICE DEPARTMENT INTEROFFICE MEMO

June 19, 2008

TO: Chris Dempse, Lieutenant, Investigations Division

FROM: John Hall, Sergeant, Investigations Division

SUBJECT: El Reventon, 1091 W. Olive Avenue

The establishment at 1091 W. Olive, also known as El Reventon, is a nightclub that originally activated a city business license in December 2005. The business remained unopened for an extended period of time as renovations were made inside the building. The names listed on the City Business License as owners are Graciela Farias and Luis Farias. At the time the business license was applied for, the stated purpose of the business was for food and alcohol sales with intentions to eventually open a nightclub. The city licensing department has not received any complaints in regards to the business.

Once the business actually opened, it resulted in multiple calls for police service, and numerous violations have been observed to have taken place there.

On August 11, 2007, an altercation between two patrons took place inside the establishment. One of the involved parties subsequently was treated for his injuries at Sierra View District Hospital. He declined to provide any information as to what had transpired and did not want any police involvement.

On August 26, 2007, security personnel became involved in an altercation with a patron who was under the influence of a controlled substance and acting out of control. Also, on August 26, 2007, officers had to respond on a report of gang activity at the business.

On September 1, 2007, officers had to respond to the business on a report of gang members throwing gang signs at other patrons and security personnel.

On September 15, 2007, a female patron was assaulted by another female patron inside the establishment. One half had fled prior to our arrival.

On October 13, 2007, officers conducting a bar check arrested a patron for public intoxication and resisting arrest.

On October 28, 2007, officers responded on a report of two victims who had been assaulted with a deadly weapon. Both victims had been struck in the head with beer
bottles causing significant injury and requiring medical attention. The suspects had fled prior to police arrival.

On November 3, 2007, officers were conducting a patrol check when they observed a large group of individuals in the parking lot. Several of the subjects became involved in a fight and officers were forced to deploy Tasers to subdue some of the combatants as well as to keep the crowd at bay. Numerous additional officers had to respond due to the high number of subjects.

On November 9, 2007, officers were conducting a bar check of the establishment when they found a subject who was under the influence of a controlled substance.

On December 14, 2007, officers were conducting a bar check of the establishment when they found a subject who was too intoxicated to care for his own safety. The subject was arrested and booked with the Tulare County Sheriff’s Department.

On January 1, 2008, officers responded to a report of a gang member challenging other patrons and security personnel to a fight. The subject, who was a confirmed gang member, was located and arrested.

On January 6, 2008, officers responded and arrested two individuals after they had been observed by security personnel engaging in a drug transaction while on the premises.

On January 25, 2008, a patron was assaulted by multiple gang members at the business. The gang members all fled prior to police arrival and were able to escape detection.

On February 10, 2008, officers responded to the establishment on a report from a female that she had been assaulted with a deadly weapon. Upon the arrival of officers, security and other establishment personnel initially denied being aware of any type of altercation having taken place. Officers were able to detect that pepper spray had been deployed at some point and made inquiries as to why the deployment had taken place. All employees continued to initially claim ignorance as to any pepper spray having been deployed as well as any altercation having taken place. As the investigation continued we were able to determine that security personnel had deployed the peppery spray in response to an altercation. One of the involved parties was being detained in a bathroom on the premises by security personnel. Management appeared as if they were intentionally trying to deceive officers as to what had happened.

On February 15, 2008, officers were conducting a bar check of the business when they found numerous underage individuals inside. The youngest person inside was found to be only 14 years old.
On February 23, 2008, officers were conducting a bar check when they again found subjects inside the business who were underage. As officers went to make arrests, the subjects resisted arrest and additional units had to respond.

On May 25, 2008, officers responded on a report of several subjects fighting in the parking lot of the business. A large crowd was present when officers arrived however officers were eventually able to disperse the crowd.

On May 30, 2008, two patrons from El Reventon were treated at Sierra View District Hospital for injuries sustained after being struck in the head with bottles. Both subjects were intoxicated and refused to cooperate with the investigation.

On May 31, 2008, officers were conducting a bar check of the establishment when they found a subject too intoxicated to care for his own safety. This person was arrested.

It should be noted that previously listed incidents only represent those incidents which were deemed significant or otherwise noteworthy. There are a great number more incidents where officers responded for otherwise low level priority calls for service or simple bar checks which proved uneventful. It should also be noted that throughout the time frame of the above listed incident, PPD personnel were in contact with members of ABC regarding the incidents taking place at El Reventon.

Recently I was contacted by the Department of Alcoholic Beverage Control and notified that they had conducted an investigation into alleged violations at El Reventon. As a result of their investigation, multiple violations were found to have occurred and the alcohol license was suspended. An accounting of their investigation follows.

In December 2006, the Department of Alcoholic Beverage Control issued a license to Graciela Farias at 1091 W. Olive Avenue. At the time the license was issued the establishment name was to be The Seafood Café. Graciela Farias was listed as the owner of the establishment. The ABC license that was issued was a Type-47, On Sale General Eating Place License.

In October 2007 investigators from ABC went to 1091 W. Olive to investigate possible violations of the Business and Professions Code. Through the course of their investigation they determined that the name of the establishment was no longer The Seafood Café but was now El Reventon. The restaurant was not in operation as was required per the type of alcohol license they had been issued. The establishment was also engaging in discriminatory practices in that it was charging a cover charge for male patrons to enter the establishment while female patrons were able to enter for free. Additionally, male patrons were required to be searched through the use of a metal detector wand while female patrons were not required to undergo such a search.
The ABC investigation also revealed that there were two additional persons who were owners of the business. These additional persons were identified as Luis Gonzalez and Salvador Farias. These other names had not originally been listed on the application for an alcohol license due to Luis Gonzalez having twice been previously convicted of driving while under the influence.

Luis Gonzalez also told ABC investigators that while they had originally operated the restaurant, they had ceased doing so in September 2007 due to operating losses.

As a result of the ABC investigation the alcohol license for the business was “suspended for a period of 15 days and indefinitely thereafter until the ownership is corrected.” The business is also required to operate a restaurant, not merely a taco truck, in order to comply with the requirements for the type of alcohol license that was issued. In all, the complaint filed by ABC listed six counts against the business.
SUBJECT: ORDINANCE SETTING LIMITS FOR CITY EXPENDITURES, INDEBTEDNESS, AND REVOLVING CASH FUND

Source: Administration/City Clerk

COMMENT: The voters of the City of Porterville ratified comprehensive amendments to the City's Charter on March 4, 2003, which became effective in May 2003. Pursuant to Section 48 of the Charter, the City Council may set limits for expenditures and indebtedness by the City that can take place without specific prior Council approval. Section 48 gives the Council the ability to set these limits by an ordinance adopted by a four fifths vote effective January 1, 2004, and then following every Council election thereafter.

The City Manager recommends that the limit for expenditures be $5,000.00, the limit for indebtedness be $5,000.00, and a limit for the revolving cash fund of $1,000.00.

RECOMMENDATION: That the City Council consider the limits to be provided and give first reading to the ordinance amending Chapter II, Article VII in accordance with Section 48 of the City's Charter.

Attachment: 1) Section 48 of the City Charter
2) Chapter 2, Article VII of the City Code
3) Draft Ordinance
CITY CHARTER

Sec. 48. Payment of city money; expenditures and indebtedness; presentation of demands; warrants on treasury.

No money shall be expended and no indebtedness shall be incurred on behalf of the city, for any purpose, unless and until the same shall have been authorized by ordinance by four-fifths (4/5) majority vote of the Council; provided that effective January 1, 2004, and following every Council election thereafter, the City Council may, by a four-fifths majority vote, adjust the amount of money that may be expended, or the indebtedness that may be incurred, on behalf of the City, without prior specific Council authorization. (3-4-03)

The City Council, by ordinance approved by 4/5th majority vote of the Council, shall establish the maximum amount of money to be expended and/or indebtedness incurred on behalf of the City without first requiring specific Council authorization, except as otherwise provided for in this Charter; provided further that said maximum amount once established by ordinance shall not be adjusted until after each general Council election, commencing with the first such election occurring after January 1, 2004, and then only by a 4/5th majority vote. (3-4-03)

All demands against the city shall, before being paid, be presented to and approved by the proper board, commission or officer, as herein provided. Demands for which no appropriation has been made shall be presented to the city manager, provided, that any person dissatisfied with the refusal of the city manager to approve any demand, in whole or in part, may present the same to the council, and the approval of such demand by the council shall have the same effect as its approval by the city manager; and provided further, that if the council shall provide for other boards or commissions, it may make provision for the presentation to and approval by any such board or commission of demands for liabilities incurred by them.

The council may provide for a revolving cash fund as authorized by ordinance by four-fifths majority vote of the Council; provided that effective January 1, 2004, and following every Council election thereafter, the City Council may, by a four-fifths majority vote, adjust the revolving cash fund. The amount shall be paid to the city manager, and used by him/her for the payment in cash, of expenditures provided for in the budgets that cannot conveniently be paid otherwise. He or she shall account to the council for all payments by him or her out of said fund when making demand for the replenishment of the same, and at such other times as the council may require, and they shall thereupon be charged against the proper appropriations. (3-4-03)

All demands approved by the proper board, commission or officer shall be presented to the director of finance, who shall examine the same, and if the amount thereof is legally due and there remains on his books an unexhausted balance or an appropriation against which the same may be charged, he/she shall approve such demand and draw and sign his warrant on the treasurer therefor, payable out of the proper fund. Objections of the director of finance to any demand may be overruled by the council, and the director of finance shall thereupon draw his warrant as directed by the council. Such warrants, when presented to the treasurer, shall be paid by him/her out of the fund therein designated, if there be sufficient money in such fund for that purpose. A warrant not paid for lack of funds shall be registered, and all registered warrants shall be paid in the order of registration when funds are available therefor; all such registered warrants shall bear interest at the rate of six percent (6%) per annum. The director of finance shall draw his/her warrants for payment of municipal or other bonds payable out of the funds in the treasury upon presentation and surrender of the proper bonds or coupons without approval of anybody or officer. The council may make further regulations by ordinance regarding the presentation, approval and payment of demands against the city. (3-4-03)
ARTICLE VII. EXPENDITURES, INDEBTEDNESS, AND REVOLVING CASH FUND

Sec. 2-35. Expenditures.

Any expenditure or purchase of less than $5,000.00 shall not require specific council authorization. Any expenditure or purchase of $5,000.00 or more shall first require specific council authorization as provided by Section 48 of the Charter.

Sec. 2-36. Indebtedness.

Any indebtedness to be incurred by the City of less than $5,000.00 shall not require specific council authorization. Any indebtedness to be incurred by the City of $5,000.00 or more shall first require specific council authorization as provided by Section 48 of the Charter.

Sec. 2-37. Revolving Cash Fund.

A revolving cash fund in the amount of not more than $1,000.00 is hereby established pursuant to Section 48 of the Charter.

(Ord. 1642, §1, 11-18-03)
ORDINANCE NO. _____


WHEREAS, Section 48 of the City of Porterville’s Charter, as amended on May 2, 2003, provides that the City Council may, by ordinance adopted by a four-fifths vote effective January 1, 2004, and following every Council election thereafter, adjust the amount of money that may be expended, or the indebtedness that may be incurred, on behalf of the City, without prior specific Council authorization; and

WHEREAS, Section 48 of the City’s Charter further provides that the City Council may, by ordinance adopted by a four-fifths vote effective January 1, 2004, and following every Council election thereafter, establish a Revolving Cash Fund, to be paid to the City Manager and used by him for the payment in cash, of expenditures provided for in budgets that cannot be conveniently paid otherwise;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PORTERVILLE, AS FOLLOWS, TO WIT:

SECTION 1. That Porterville Municipal Code, Chapter 2, Article VII, is hereby amended as follows:

ARTICLE VII. EXPENDITURES, INDEBTEDNESS, AND REVOLVING CASH FUND

Sec. 2-35. Expenditures.

Any expenditure or purchase of less than $5,000.00 shall not require specific council authorization. Any expenditure or purchase of $5,000.00 or more shall first require specific council authorization as provided by Section 48 of the Charter.

Sec. 2-36. Indebtedness.

Any indebtedness to be incurred by the City of less than $5,000.00 shall not require specific council authorization. Any indebtedness to be incurred by the City of $5,000.00 or more shall first require specific council authorization as provided by Section 48 of the Charter.

Sec. 2-37. Revolving Cash Fund.

A revolving cash fund in the amount of not more than $1,000.00 is hereby established pursuant to Section 48 of the Charter.
SECTION 2. This ordinance shall be in full force and effect on ____________.

ADOPTED, SIGNED AND APPROVED this ___ day of July, 2008.

__________________________________________
President of the Council and
Mayor of the City of Porterville

ATTEST:

__________________________________________
Chief Deputy City Clerk and Clerk
of the Council of the City of Porterville
SUBJECT: Setting Process for City Budget Process Ratification

SOURCE: City Manager

COMMENT: Because the City Council election results would not be known until after the Budget’s adoption, the adopted budget requires that it be returned for “ratification.” Also, the adopted budget had the Water Fund “frozen” at its 2007/08 FY level pending the provision of specific information.

Because of this, the Council should define how it wishes to proceed with the “ratification” consideration. The options are:

- Conduct a study session to review the Budget and issues regarding the Water Fund. This would be scheduled at a time other than a normal Council Meeting.

- Place the item before the Council as a scheduled matter at the next City Council meeting.

RECOMMENDATION: Direct the City Manager to bring the Budget to the next regular Council meeting as a scheduled matter to consider its ratification. This review should include detailed and specific information regarding the Water Fund and potential future additional indebtedness.
SUBJECT: REDEVELOPMENT ADVISORY COMMITTEE MEMBERSHIP

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: The three-year terms for the members of the Redevelopment Advisory Committee will expire on July 10, 2008. The members have been contacted regarding their interest to continue serving on this committee for a new three-year term, which will expire July 10, 2011. All eligible members have responded favorably.

Two members, Art Cardell and Ken Goodwin, are no longer eligible to serve on the committee due to their retirements from a business located within the Redevelopment Project Area. In 2006, Letters of Interest were sought to fill a vacancy that existed at that time. Renay Sprague was selected to serve on the committee, with direction from Council that Richard Eckhoff be listed as an alternate for future vacancies. Staff has contacted Mr. Eckhoff and he has expressed interest in serving on the committee.

At the recommendation of out-going member, Mr. Cardell, Janice Castle has been contacted to determine if she has an interest in serving on the committee. Ms. Castle would bring to the committee the perspective of the financial community, which previously was provided by both Mr. Cardell and Mr. Goodwin. Additionally, Ms. Castle is active in various community service clubs and organizations and is familiar with the dynamics of the downtown area. Ms. Castle has responded that she would be willing to serve on the Redevelopment Advisory Committee.

It should be noted that plans are underway to expand the boundaries of Project Area No. 1. As those plans move forward, staff will be making a recommendation to City Council to expand the Redevelopment Advisory Committee to include members eligible from within the new area.

RECOMMENDATION: That the Mayor:

1) Reappoint for a three-year term ending July 10, 2011, the seven members consenting to continue serving on the Redevelopment Advisory Committee for Project Area #1; and

2) Appoint Richard Eckhoff and Janice Castle to the Redevelopment Advisory Committee for a three-year term ending July 10, 2011.

ATTACHMENTS: List of Redevelopment Advisory Committee Members to be Reappointed.
LIST OF REDEVELOPMENT ADVISORY COMMITTEE MEMBERS TO BE REAPPOINTED

Dean Craig
Donnette Silva-Carter
Daren Griswold
Francisco Madrigal
Marlene Marques
Renay Sprague
Steve Tree

ATTACHMENT ITEM NO. 1
<table>
<thead>
<tr>
<th>Committee Member</th>
<th>October 2004</th>
<th>June 2005</th>
<th>June 2006</th>
<th>2007</th>
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<tbody>
<tr>
<td>Art Cardell</td>
<td>X</td>
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<td>X</td>
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<td>Dean Craig</td>
<td>X</td>
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<td>Ken Goodwin</td>
<td>X</td>
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<td>Marlene Marquez</td>
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<td>Donnette Silva-Carter</td>
<td>X</td>
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<tr>
<td>Steve Tree, Chairman</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Daren Griswold</td>
<td>Appointed 2005</td>
<td>X</td>
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<tr>
<td>Francisco Mardigal</td>
<td>Appointed 2005</td>
<td>X</td>
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<tr>
<td>Renay Sprague</td>
<td>Appointed 2006</td>
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<td>X</td>
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No Committee Meeting in 2007
SUBJECT: COUNCIL MEMBER APPOINTMENTS ON VARIOUS BOARDS AND COMMITTEES

SOURCE: Administration/City Clerk

COMMENT: With the change in the composition of the City Council, vacancies have occurred on various boards and committees on which selected Council Members serve. Attached is a list of the current appointments, including any vacancies which need to be filled by Council appointment.

RECOMMENDATION: That the City Council appoint Council members to fill any existing vacancies, or change appointments, at the discretion of the Council.

ATTACHMENT: Appointment List as of June 24, 2008
# APPOINTMENT OF COUNCIL MEMBERS TO VARIOUS COMMITTEES

As of June 24, 2008

<table>
<thead>
<tr>
<th>Committee</th>
<th>Member/Alternate</th>
<th>Appt.</th>
<th>Mthly Mtg. Day/Time/Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tulare County Assoc. of Governments/</td>
<td>Felipe Martinez - Member</td>
<td>08-21-07</td>
<td>Bd. of Supervisor's Conf. Rooms A &amp; B Admin. Bldg. 2800 W. Burrel Ave., Visalia TCAG - Mon. 1:00 p.m.; TAC - Thurs. 1:30 p.m (for exact dates see <a href="http://www.tularecog.org/meetings.htm">www.tularecog.org/meetings.htm</a>)</td>
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<tr>
<td>Transportation Planning Agency</td>
<td>Pedro Martinez - Alternate</td>
<td>08-21-07</td>
<td></td>
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<tr>
<td>Tulare County E.D.C.</td>
<td>Felipe Martinez - Member</td>
<td>07-05-06</td>
<td>4th Wed. @ 7:30 am @ Heritage Complex-International Agri-Center 4500 S. Laspina, Tulare CA</td>
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<td></td>
<td>Alternate not applicable</td>
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<td></td>
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<tr>
<td>Business Incentive Zone Council</td>
<td>Felipe Martinez - Member</td>
<td>07-05-06</td>
<td>Quarterly (Feb., May, Aug &amp; Nov. immediately following EDC (above))</td>
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<td></td>
<td>John Longley - Alternate</td>
<td></td>
<td></td>
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<tr>
<td>Tule River Improvement JPA</td>
<td>Cameron Hamilton - Member</td>
<td>07-05-06</td>
<td>Quarterly; Lower Tule Irrigation Dist. Conference Rm, 357 E. Olive Ave., Tipton CA</td>
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<tr>
<td></td>
<td>Baldo Rodriguez - Alternate</td>
<td></td>
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<tr>
<td>Consolidated Waste Management Authority</td>
<td>Pete Martinez - Member</td>
<td>10-17-06</td>
<td>3rd Thursday each month @ 12 p.m. City Hall Council Chamber 707 W. Acequia, Visalia CA</td>
</tr>
<tr>
<td></td>
<td>Vacant – Alternate</td>
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<tr>
<td>Professional Services Selection Committee</td>
<td>As needed. Members will rotate, with two Council Members serving on the Committee each time.</td>
<td></td>
<td>As needed @ City Hall</td>
</tr>
<tr>
<td>Hillside Development Ord. Committee</td>
<td>Pete McCracken - Member</td>
<td>07-05-06</td>
<td>As needed @ City Hall</td>
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<tr>
<td></td>
<td>Vacant</td>
<td></td>
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<tr>
<td>Committee</td>
<td>Chair/Member</td>
<td>Date</td>
<td>Frequency/Location</td>
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<tr>
<td>S.E. Tulare County Intergovernmental Coordinating Committee (STIG)</td>
<td>Cameron Hamilton Vacant</td>
<td>06-03-08</td>
<td>Quarterly, or as needed (no set time)</td>
</tr>
<tr>
<td>Indian Gaming Local Community Benefit Committee</td>
<td>Cameron Hamilton</td>
<td>03-02-04</td>
<td>As needed (no more than 3 per year) Board of Supervisor's Conference Room, Admin. Bldg. 2800 W. Burrel Ave., Visalia</td>
</tr>
<tr>
<td>Joint City/School Committee</td>
<td>Pedro Martinez Vacant</td>
<td>08-21-07</td>
<td>Quarterly @ Porterville Unified School District Board Room, 600 W. Grand Avenue</td>
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<tr>
<td>PDC Advisory Board</td>
<td>John Longley - Member Mayor - Alternate</td>
<td></td>
<td>Quarterly @ Porterville Developmental Center, 26501 Road 140, Rm 59, Porterville</td>
</tr>
<tr>
<td>Tulare County City Selection Committee</td>
<td>Mayor - City Member Mayor Pro Tem - Alternate</td>
<td></td>
<td>As needed, notification provided</td>
</tr>
<tr>
<td>Internal City Audit Committee</td>
<td>Pete McCracken – Member</td>
<td>11-07-06</td>
<td>As needed, notification provided</td>
</tr>
<tr>
<td>Council of Cities</td>
<td>Cameron Hamilton – Member Vacant</td>
<td>12-04-07</td>
<td>As needed, notification provided</td>
</tr>
<tr>
<td>Mosquito Abatement Study Group</td>
<td>Pete McCracken – Member</td>
<td>06/03/08</td>
<td>As needed, notification provided</td>
</tr>
</tbody>
</table>

*The appointments to fill any current vacancies, and any appointments to redistribute the currently filled positions, shall be determined by the City Council.*
CITY COUNCIL AGENDA: July 1, 2008

TITLE: AB1234 TRAINING

SOURCE: CITY ATTORNEY

COMMENT: As you know, AB1234 went into effect in January 2006, and it 1) requires local agencies adopt expense reimbursement policies that for local public officials with specific reimbursement provisions, and it 2) requires local agency public officials to take periodic ethics training (within one year of assuming office, and every two years thereafter). It is my understanding that most of the Council Members received the training in July 2006, which means that those particular Council Members are due to take the course again and should complete it in July 2008. This office also provided an AB 1234 training course to the Parks and Leisure Services Commission and the Library Board of Trustees in January of 2007, so the existing members of those Boards will need to renew their training by January 2009.

This report is to serve as a reminder that the training needs to be completed by all City public officials every two years (with the new council member receiving the training within one year of assuming office). This office is qualified to provide the two-hour training session, if it is the Council’s wish. Individuals can also complete an on-line course available through the FPPC or Institute for Local Government website.

RECOMMENDATION: That the City Council consider this report and provide direction.