PUBLIC HEARING

SUBJECT: ZONE CHANGE AT CHASE AVENUE AND PLANO STREET (PRC 2012-008-Z)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The applicant, Randall Carroll, is requesting a zone change from RM-3 (High Density Residential) to CG (General and Service Commercial) Zone for a 0.44± acre parcel (APN 261-030-065) located on the south side of Chase Avenue, 228± feet east of Plano Street. The subject site is vacant land, developed with curbs and gutters, improved streets and infrastructure.

The subject site is being considered for development with the adjacent eastern parcel with contiguous ownership for tire sales and repair with a 3000± s.f. commercial building to be located on the subject parcel. Development of the site would require additional review by the Project Review Committee and would be subject to the City’s development standards, including the additional requirements of §301.05 Automobile/Vehicle Service and Repair.

ENVIRONMENTAL DETERMINATION: On October 9, 2012, the Environmental Coordinator made a preliminary determination that a Negative Declaration would be appropriate for the Carroll’s Zone Change at Chase Avenue and Plano Street Project. The Initial Study has been transmitted to interested agencies, groups and individuals for review and comment. The review period ran for twenty (20) days from October 11, 2012, to October 31, 2012. No comments were received.

RECOMMENDATION: That the City Council:
1. Conduct a Public Hearing to receive input regarding the proposed zone change;
2. Adopt the draft resolution approving the Negative Declaration for the project; and
3. Approve the attached Ordinance, give first reading and order the Ordinance to print.

ATTACHMENT: Complete Staff Report

DD Appropriated/Funded N/A CM  

ITEM NO. 17
ZONE CHANGE AT CHASE AVENUE AND PLANO STREET (PRC 2012-008-Z)

APPLICANT: Randall Carroll
981 W. North Grand Avenue
Porterville, CA 93257

AGENT: Larry Otter
Foothill Engineering
43670 Balch Park Road
Springville, CA 93265

PROJECT LOCATION: The project is located in southeastern Porterville, on the south side of Chase Avenue, 228± feet east of Plano Street; within Section 36, Township 21 South, Range 27 East, M.D.B.&M., Porterville USGS 7.5 minute quadrangle. The project site is a 0.44± acre parcel (APN 261-030-065).

SPECIFIC REQUEST: The project proposes a zone change for a 0.44± acre parcel from RM-3 (High Density Residential) to CG (General and Service Commercial). The subject site is being considered for development with the adjacent eastern parcel with contiguous ownership for tire sales and repair with 3000± s.f. commercial buildings to be located on the subject parcel.

GENERAL PLAN: The subject site is designated on the General Plan land use diagram as High Density Residential; however, the diagram is not parcel-specific and uses on sites less than one acre in size are generally not depicted. Due to the proximity of the project area to the adjacent General and Service Commercial land and the fact that the parcel is 0.44± acres, the area would be consistent with the land use designation of General and Service Commercial.

CURRENT ZONING: RM-3 (High Density Residential)

PROPOSED ZONING: CG (General and Service Commercial)

PRESENT USE: Vacant land, developed with curbs and gutters, improved streets and infrastructure.

SURROUNDING LAND USE AND ZONING:

North: Vacant land, zoned PK (Park and Public Recreational Facilities)
South: Duplex, zoned RM-3 (High Density Residential)
East: Vacant land and Plano Jerky, zoned CG (General and Service Commercial), to be developed with subject property for Tire Sales and Automobile repair
West: Vacant land, zoned RM-3 (High Density Residential)

ENVIRONMENTAL DETERMINATION: On October 9, 2012, the Environmental Coordinator made a preliminary determination that a Negative Declaration would be appropriate for the Zone Change at Chase Avenue and Plano Street Project. The Initial Study has been transmitted to interested agencies, groups and individuals for review and comment. The review period ran for twenty (20) days from October 11, 2012, to October 31, 2012. No comments were received.
LEGAL NOTICES:

Negative Declaration

<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 Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 11, 2012</td>
<td>October 11, 2012</td>
<td>October 10, 2012</td>
</tr>
</tbody>
</table>

STAFF ANALYSIS: On August 14, 2012, the applicant submitted an application to the Project Review Committee (PRC) to consider the development of two parcels (APN 261-030-064, 0.66± acres and APN 261-030-065, subject site, 0.44± acres) with a ten bay tire repair and sales department, as well as a 3,000 s.f. commercial building. As the submitted application had two separate zones, it was determined the subject site would require a zone change and subsequent parcel merger to proceed with development. Because the parcel merger will create a reverse corner lot adjacent to a residential use a minimum street side yard width of twelve (12) feet shall be maintained. The project area is substantially developed with existing infrastructure.

DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING: August 14, 2012

DATE ACCEPTED AS COMPLETE: September 21, 2012

RECOMMENDATION: That the City Council:
1. Conduct a Public Hearing to receive input regarding the proposed zone change;
2. Adopt the draft resolution approving the Negative Declaration for the project; and
3. Approve the attached Ordinance, give first reading and order the Ordinance to print.

ATTACHMENTS:
1. Current Zoning
2. Proposed Zoning
3. Initial Study and Negative Declaration
4. Draft Resolution
5. Draft Ordinance
Carroll's Zone Change
City of Porterville - Proposed Zoning

Project site APN 261-030-065
City Limit
Floodplain (FP) Overlay
CG (General and Service Commercial)
RM-2 (Medium Density Residential)
PK (Parks)
CN (Neighborhood Commercial)
IG (General Industrial)
ATTACHMENT ITEM NO. 2
Carroll’s Zone Change at Plano Street and Chase Avenue

Initial Study & Negative Declaration

City of Porterville
Community Development Department
Planning Division

October 2012
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and subsequent discussion on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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

Signature
Bradley D. Dunlap

Date
16/10/12

Community Development Dept

Printed name
For
Carroll's Zone Change
City of Porterville - Proposed Zoning

- Project site APN 261-030-065
- City Limit
- Floodplain (FP) Overlay
- CG (General and Service Commercial)
- RM-2 (Medium Density Residential)
- RM-3 (High Density Residential)
- PK (Parks)
- CN (Neighborhood Commercial)
- IG (General Industrial)
Issues:

I. AESTHETICS

Would the project:

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less than Significant Impact</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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</thead>
</table>

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

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

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

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

Responses:

a) Less Than Significant Impact. The project area is located on the San Joaquin Valley floor, within the City of Porterville, in south central Tulare County. From the project site there is a mix of development surrounding the site. To the north is a vacant lot, proposed to be a City park, generally to the westerly direction there is a variety of housing types between single family residences and multi-family. To the south there is a variety of uses including multi-family residential and commercial uses, such as Plano Jerky, a gas station. East of the project site is contiguous ownership that would be considered for general commercial and beyond is additional commercial uses. While the project is for the zone change from RM-3 (High Density Residential) to CG (General and Service Commercial), consideration has been made that the parcel could eventually be constructed as a 3000± s.f. commercial building. The construction of a commercial building would modify the existing character, but it would not degrade the visual quality of the site and would stay within the regional view shed. Temporary construction activities would be visible from the roadside; however, would not affect a scenic vista. The impact would be less than significant.

b) No Impact. The scenic highway program protects and enhances California’s natural scenic beauty by allowing county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program. Two state routes are located near the project site; State Route 65 (SR 65) is approximately one mile west of the project site and State Route 190 (SR 190) is approximately 1/4 mile south of the project site. According to Caltrans, SR 190, east of SR 65 is an eligible State scenic highway portion of SR 190. The project site is within two miles of the eligible State scenic highway portion of SR 190; however, there is significant development between the site and SR 190 so that project site is not visible from SR 190. There are no natural rock outcroppings or other scenic resources on the site. The land is fallow and disked for weed abatement. There would be no impact.

c) Less Than Significant Impact. The lands surrounding the project site are mixed with commercial and residential development. Implementation of the project would not change the visual character or quality of the site or its surroundings. The impact would be less than significant.

d) Less Than Significant Impact. The zone change would not include the addition of lighting elements that would produce a small amount of nighttime glare; however, eventual development of a 3000± s.f. commercial building would produce light. The creation of new glare from lighting would be a potential impact; however, the Porterville 2030 General Plan (2008) evaluated this impact and policy LU-I-25
Establishes buffering requirements and performance standards intended to minimize harmful effects of excessive light and glare. The Porterville Development Ordinance, Chapter 300.07 Lighting and Illumination which requires standards to minimize light and glare, and the control of outdoor artificial light. Compliance with the City’s General Plan and Development Ordinance policies would ensure that less than significant light and glare impacts would occur.
II. AGRICULTURE & FORESTRY RESOURCES

Would the project:

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

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

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?  

d) Result in the loss of forest land or conversion of forest land to non-forest use?  

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

 Responses:

a) No Impact. The project area is primarily developed and at this time is considered urban built up land. The project area is located outside of the boundaries of the soil survey for Tulare County, Western Part; however, the area is a location planned for development in the Porterville 2030 General Plan and any loss of farmland resulting from the implementation of that plan has been evaluated in the General Plan Environmental Impact Report (2008), wherein appropriate findings were made relative to potential impacts. There is no impact.

b) No Impact. The City recently updated its General Plan and as an implementation measure of the General Plan, adopted a comprehensive Development Ordinance which included a zoning map. The site is currently zoned RM-3 (High Density Residential). The proposed zone change would convert the land to CG (General and Service Commercial). The main purposes of the Williamson Act are to preserve agricultural land and to encourage open space preservation and efficient urban growth. The parcel is not in a Williamson Act contract and is an area substantially surrounded by urban development. The project does not conflict with an agricultural use nor does it conflict with the Williamson Act. There are no impacts.

c) No Impact. The project does not infringe upon forest land. There would be no impact.
d) **No Impact.** Any impact to forest land has been discussed in impact II-c.

e) **No Impact.** Any impacts to agricultural resources or forest land have been discussed in Impact IIa and c.
III. AIR QUALITY
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

<table>
<thead>
<tr>
<th>Would the project</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact with Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</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>
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<tr>
<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
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<tr>
<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
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<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
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Response:

a) No Impact. The Project lies within the San Joaquin Valley Air Basin, which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O3), sulfur dioxide (SO2), nitrogen dioxide (NO2), particulate matter (PM10 and PM2.5), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

Areas are classified under the Federal Clean Air Act as either “attainment” or “non-attainment” areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley (SJV) is designated as a State and Federal non-attainment area for O3, and PM2.5, and a State and Federal attainment area for CO, SO2, PM10, NO2, and Pb (SJVAPCD, 2012).

The Project would not conflict with or obstruct the implementation of the air quality management standards. Standards set by the SJVAPCD, CARB, and Federal agencies relating to the Project would continue to apply. There would be no impact.

b) Less Than Significant Impact. The San Joaquin Valley is designated as a Federal and State non-attainment area for O3 and PM2.5. The SJVAPCD is the regional agency that regulates air permitting and maintains an extensive air quality monitoring network to measure criteria pollution concentrations throughout the San Joaquin Valley air basin.

The proposed zone change, which could accommodate future development consistent with the allowed uses in the General and Service Commercial zone could result in a maximum development density of a 3000± s.f.
commercial building in conjunction with the adjacent easterly parcel and therefore should be evaluated for its impacts. Based on the likely proposed use as an automobile care center, the average daily trips are estimated at ten (10) trips per day. This number of trips is less than significant, and the resulting air quality impacts would likewise be less than significant.

c) **Less Than Significant Impact.** As discussed in Impact III-b, the project could result in the short term, temporary generation of criteria pollutants. Implementation of the SJVAPCD Regulation VIII measures will ensure that the temporary impacts will remain less than significant.

d) **Less Than Significant Impact.** Section 3 of the Guide for Assessing and Mitigating Air Quality Impacts defines a sensitive receptor as a location where human populations, especially children, seniors, and sick persons are present and where there is a reasonable expectation of human exposure to pollutants. Sensitive receptors normally refer to people with heightened sensitivity to localized, rather than regional pollutants. Short term particulate matter and criteria pollutants concentrations would be generated by the proposed project, however, implementation of the SJVAPCD Regulation VIII measures will ensure that the temporary impacts will remain less than significant.

e) **No Impact.** The project would not be a source of odors; therefore, there would be no impact.
IV. BIOLOGICAL RESOURCES

Would the project:

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<th>Potential Impact</th>
<th>Less than Significant Impact with Mitigation Incorporation</th>
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<th>No Impact</th>
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a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

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

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

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

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

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Response:

a) Less Than Significant Impact. The project proposes a zone change from RM-3 (High Density Residential) to CG (General and Service Commercial) for a 0.44± acre site for the future development of a tire store and automobile repair. The surrounding area is substantially developed and future development of the site would be infill. Infill development in the project area is consistent with the General Plan. The site is vacant without any trees or shrubs and provides no foraging opportunities, as well as being significant surrounded by urban uses. It has been disked annually for weed abatement and therefore would not adversely affect potential habitat. Impacts would be less than significant.

b) No Impact. The project site is located outside the Floodplain (FP) Overlay zone by greater than 500 feet. No riparian communities or other sensitive natural communities exist within or adjacent to the project area. There would be no impact.
c) **No Impact.** According to the National Wetlands Inventory Maps, no wetland areas exist within or adjacent to the project area. There would be no impact.

d) **No Impact.** No wildlife corridors or wildlife nursery sites are located within or adjacent to the project area.

e) **No Impact.** The Porterville 2030 General Plan (2008) indicates that the City currently does not have a tree preservation ordinance. There is no adopted biological preservation or tree preservation ordinance in Tulare County. There would be no impact.

f) **No Impact.** No habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan, is in effect for the area of the proposed Project. Therefore, the proposed Project would have no impact.
V. CULTURAL RESOURCES
Would the project:

<table>
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<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact With Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</td>
<td>☐</td>
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<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
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<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
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<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
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Response:

a) **No Impact.** The project proposes a zone change from RM-3 (High Density Residential) to CG (General and Service Commercial) of a 0.44± acre parcel. No physical changes- and in turn no adverse changes in the significance of a historical or archaeological resource- is proposed as part of the project; however, the zone change would allow the potential for development of a 3000± s.f. commercial building. The parcel is disked annually for weed abatement. The project area has been significantly modified and no materials of archaeological or historical note have been observed. There would be no impact.

b) **No Impact.** Any impacts to archaeological resources have been discussed in Impact V-a.

c) **No Impact.** No known paleontological resources exist within the project area, nor are there any known geologic features in the project area. Future development of the site would occur on flat areas and would not include large amounts of sediment. In addition, grading activities would be minimal and be consistent with commercial building development such as the installation of footings and the construction of internal vehicular and pedestrian circulation. There would be no impact.

d) **No Impact.** No formal cemeteries or other places of human internment are known to exist within the project area. As such, potential impacts to human remains would not occur as a result of the Project. There is no impact.
VI. GEOLOGY AND SOILS

Would the project:

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<th>Would the project:</th>
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<th>Less than Significant Impact With Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
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</table>

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

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

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

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

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

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

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

Response:

a-i) Less Than Significant Impact. No substantial faults are known to occupy Tulare County according to the Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation. The closest known fault likely to affect the Project site is the Owens Valley Fault located about 40 miles to the northeast in the Sierra Nevada Range.

According to the Five County Seismic Safety Element (FCSSE), Tulare County is located in the V-1 zone, defined as an area "of hard rock alluvium on valley floors". The FCSSE further states that, “The distance to either of the faults expected to be a source of shaking is sufficiently great that shaking should be minimal and the requirements of the Uniform Building Code Zone II should be adequate for normal facilities. The risk of the rupture of a known earthquake fault is less than significant; however, in light of the project description,
the rezone itself would not further expose people or structures to these risks nor would the future development. The impact would be less than significant.

**a-ii) Less Than Significant Impact.** Any impacts regarding strong seismic ground shaking have been discussed in Impact IV-a-i. The impact would be less than significant.

**a-iii) No Impact.** No subsidence-prone soils or oil or gas production is involved with the project. There would be no impact.

**a-iv) No Impact.** Areas that are susceptible to landsliding include steep slopes underlain by weak bedrock. Due to the site’s flat terrain, the project site is not in an area prone to landslides. Based on review of topographic maps, the terrain of the project site and surrounding areas is generally flat and there are no unusual geographical features. There would be no impact.

**b) Less Than Significant Impact.** While the project is for the zone change from RM-3 (High Density Residential) to CG (General and Service Commercial), consideration has been made that the parcel could eventually be constructed as a 3000± s.f. commercial building. The construction of a commercial building would involve site preparation. Construction activities may temporarily expose soils to erosion potential. Construction activities would only occur for a limited time. Implementation of adopted management practices and compliance with the provisions of the National Pollutant Discharge Elimination System (NPDES) permit would ensure that these impacts remain less than significant.

**c) No Impact.** The project does not propose a construction component; however, consideration has been made for the potential of future development. Substantial grade change would not occur in the topography to the point where the project would expose people or structures to potential substantial adverse effects on, or offsite, such as landsides, lateral spreading, subsidence, liquefaction, or collapse. There would be no impact.

**d) No Impact.** The Porterville 2030 General Plan (2008) evaluated this impact and indicates that soils in the project area are not expansive. There would be no impact.

**e) No Impact.** The City of Porterville owns, maintains, and operates the City’s sanitary sewer system, which includes the collection system and the wastewater treatment plant. Any proposed structures (Residential or Commercial) would be developed in compliance with the City’s Water Master Plan and the Sewer System Master Plan. No septic tanks or alternative waste water disposal systems would be proposed as a part of any development at the project site. There would be no impact.
VII. GREENHOUSE GAS EMISSIONS

Would the project:

<table>
<thead>
<tr>
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<th>Less than Significant Impact</th>
<th>Mitigation Incorporation</th>
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<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
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<tr>
<td>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
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Response:

a), b) No Impact. While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization's Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with GHG emissions and climate change at the state level. AB 1493 requires the Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck GHG emissions; these regulations applied to automobiles and light trucks beginning with the 2009 model year.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California’s GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the year 2020, and 3) 80% below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that ARB create a plan, which includes market mechanisms, and implement rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state’s Climate Action Team.

Climate change and GHG reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change.

As the proposed project does not include a construction component, there would be no impact. If legislation or regulations become enacted by the time construction is proposed the project would be evaluated at the time of development.
VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact</th>
<th>Mitigation Incorporation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
</tbody>
</table>

Response:
a) **No Impact.** There would be no transport, use or disposal of hazardous materials. There would be no impact.

b) **No Impact.** The project would not create a significant hazard to the public or the environment as the project would not discharge hazardous materials into the environment. There would be no impact.

c) **No Impact.** The closest school, Pioneer Middle School, to the project area is greater than one-quarter mile. As the project is a zone change and potential development of a commercial building, the project would have no effect on hazardous emissions, involve hazardous materials, or create a hazard to adjacent schools in any way. There would be no impact.

d) **No Impact.** The project does not involve land that is listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. There would be no impact.

e) **No Impact.** The nearest airport, the Porterville Municipal Airport, is approximately four miles southwest of the project area. Due to the project description and the distance to the airport, there would be no impact.

f) **No Impact.** Any impacts regarding private airstrips have been discussed in Impact VII-e. There would be no impact.

g) **No Impact.** The project does propose changes to any publicly accessed routes, and would not interfere with implementation of an emergency response plan or evacuation. There would be no impact.

h) **No Impact.** The proposed project area is surrounded by developed urban land uses. Therefore, the project would not result in risk of loss, injury, or death involving wildland fires.
### IX. HYDROLOGY AND WATER QUALITY

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact with Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>□</td>
<td></td>
<td>×</td>
<td>□</td>
</tr>
<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td>□</td>
<td></td>
<td>×</td>
<td>□</td>
</tr>
<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td>□</td>
<td></td>
<td>×</td>
<td>□</td>
</tr>
<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
<td>□</td>
<td></td>
<td>×</td>
<td>□</td>
</tr>
<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td>□</td>
<td></td>
<td>×</td>
<td>□</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>□</td>
<td></td>
<td>×</td>
<td>□</td>
</tr>
<tr>
<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
<td>□</td>
<td></td>
<td>×</td>
<td>□</td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td>□</td>
<td></td>
<td>×</td>
<td>□</td>
</tr>
<tr>
<td>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td>□</td>
<td></td>
<td>×</td>
<td>□</td>
</tr>
</tbody>
</table>
Would the project:

j) Inundation by seiche, tsunami, or mudflow?

Response:

a) Less Than Significant Impact. The project is located 500 feet south of the Tule River, separated by development and Chase Avenue. The Project would not violate any water quality standards and would not impact waste discharge requirements. The impact would be less than significant.

b) Less Than Significant Impact. The Project site is located in the Tulare Lake Basin, an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin; the total overdraft is estimated at 820,000 acre-feet per year, the greatest overdraft projected in the state, and 56 percent of the statewide total overdraft. The project site is located within the Tule Subbasin portion of the regional area. Groundwater levels have declined an average of 0.75 feet/year on well hydrographs completed by DWR.

The project area is within the boundaries of the City’s Water System Master Plan. Development of the site was anticipated for high density residential for which adequate water supplies had been identified. The zone change would be from RM-3 (High Density Residential) to CG (General and Service Commercial). Development of a commercial building instead of high density residential would be equivalent. The impact would be less than significant.

c) Less Than Significant Impact. Drainage patterns would not change as a result of the zone change. As the project area develops curb and gutter improvements would improve the management of stormwater flows to reduce existing erosion or siltation. No modifications to natural or created channels would occur, as there are none within the project area. As a part of the future infill development, implementation of erosion control measures described by the Tulare County Development Standards and mandated in the Stormwater Pollution Prevention Program would minimize any potential impacts to less than significant.

d) Less Than Significant Impact. Any impacts regarding the alteration of drainage patterns to increase runoff water that would potentially induce flooding have been discussed in the impact analysis for Impact VIII-c.

e) Less Than Significant Impact. Any impacts regarding the creation or contribution to runoff water that would potentially exceed the capacity of existing stormwater drainage systems have been discussed in the impact analysis for Impact VIII-c.

f) Less Than Significant Impact. Any impacts to water quality have been discussed in the impact analysis for Impact VIII-a.

g) No Impact. According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Map Number FM06107C1642E dated June 16, 2009, the entirety of the Project site is located within Zone X, areas determined to be outside the 2% annual chance floodplain. Further, the construction of housing is not a part of the proposed project. There would be no impact with regard to flood related events.

b) No Impact. Any impacts regarding the placement of structures in a 100-year flood hazard area that would impede or redirect flood flows have been discussed in the analysis of Impact VIII-g.
i) **Less Than Significant Impact.** The dam potentially affecting the Project, Success Dam, is approximately five miles to the east of the Project site. According to Tulare County’s Geographic Information Systems data, the project area is located within the ½ hour to 1-hour inundation area of the Success dam. In the event of its failure, most of Porterville would be flooded in less than an hour. If such an event were to occur, the City’s Emergency Preparedness Plan outlines evaluation routes. The impact would be less than significant.

j) **No Impact.** The nearest large body of water is Lake Success, which is located approximately five miles to the east of the project site. Due to the lengthy distance between the lake and the project site, there would be no potential for seiche or tsunami to occur. There would be no impact.
X. LAND USE AND PLANNING

Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact With Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

a) Physically divide an established community? ☐ ☐ ☐ ☒

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

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? ☐ ☐ ☐ ☒

Response:

a) **No Impact.** The project area is substantially developed and is fully integrated into their surrounding urban neighborhoods.

b) **Less Than Significant Impact.** The zone change from RM-3 to CG does not conflict with the City’s land use regulations. The project area on the General Plan land use diagram is depicted as High Density Residential; however, the diagram is not parcel-specific and uses on sites less than one acre in size are generally not depicted (General Plan, 2008). The project site is 0.44± acres. The proposed zone change therefore conforms with the adopted City of Porterville General Plan and Development Ordinance. The impact would be less than significant.

c) **No Impact.** No habitat conservation plan or natural community conservation plan has been adopted for the project areas.
XI. MINERAL RESOURCES

Would the project:

<table>
<thead>
<tr>
<th>Potential Impact</th>
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<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

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

- No Impact.

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

- No Impact.

Response:

a) **No Impact.** The Porterville General Plan (2008) includes Figure 6-3 Soil and Mineral Conservation, which indicates the locations of State-designated Mineral Resource Zones or areas possessing minerals which are of state-wide or regional significance. According to the map, the project area is not located in a Mineral Resource Zone. The nearest Mineral Resource Zone is located along the Tule River, approximately 500 feet south of the project site. Therefore, the project would not result in the loss of an available known mineral resource. There would be no impact.

b) **No Impact.** The project site is not delineated on a local land use plan as a locally important mineral resource recovery site; therefore, the existence of the project would not result in the loss of availability of any mineral resources. There would be no impact.
XII. NOISE

Would the project:

<table>
<thead>
<tr>
<th>Would the project</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant with Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>

Response:

a), b), c) Less Than Significant Impact. Under the 2030 General Plan Noise Element, noise levels from 55 dB to 60 dB are considered “normally acceptable” for unshielded single-family residential development. Noise levels from 60 dB to 70 dB are considered within the “conditionally acceptable” range, while noise levels 70 dB to 75 dB are considered “normally unacceptable” for single-family residential use. For multi-family uses, noise levels from 55 db to 65 db are considered “normally acceptable”. Noise levels from 65 dB to 70 dB are considered within the “conditionally acceptable” range, while noise levels from 70 to 75 dB are considered “normally unacceptable” for multi-family uses. Noise levels from 50 db to 70 dB are considered acceptable for commercial retail and office uses along with public uses such as schools, churches, hospitals, and neighborhood parks. Noise levels above 80 dB are considered “clearly unacceptable” for most uses.

The City of Porterville has set forth vibration guidelines described in the Development Ordinance Section 307.06, which states that “no vibration shall be produced that is discernable without the aid of instruments by a reasonable person at the lot lines of the site. Vibration from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction, equipment, trains, trucks, etc.) are exempt from this standard.”
While the project is for the zone change from RM-3 to CG, consideration has been made that the parcel could eventually be constructed as a 3000± s.f. commercial building, most likely an automobile repair or servicing to compliment the tire sales on the contiguous parcel. The Development Ordinance, Section 301.05 requires any noise generating activities to be conducted within an enclosed building. In addition, a six (6) foot block wall is required for separation between residential and nonresidential uses. The project would not result in generation of long term noise.

d) Less Than Significant Impact. The project area is generally surrounded by existing development. The zone change and subsequent development would not substantially change the noise level generation in the project area. However, construction noise may result in a short term increase of noise in the project area. Construction activities shall be limited to the hours of 6:00 am and 9:00 pm, consistent with the City’s noise ordinance.

e) No Impact. The proposed zone change project is located approximately four miles north of the Porterville Municipal Airport. The Porterville General Plan (2008), indicates in Figure 9-3, Projected Noise Contours 2030, that the project site is located well outside of the 55 dB CNEL noise contour. There would be no impact.

f) No Impact. There are no private airstrips in the project vicinity. There would be no impact.
XIII. POPULATION AND HOUSING

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact With Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Response:

a) **No Impact.** The project proposes a zone change for a 0.44± acre parcel from RM-3 (High Density Residential) to CG (General and Service Commercial). The subject site is being considered for development with the adjacent eastern parcel with contiguous ownership for tire sales and repair with 3000± s.f. commercial building. The zone change and subsequent development would not induce a growth in population. There would be no impact.

b) **No Impact.** No housing or people would be displaced by the project. There would be no impact.

c) **No Impact.** Any impacts regarding the displacement of people have been discussed in Impact XII-b. There would be no impact.
**XIV. PUBLIC SERVICES**

Would the project:

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less than Significant Impact</th>
<th>With Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

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

**Response:**

a) **No Impact.** The project would not rely on the addition or alteration of any public services. The subject site is within the City limits. The zone change and subsequent development would not increase in demand public services beyond what is planned in the Porterville 2030 General Plan. There would be no impact.
<table>
<thead>
<tr>
<th>XV. RECREATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
</tr>
<tr>
<td>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
</tr>
<tr>
<td>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
</tr>
</tbody>
</table>

**Response:**

a), b) No Impact. As discussed in Impact XIII, the project would not increase the demand for recreational facilities nor put a strain on the existing recreational facilities. There would be no impact.
XVI. TRANSPORTATION/TRAFFIC

Would the project:

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td></td>
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</tbody>
</table>

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

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

e) Result in inadequate emergency access?

f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Response:

a), b) Less Than Significant Impact. As noted in the project description, the project is based on assumed development of a tire sales and repair (on the contiguous parcel, currently zoned CG) with a 3000± square foot commercial building on the subject site. The proposed development of an automobile care center (ITE Trip-Generation Rates, 8th edition) would result in approximately ten daily trips. If the project were to be developed to its maximum potential under the current RM-3 zoning (24 dwelling units per gross acre) would result with eight (8) daily trips. Both types of development are within the capacity of the existing infrastructure as identified in the General Plan Circulation Element (2008). Development under either scenario would be a less than significant impact.
c) **No Impact.** The Project is located approximately four miles northeast of the Porterville Municipal Airport. The zone change and subsequent development of a 3000± commercial building would not cause an increase in air traffic levels or cause a change in air traffic location. There would be no impact.

d) **No Impact.** No roadway design features are associated with this project. There would be no impact.

e) **No Impact.** Circulation would not be modified as a result of this project; therefore, there would be no impact to any emergency access.

f) **No Impact.** There are no adopted alternative transportation policies, plans, or programs in the project area. There would be no impact.
XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact With Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td></td>
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<tr>
<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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</tr>
<tr>
<td>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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<tr>
<td>e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
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<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
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<tr>
<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
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</tbody>
</table>

Response:

a) Less Than Significant Impact. The subject site is included within the City of Porterville Sewer, Water, and Storm Drain Master Plans. The capacity of the City of Porterville Wastewater Treatment Plant is currently 8 million gallons per day. Current usage averages 5.2 million gallons per day. The impact from the rezone and subsequent development of a 0.44± acre site would be less than significant.

b), d) Less Than Significant Impact. According to the General Plan (2008) the City has historically obtained water from 34 active groundwater wells. In addition, the City has purchased water rights for about 900 acre-feet on an annual basis from the Pioneer Ditch Company and the Porter Slough Ditch company. The General Plan identified goals of reducing groundwater pumping to match the aquifer safe yield by 2020, purchase additional surface water and implement water conservation programs to meet demands for water. In addition, the General Plan provides policies to ensure that water supply facilities are constructed in proportion to urban development through 2030. Since the project does not include new housing and it is expected that the proposed project will not require additional water supply needs beyond what has already
been anticipated in the General Plan and the City’s Water System Master Plan. The impact would be less than significant.

c) Less Than Significant Impact. As the project area develops curb and gutter improvements would improve the management of stormwater flows. The City of Porterville Storm Drain Master Plan has evaluated the impact of development within the planning area. The impact would be less than significant.

e) Less Than Significant Impact. Any impacts regarding wastewater treatment have been discussed in Impact XVI-a. The impact would be less than significant.

f) Less Than Significant Impact. The Porterville’s Public Works Department collects commercial, residential, and industrial refuse in the City. The surrounding landfill capacities are expected to be sufficient through the planning horizon of 2030 (General Plan, 2008). Transportation and disposal of solid waste would be in accordance with all applicable Federal, State and local regulations. The impact would be less than significant.

g) Less Than Significant Impact. Any impacts regarding solid waste have been discussed in Impact XVI-f. The impact would be less than significant.
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE**

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact</th>
<th>Mitigation Incorporation</th>
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<tbody>
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<td>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
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<td>b) Does the project have impacts that are individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</td>
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<td>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
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**Response:**

**a) Less Than Significant Impact.** The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the project would have no negative effect on the local natural environment and the zone change with subsequent development would not result in loss of native habitat. The potential for impacts to biological and cultural resources from zone change would be less than significant as discussed in the previous impact sections. Accordingly, the project would involve no potential for significant impacts through the degradation of the quality of the environment, the reduction in the habitat or population of fish or wildlife, including endangered plants or animals, the elimination of a plant or animal community or example of a major period of California history or prehistory. The impact would be less than significant.

**b) Less Than Significant Impact.** As discussed above, the project would result in less than significant impacts to biological and cultural resources. Compliance with applicable codes, ordinances, laws and other required regulations would assure that potential impacts associated with the infill development would remain at a less than significant level.

**c) Less Than Significant Impact.** The project would not result in substantial adverse effects on human beings, either directly or indirectly. Adverse effects on human beings resulting from implementation of the Project would be less than significant.
References


California Air Pollution Control Officers Association. CEQA and Climate Change, January 2008.


City of Porterville 2030 General Plan. March 4, 2008.


United States Department of Agriculture, Natural Resources Conservation Service. Soil Survey of Tulare County, Western Part.

RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A
NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
FOR THE ZONE CHANGE AT CHASE AVENUE AND PLANO STREET

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of November 6, 2012, conducted a public meeting to consider approval of the Negative Declaration
which evaluates the environmental impacts of a zone change from RM-3 (High Density Residential)
to CG (General and Service Commercial) Zone for a 0.44± acre parcel; and

WHEREAS: The project proposes a zone change for a 0.44± acre parcel from RM-3 (High
Density Residential) to CG (General and Service Commercial). The subject site is being considered
for development with the adjacent eastern parcel with contiguous ownership for tire sales and repair
with 3000± s.f. commercial buildings to be located on the subject parcel; and

WHEREAS: The project parcel (APN 261-030-065) is located on the south side of Chase
Avenue, 228± feet east of Plano Street. The subject site is vacant land, developed with curbs and
gutters, improved streets and infrastructure; and

WHEREAS: A lot merger shall be completed to join the property under common ownership
(APN 261-030-064 and APN 261-030-065) to meet the goals and objectives of the General Plan and
to help ensure that subsequent development will not adversely impact the surrounding residential
area; and

WHEREAS: Development of the site would require additional review by the Project
Review Committee and would be subject to the City’s development standards, including the
additional requirements of §301.05 Automobile/Vehicle Service and Repair; and

WHEREAS: On October 9, 2012, the Environmental Coordinator made a preliminary
determination that a Negative Declaration would be appropriate for the proposed project; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville
does hereby make the following findings:

1. That a Negative Declaration was prepared for the project in accordance with the
   California Environmental Quality Act and was transmitted to interested agencies and
   made available for public review and comment. The review period ran for twenty
   (20) days, from October 11, 2012, to October 31, 2012.

2. That the proposed project will not create adverse environmental impacts. The
   approved Negative Declaration was evaluated in light of the prepared environmental
   initial study. No comments were received during the review period.

ATTACHMENT
ITEM NO. 4
3. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wildlife resources from implementation of the project.

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

BE IT FURTHER RESOLVED: That the City Council does hereby approve the Negative Declaration for the Zone Change at Chase Avenue and Plano Street (PRC 2012-008-Z).

PASSED, APPROVED AND ADOPTED this 6th day of November 2012.

By: __________________________
Virginia R. Gurrola, Mayor

ATTEST:
John D. Lollis, City Clerk

By: __________________________
Patrice Hildreth, Chief Deputy City Clerk
ORDINANCE NO. ________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE (PRC 2012-008-Z) FROM RM-3 (HIGH DENSITY RESIDENTIAL) TO CG (GENERAL AND SERVICE COMMERCIAL) FOR THAT .44± ACRE SITE LOCATED GENERALLY AT THE SOUTHWEST CORNER OF CHASE AVENUE AND PlANO STREET

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of November 6, 2012, conducted a public hearing to approve findings and consider Zone Change (PRC 2012-008-Z), being a change of zone from RM-3 (High Density Residential) to CG (General and Service Commercial) for the parcel located on the south side of Chase Avenue, 228± feet east of Plano Street; and

WHEREAS: The City Council of the City of Porterville determined that the proposed Zone Change (PRC 2012-008-Z) is consistent with the guiding and implementation policies of the adopted 2030 General Plan; and

WHEREAS: That a Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act and was transmitted to interested agencies and made available for public review and comment. The review period ran for twenty (20) days from October 11, 2012, to October 31, 2012. No comments were received; and

WHEREAS: The City Council made the following findings that the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted.

a. The project supports and complies with the following General Plan guiding policies:
   LU-G-1: Promote a sustainable, balanced land use pattern that responds to existing needs and future needs of the City.
   LU-G-3 Promote sustainability in the design and development of public and private development projects.

b. Development of the site would be required to be reviewed by the Project Review Committee and would be subject to the City’s development standards.

c. The 2030 General Plan Land Use Diagram is not parcel-specific and uses on sites less than one acre in size are generally not depicted. The Diagram is to be used and interpreted only in conjunction with the text and figures contained in the General Plan.

d. The subject zone change will not create adverse environmental impacts on the adjacent neighborhood when standards of the Development Ordinance and General Plan are applied to the subsequent development project, which would include but not limited to a block wall between differing land uses, and compliance with §301.05

ATTACHMENT ITEM NO. 5
standards for Automobile/Vehicle Service and Repair standards that include landscaping requirements, noise standards and architectural standards.

e. A lot merger shall be completed to join the property under common ownership (APN 261-030-064 and APN 261-030-065) to meet the goals and objectives of the General Plan and to help ensure that subsequent development will not adversely impact the surrounding residential area.

f. As the parcel merger would create a reverse corner lot adjacent to a residential use, a minimum street side yard width of twelve (12) feet shall be maintained.

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

Section 1: That the following described property in the City of Porterville, County of Tulare, State of California, known as Zone Change PRC 2012-008-Z, is hereby rezoned from RM-3 (High Density Residential) to CG (General and Service Commercial, pursuant to Section 3 below, for the parcel described herein as Assessors Parcel Number 261-030-065 located generally 228± feet from the southwest corner of Chase Avenue and Plano Street; and

Section 2: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville, shall be changed to show the above described real property is rezoned from RM-3 (High Density Residential) to CG (General and Service Commercial for the parcel described above, more particularly shown on the attached map as Exhibit “A”)

Section 3: This ordinance shall be in full force and effect concurrently with the recording of the lot merger under common ownership that merges the subject property with the adjacent easterly parcel under contiguous ownership (APN 261-030-064 and APN 261-030-065), which shall not be sooner than thirty (30) days from and after the ordinance’s publication and passage.

PASSED, APPROVED AND ADOPTED this ___ day of November, 2012.

By: ________________________________
Virginia R. Gurrola, Mayor

ATTEST:
John D. Lollis, City Clerk

By: ________________________________
Patrice Hildreth, Chief Deputy City Clerk