



**CITY OF DUARTE
PLANNING COMMISSION
M I N U T E S
January 17, 2017**

**Planning Commission
Commissioners**
Paula Watson-Gardner, Chair
Sara Vasquez, Vice-Chair
George K. Farra
Sheryl Lefmann
Shauna Pierce

1. CALL TO ORDER AND NOTATION OF ABSENCES

Chairperson Pierce called the meeting to order at 7:02 p.m.

The following were in attendance:

PRESENT:	Watson-Gardner, Vasquez, Farra, Lefmann, Pierce
ABSENT:	None
STAFF:	Hensley, Golding, Hernandez
DEPUTY CITY ATTORNEY:	None

2. PLEDGE OF ALLEGIANCE

Commissioner Watson-Gardner led the Pledge of Allegiance.

3. APPROVAL OF MINUTES – December 19, 2016

Commissioner Farra moved to approve the minutes with a revision on page 3 of 6 to delete wording of “three-pack” under his motioned statement. Seconded by Commissioner Vasquez. Motion approved 5-0-0-0.

4. COMMISSION REORGANIZATION

Director Hensley opened up nominations for Chairperson. Commissioner Lefmann nominated Commissioner Watson-Gardner. Commissioner Pierce seconded the nomination. Director Hensley called for a roll call vote on Commissioner Watson-Gardner:

Ayes: Watson-Gardner, Farra, Lefmann, Pierce, Vasquez

The vote carried unanimously for Commissioner Watson-Gardner to be Chairperson, 5-0-0-0.

Chairperson Watson-Gardner opened nominations for Vice-Chair. Commissioner Farra nominated Commissioner Vasquez for Vice-Chair. Commissioner Lefmann seconded the nominaton. Chairperson Watson-Gardner called for the roll call vote on Commissioner Vasquez:

Ayes: Watson-Gardner, Farra, Lefmann, Pierce, Vasquez

The vote carried unanimously for Commissioner Vasquez to be Vice-Chair, 5-0-0-0.

5. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

Chairperson Watson-Gardner opened Oral Communications for Items not on the Agenda. Seeing none Chairperson Watson-Gardner closed Oral Communications.

6. PUBLIC HEARINGS

Chairperson Watson-Gardner opened Public Hearing Item, seeing none Chairperson closed the Public Hearing item.

7. ITEMS FROM DIRECTOR

Hensley discussed status and progress of Smart & Final and Starbucks along with vacant establishments available in the city.

8. ITEMS FROM COMMISSIONERS

Commissioner Farra stated he had no items, and congratulated Chairperson Watson-Gardner and Vice-Chair Vasquez for their nomination.

Commissioner Lefmann asked for the meeting to be adjourned in memory of Mrs. Lisa Magno, and provided information of the honoring event held at Westminster Gardens in memory of Mrs. Magno.

There were no other comments from the Commission.

ADJOURNMENT

The meeting was adjourned at 7:13 p.m.

Craig Hensley, Secretary



PLANNING COMMISSION STAFF REPORT

Date: February 21, 2017

Project: Site Plan & Design Review Case ARB 15-16AMD

Subject: New Commercial Building, Façade & Site Improvements to the Duarte Nissan Dealership (Changes to Approved Plans)

Location: 1434 Buena Vista Street

Applicant: Arun Phadnis, Architect; Rinaldi Halim, Business Owner

SUMMARY

Duarte Nissan is requesting approval to modify a previous approval that allowed a substantial remodel to the property. The project approval included: the construction of a new showroom building, a new vehicle delivery building, a new service reception building, façade improvements to the existing parts building and service bay walls, and a variety of site improvements throughout the property. The project also incorporated a new architectural style using a combination of aluminum and stucco material, and a new color scheme that was consistent with Nissan's corporate image. The project was approved by the Planning Commission, with conditions, at the February 16, 2016 meeting.

Since the February 16, 2016 approval, corporate Nissan has revised the contents of their image with changes to the style, color and material. As a result, Duarte Nissan has decided to modify the previous proposal since permits have not been issued and construction has not commenced. The new proposal includes a variety of adjustments that complement Nissan's corporate image and helps create a better overall project. Due to the nature of the changes, the project will require a new recommendation from the Architectural Review Board (ARB) and a new approval from the Planning Commission. The changes were presented to the ARB at a regular scheduled meeting On February 13, 2017. The ARB has recommended approval of the changes, with conditions, to the Planning Commission for consideration.

PROPERTY DESCRIPTION

The Nissan Dealership is developed on approximately 5.5 acres of land at the northeast corner of Buena Vista Street and Central Avenue. A portion of the property is within the C-F Commercial Freeway zone while the other is part of the Town Center Specific Plan. The property contains a variety of parking for employees, customers, and vehicle inventory, along with four structures: a 9,765 square-foot showroom building, a 9,940 square-foot two story parts building, an 8,560 square-foot service building (service bays), and a 2,688 square-foot pre-owned vehicle building. The property is accessible from Central Avenue using three driveway approaches. Two additional driveway approaches are located along the Buena Vista frontage, however they're closed off with a wrought-iron gate and are not intended to allow secondary access to the property. Adjacent uses include the Duarte Teen Center to the north, Duarte High School and the Duarte skate park to the east, the California 210 freeway to the south, and commercial development across Buena Vista Street to the west.

PROJECT DESCRIPTION

The previous approval included demolition of buildings, new construction, façade enhancements, and a color/material palette consisting of smooth and ribbed metal/aluminum, stucco, and grey tone colors. The new proposal includes the same scope of work, however several changes have been applied throughout the project. The most notable change overall is the removal of the ribbed metal from the color/material palette. Ribbed metal was originally approved as one of the primary materials on the Service Reception

Building (Bldg. 2), the Parts Building (Bldg. 3), and the Service Bay Building (Bldg. 4). This has been replaced with additional smooth aluminum composite material (ACM) in either a light grey or dark grey color, or stucco.

Other notable changes occur on the Showroom Building (Bldg. 1). The footprint of the Showroom Building has increased from approximately 14,250 square feet to approximately 17,352 square feet. The south (front) elevation has been redesigned with less ACM and more storefront glazing. The previous design included glazing extending approximately 110 feet across the south elevation at roughly 15 feet tall. The new design includes approximately 163 feet of glazing and a height increase to 19 feet. The increased amount of glazing allows greater visibility into the showroom and the ability to display model vehicles along the interior instead of outside as seen on the previous design. One single door has been relocated to the center on the south elevation for entry into the showroom. A new architectural feature has been added along the roof parapet directly above the entry for Nissan signage. The architectural feature consists of the same smooth ACM material as the rest of the building, except in red to match Nissan's corporate colors.

The changes to Buildings 2, 3 and 4 consist mostly of replacing the ribbed metal with ACM panels. The size of Bldg. 2 has been reduced from approximately 3,600 square feet to approximately 2,700 square feet because of the Showroom building expanding. The showroom/sales building includes an enclosed vehicle delivery area along the east elevation, which has also been modified. The previous vehicle delivery was approximately 1,000 square feet and could accommodate three vehicles. The new design is approximately 740 square feet and can accommodate two vehicles. The exterior of the vehicle delivery is relatively the same as the previous design using smooth ACM and matching storefront glazing.

A variety of site improvements have also been included with the proposed changes. The previous design included an outdoor vehicle display adjacent to the Showroom building. This display has been relocated within the parking lot area just below the drive aisle along the Show Room building. The display will accommodate five to six vehicles on a concrete pad raised about six inches. The existing vehicle display located at Central Avenue will be slightly modified by removing the unused concrete steps and replacing them with new landscaping. The wrought iron perimeter fencing will be repaired and repainted, and the masonry pilasters will receive stucco/textcote treatment and painted to match the new grey color scheme.

ANALYSIS

The proposed changes are reflective of Nissan's new corporate image and have helped create a better project. As seen with the previous approval, the modern architectural style is still the driving factor behind the design. The project incorporates a combination of grey-tone colors, aluminum and stucco materials, and large storefront glazing to help create the modern look. The scale and massing of the building is adequate for the property and surrounding developments, while the movement along the front elevation creates greater architectural interest. To bring greater consistency and appeal throughout the property, a variety of site improvements such as fence upgrades, landscape improvements, lighting upgrades, and enhanced architectural art features will also be included. Overall, the project and the proposed changes have been well designed to meet the guidelines of the Duarte Development code.

At the February 16, 2016 meeting the Planning Commission imposed several conditions on the project as part of the approval. Some of these conditions, such as accentuating the showroom building and façade improvements to the Parts Department Building, have been addressed through the new proposal. The remaining conditions from the February 16, 2016 meeting are still applicable, as well as new and/or revised conditions that were imposed by ARB at the February 13, 2017 meeting. The applicant has not requested

to alter or remove any of the remaining conditions of approval and has agreed to the recently new/revised conditions.

RECOMMENDATION

Based on the information provided in the Staff report, along with the required findings and recommendation from the Architectural Review Board, Staff recommends that Planning Commission approve the changes to Site Plan and Design Review Case ARB 15-16AMD by adopting PC Resolution 17-06, allowing the renovations to the Duarte Nissan Dealership as described in the staff report above, subject to conditions.

Respectfully Submitted,

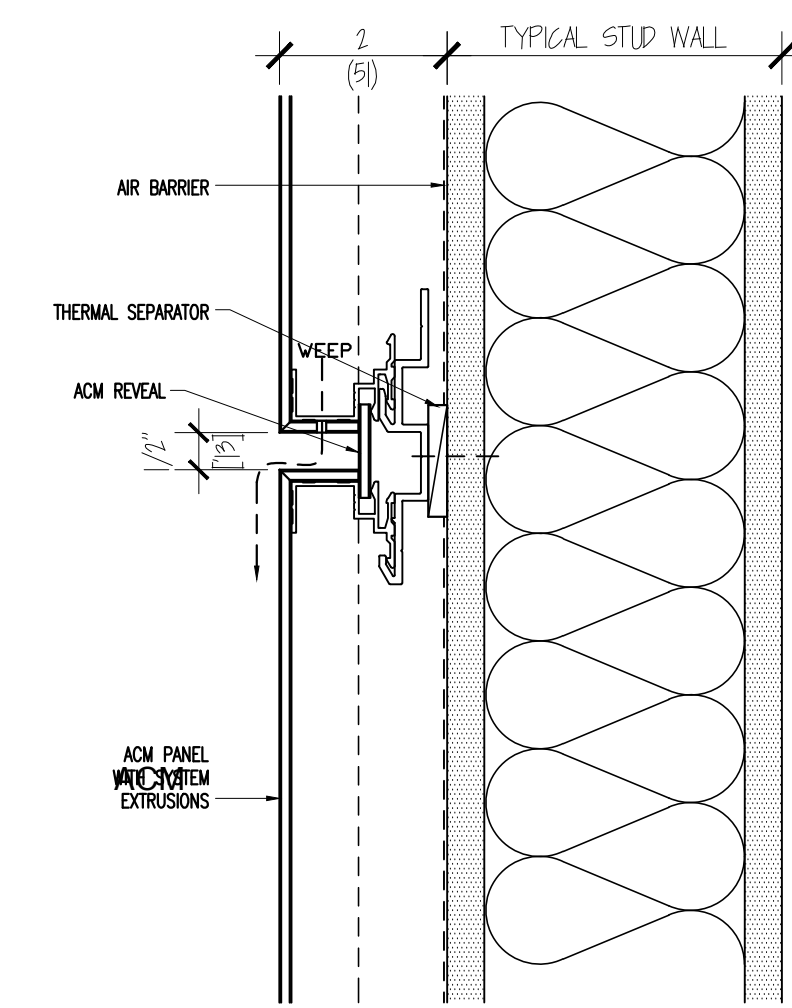


David F. Eoff IV
Associate Planner

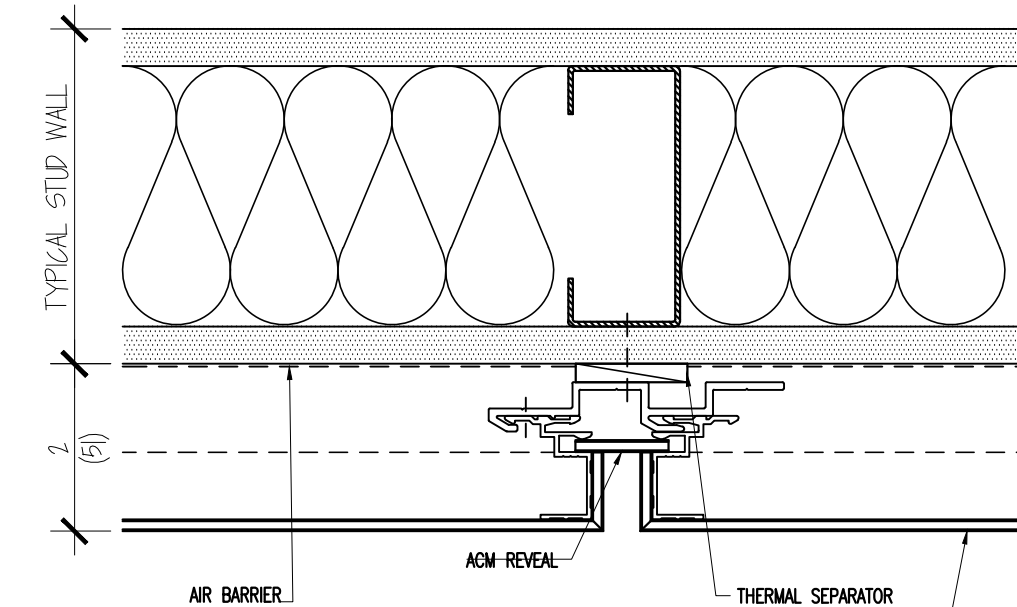
ATTACHMENTS

Exhibit A - Project Plans

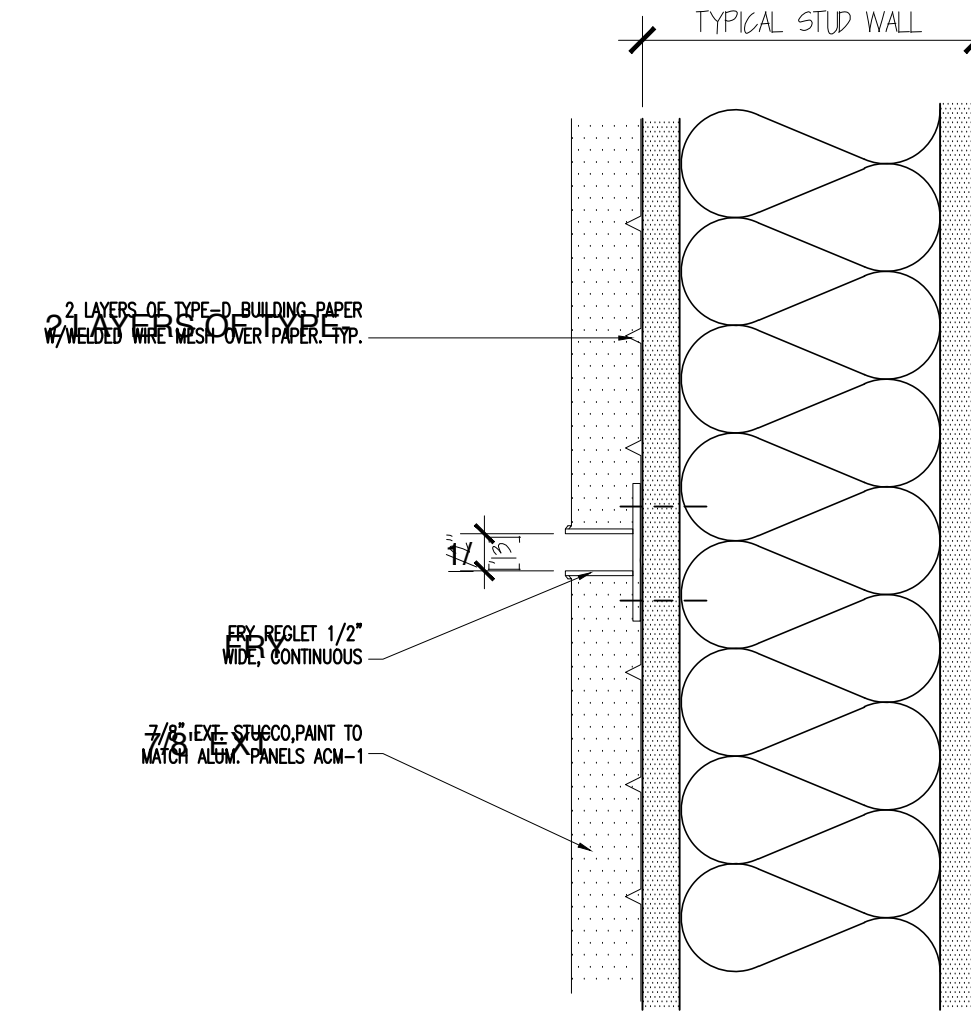
Exhibit B - PC Resolution 17-06



VERTICAL JOINT IN ACM PANEL



HORIZONTAL JOINT IN ACM PANEL



STUCCO JOINT IN STUCCO PANEL

BUILDING NO'S & NAME:	OFFICE AREA
NO. 1: NEW SALES/SHOWROOM	6,239 S.F.
NO. 2: NEW SERVICE RECEPTION	NONE
NO. 3: EXISTING PARTS BUILDING	990 S.F.
NO. 4: EXISTING SERVICE BAYS	NONE
TOTALS:	7,229 S.F.

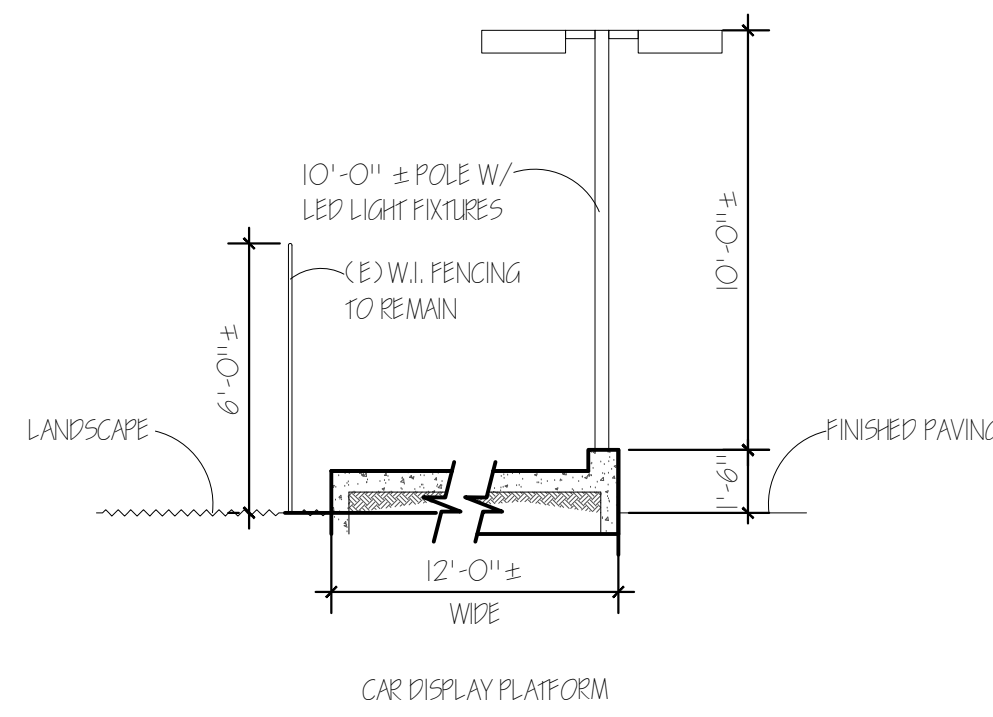
PARKING REQUIRED:	
PART 1: 1 CAR PARKING SPACE/800 S.F. OF GROSS BUILDING AREA	(37,876/800)= 47 CARS
PART 2: 1 CAR PARKING SPACE PER 4 EMPLOYEES	10 CARS
(40 EMPLOYEES) (APPROX)=	
PART 2.2: 1 CAR PARKING SPACE PER 250 S.F. OF TOTAL OFFICE SPACE	(7,229/250)= 29 CARS
(TAKING MAX. DEMAND OF PART 1 & PART 2.2)	29 CARS
TOTAL PARKING REQUIRED FOR EMPLOYEES	(47 + 29)= 76 CARS
TOTAL EMPLOYEE PARKING SPACES PROVIDED	77 CARS

INVENTORY PARKING:	289 CARS±
EMPLOYEE PARKING:	77 CARS
CUSTOMER PARKING:	47 CARS

SITE AREA:	5.49 ACRES±
APN: 8530 - 020 - 052:	112,384 S.F. ±
APN: 8530 - 020 - 053:	100,686 S.F. ±
APN: 8530 - 020 - 054:	26,012 S.F. ±
 TOTAL SITE AREA:	 239,082 S.F. ±
 LANDSCAPING PROVIDED:	 35,862 S.F. ±
(35,862 / 239,082 *100)	= 15.00 % ±

BUILDING NO'S & NAME:	GROSS	OFFICE AREA
NO. 1: NEW SALES/SHOWROOM	17,352 S.F.	6,239 S.F.
NO. 2: NEW SERVICE RECEPTION	2,684 S.F.	NONE
NO. 3: EXISTING PARTS BUILDING	7,400 S.F.	990 S.F.
NO. 4: EXISTING SERVICE BAYS	10,440 S.F.	NONE
TOTALS:	37,876 S.F.	7,229 S.F.

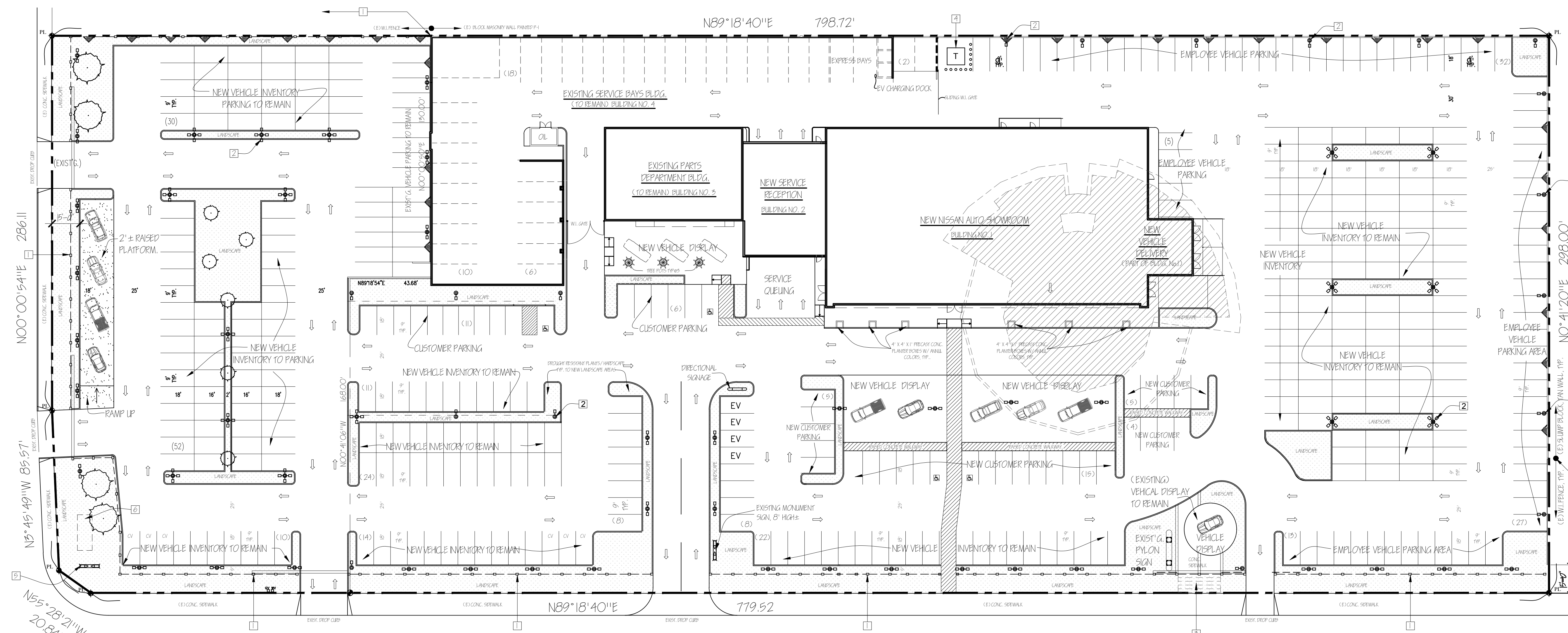
SITE & BUILDING SUMMARY



CAR DISPLAY PLATFORM

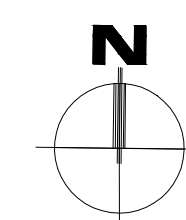
- 1) FINISH PERIMETER FENCING
STUCCO OR TEXTURE OVER MASONRY PILLARS. COLOR TO MATCH P-1 LAZY GRAY. THE
W/1 FENCE SECTIONS SHALL BE REPAIRED & REPAINTED FLAT BLACK.
- 2) (E) POLES, REPAINT COLOR TO MATCH P-1 W/1 NEW LED DOWNLIGHTS. TYP.
- 3) REMOVE (E) CONCRETE STEPS. CONTINUE LANDSCAPE TREATMENT TO MATCH
EXISTING LANDSCAPE. ADD W/1 FENCE SECTIONS TO MATCH OTHERS.
- 4) ELECTRIC TRANSFORMER W/1 PIPEGUARD5 PROTECTION PER SCE REQUIREMENTS.
- 5) NEW MONUMENT SIGN UNDER SEPARATE REVIEW & SEPARATE PERMIT.
- 6) "ART IN PUBLIC PLACE" ELEMENT.

SITE PLAN LEGEND



SITE PLAN: PROPOSED CONDITIONS

CENTRAL AVE

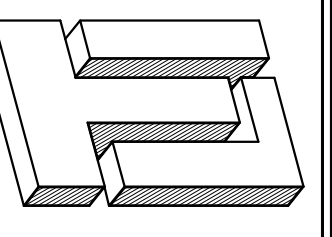


PROPOSED SITE PLAN	SCALE 1"=30'-0"	1
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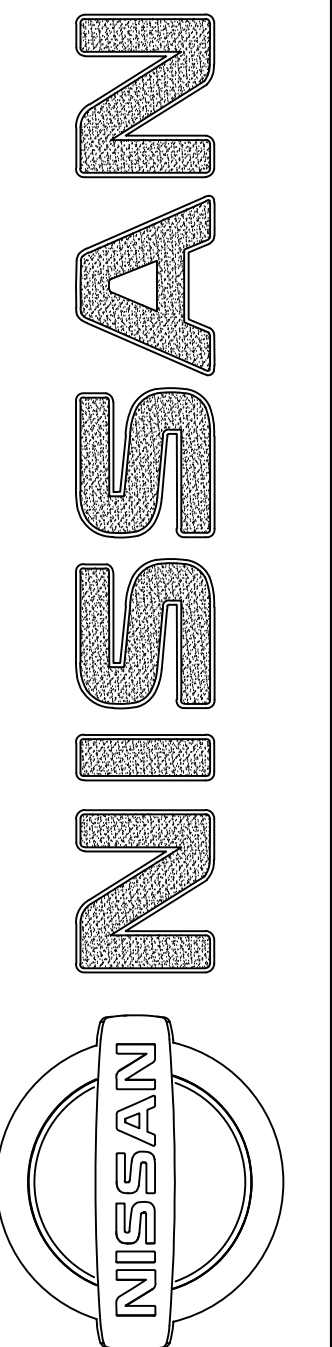
SCALE	1
1"=30'-0"	

REVISION	
NO.	DATE
	12-14-2016 PLANNING COMMISSION 2.5 PROTOTYPING COMMISSION 2.0 DESIGN REVISIONS

ARCHITECTS:
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2322 S. GARDEN
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E-MAIL: P@LTI.COM
ARCHITECTS
PLANNING
CONSULTANTS
CONSTRUCTION MANAGEMENT
PLANNING
ARCHITECTURE
INTERIOR DESIGN

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104-3746 DEATH VS DAP STATE
DO ARME, HOA 90000
TEL 0 (822) 385-1900
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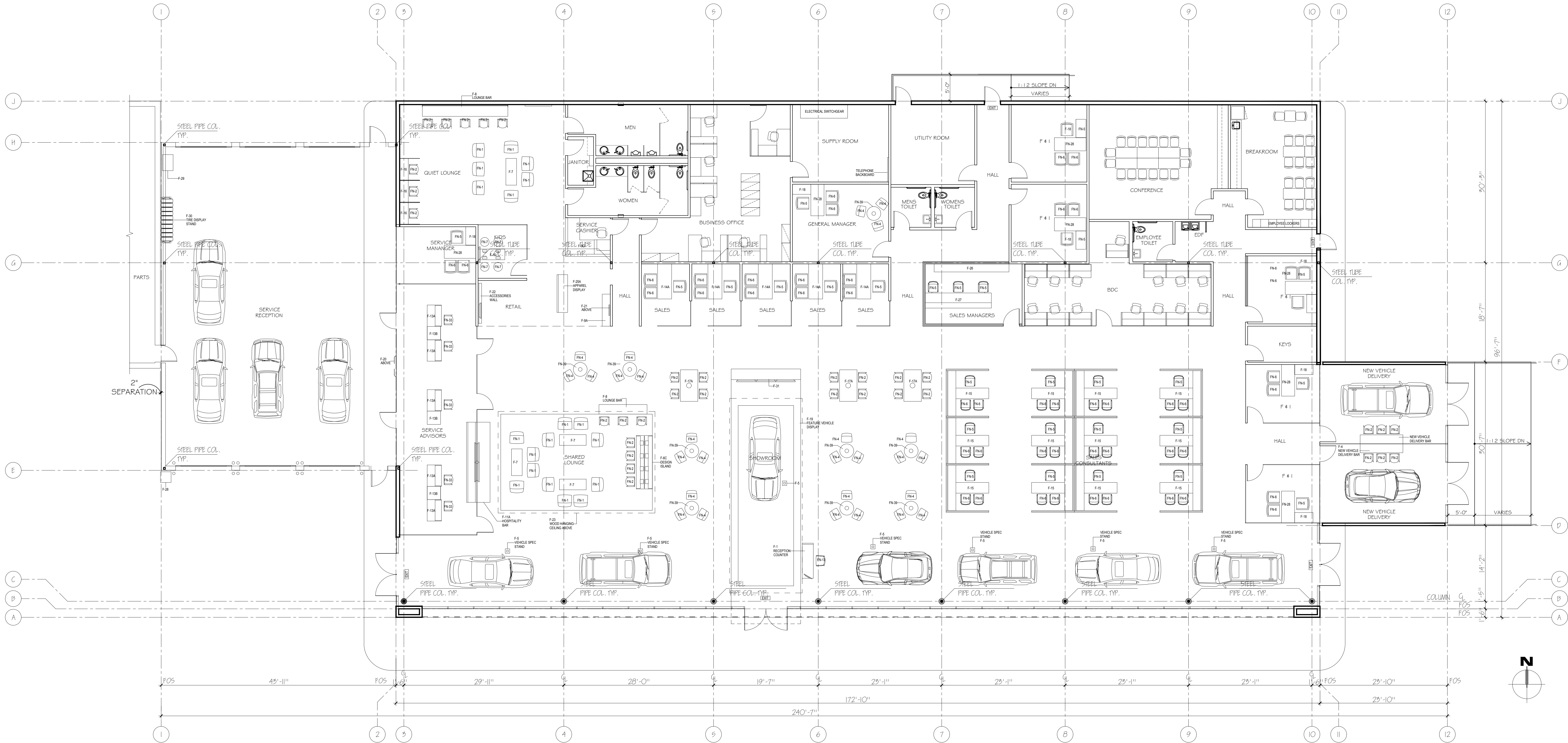


PROPOSED SITE PLAN
SUBMIT ADDRESS:
REMODEL & ADDITION FOR:
NISSAN OF DUARTE
1434 BUENA VISTA ST. DUARTE, CA 91010

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F	SHEETS

PROTOTYPE 2.0 REVISIONS JANUARY 27, 2017

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REVISION	
NO.	DATE

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PROJECT ADDRESS:
NISSAN OF DUARTE
1434 BUENA VISTA ST. DUARTE, CA 91010

DATE: 1-26-2017
SCALE: 1/8"=1'-0"
JOB NO: 15-117
FILE NAME:
DRAWING

PROJECT: **NISSAN OF DUARTE**
1434 BUENA VISTA ST. DUARTE, CA 91010
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DATE: 1-26-2017
SCALE: 1/8"=1'-0"
JOB NO: 15-117
FILE NAME:
DRAWING

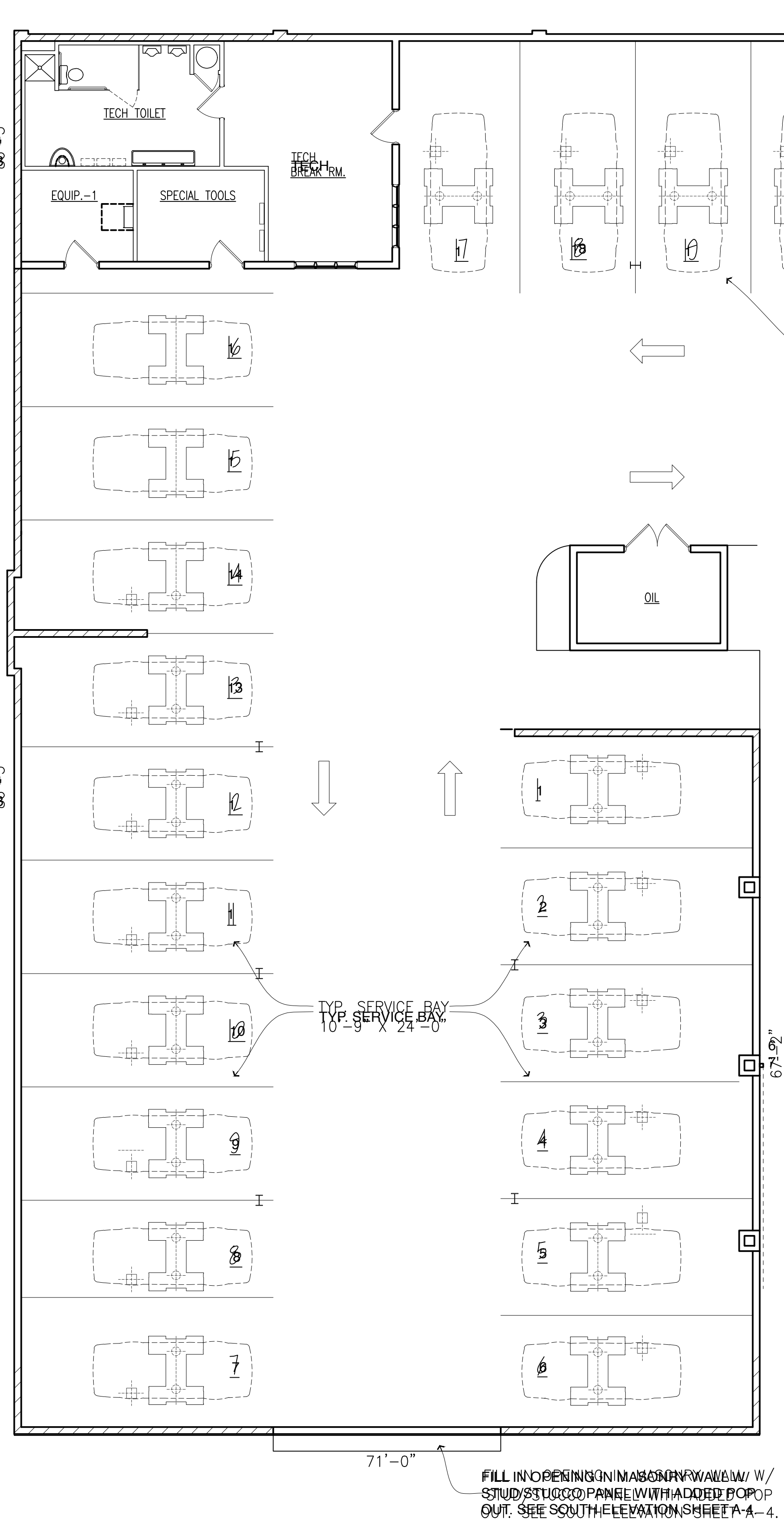
NISSAN

PROPOSED FLOOR PLAN
REMODEL & ADDITION FOR:
NISSAN OF DUARTE
1434 BUENA VISTA ST. DUARTE, CA 91010

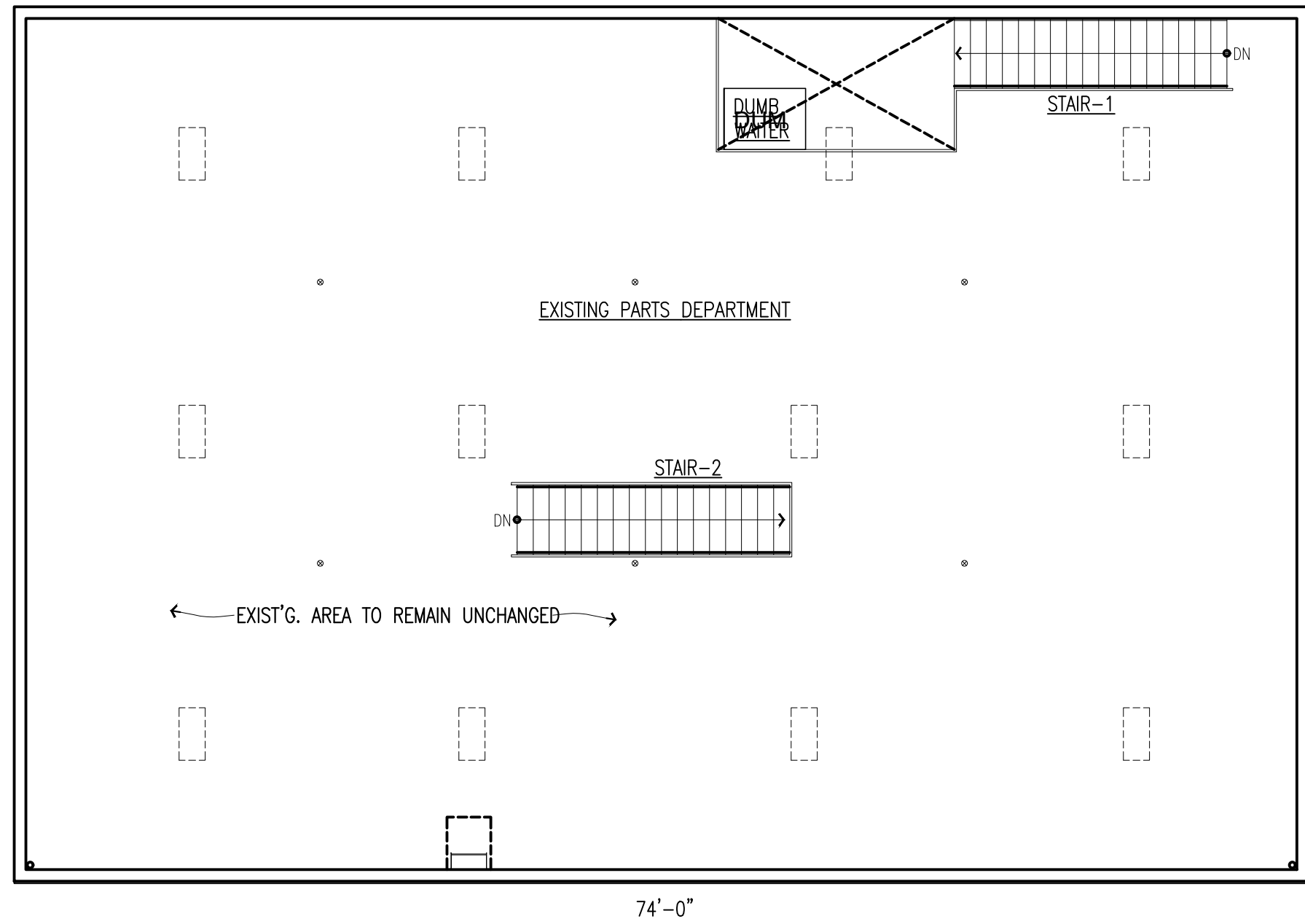
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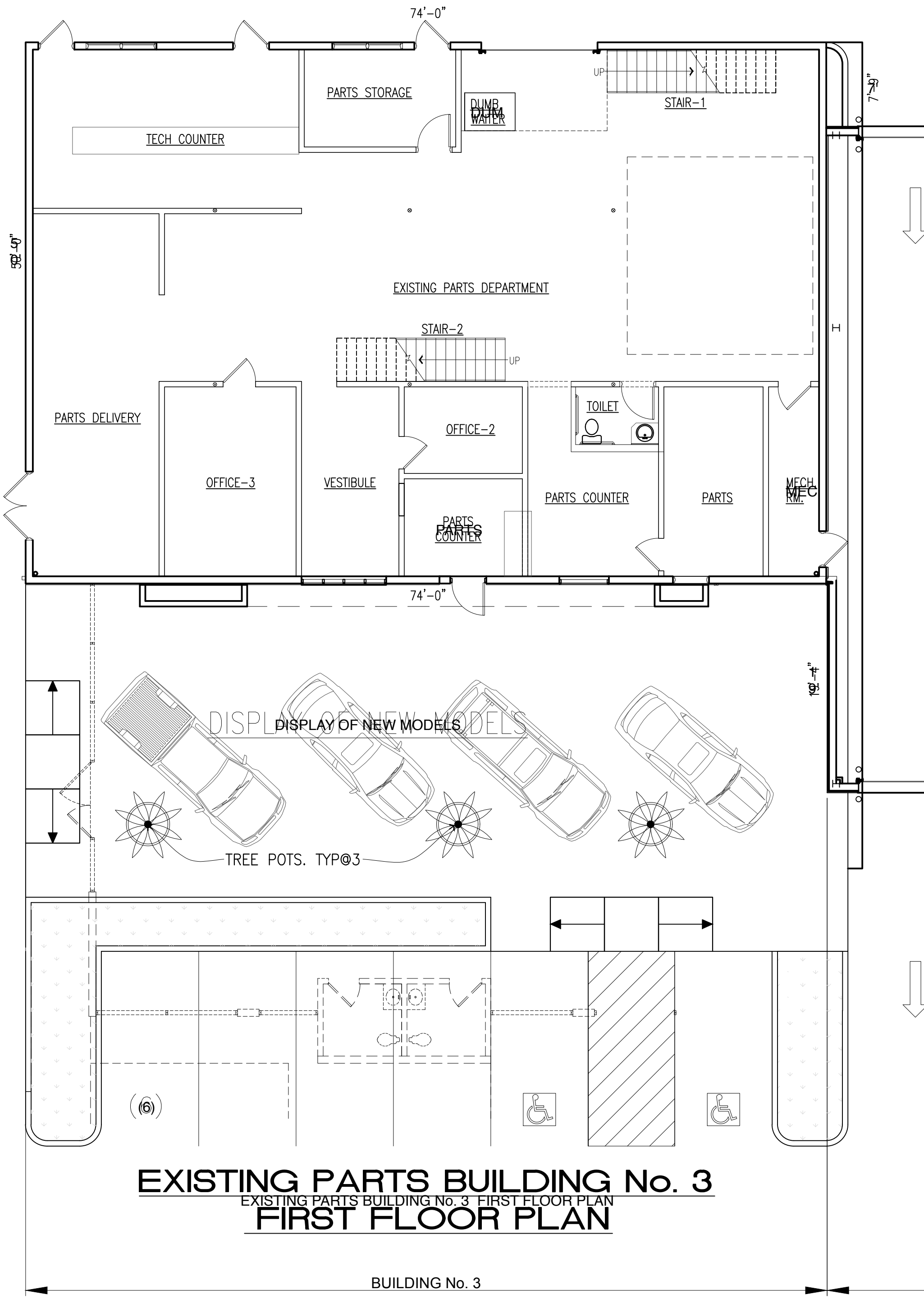
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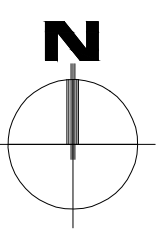
EXISTING SERVICE BAYS FLOOR PLAN



EXISTING PARTS BUILDING No. 3
EXISTING PARTS BUILDING No. 3 SECOND FLOOR PLAN
SECOND FLOOR PLAN



EXISTING PARTS BUILDING No. 3
EXISTING PARTS BUILDING No. 3 FIRST FLOOR PLAN
FIRST FLOOR PLAN



PART SERVICE FLOOR PLAN

REVISION	
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98	1-28-2017
99	1-28-2017
100	1-28-2017

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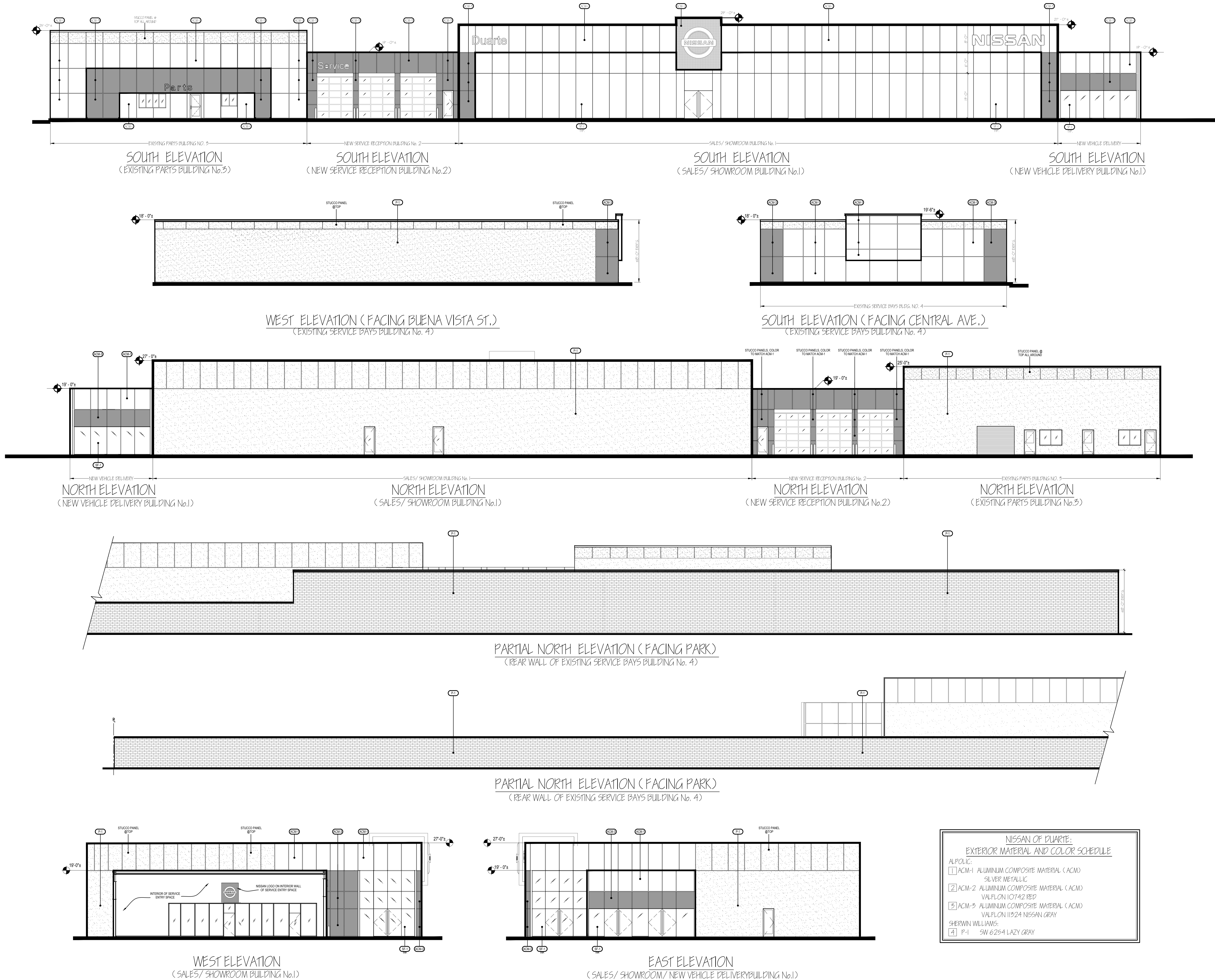
NISSAN

SERVICE FLOOR PLAN
REMODEL & ADDITION FOR:
NISSAN OF DUARTE
1431 BUENA VISTA ST. DUARTE, CA 91010

DRAWN: CB
CHECKED: AP
DATE: 1-28-2017
SCALE: 1/8"=1'-0"
JOB NO: 15-117
FILE NAME:
DRAWING

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SHEETS

1



REVISION	
NO.	DATE

ARCHITECT: L.T.I., Inc.
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NISSAN

ELEVATIONS
REMODEL & ADDITION FOR:
NISSAN OF DUARTE
1434 BUENA VISTA ST. DUARTE, CA 91010

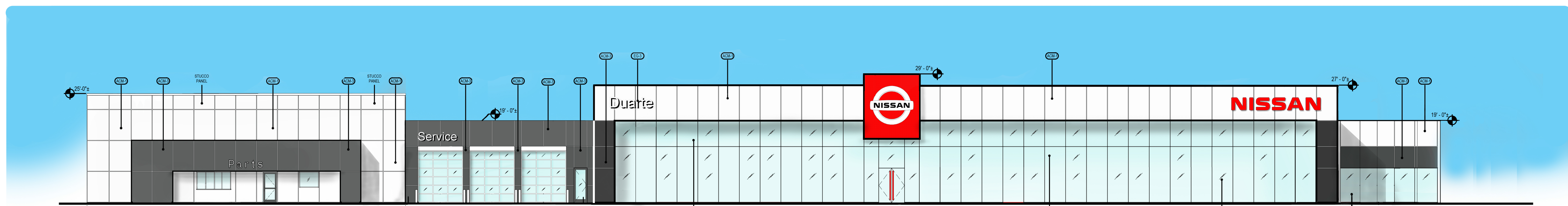
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CHECKED: AP
DATE: 1-26-2017
SCALE: 3/32"=1'-0"
JOB NO: 15-117
FILE NAME:
DRAWING: **A-3**
SHEETS: 1

PROPOSED ELEVATIONS

SCALE: 3/32"=1'-0" 1

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PROTOTYPE 2.0 REVISIONS JANUARY 27, 2017

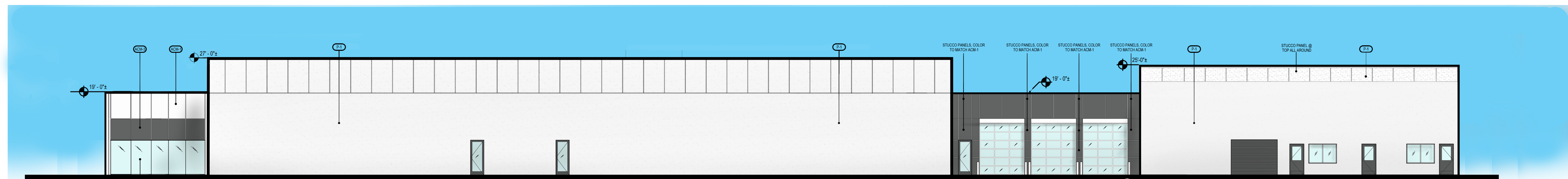


SOUTH ELEVATION
(EXISTING PARTS BUILDING No.3)

SOUTH ELEVATION
(NEW SERVICE RECEPTION BUILDING No.2)

SOUTH ELEVATION
(SALES/SHOWROOM BUILDING No.1)

SOUTH ELEVATION
(NEW VEHICLE DELIVERY BUILDING No.1)

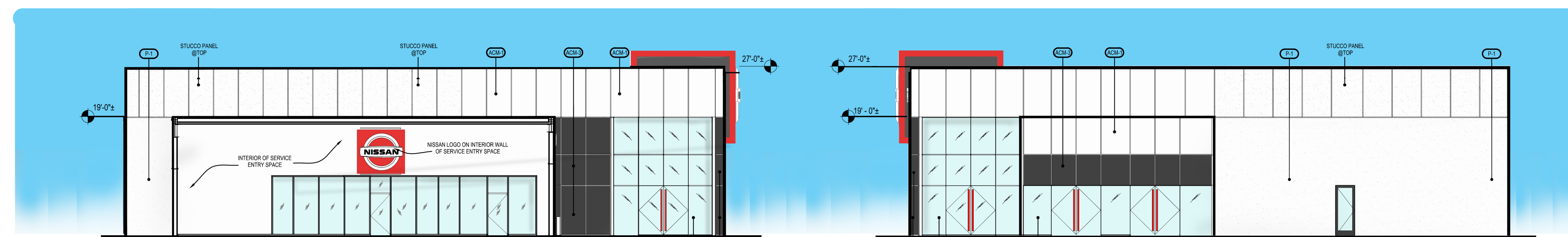


NORTH ELEVATION
(NEW VEHICLE DELIVERY BUILDING No.1)

NORTH ELEVATION
(SALES/SHOWROOM BUILDING No.1)

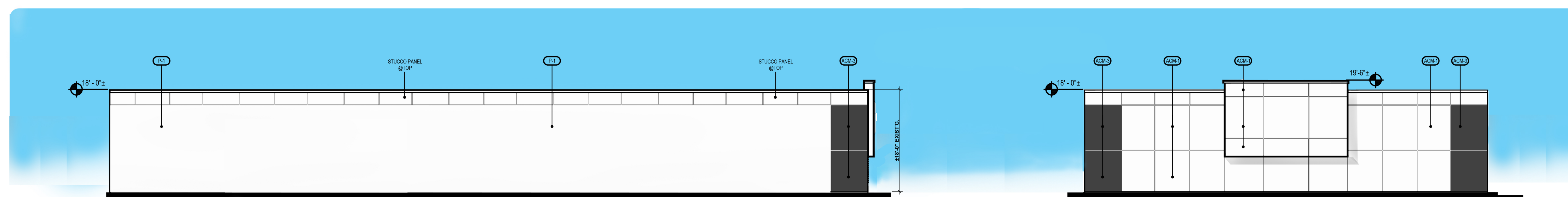
NORTH ELEVATION
(NEW SERVICE RECEPTION BUILDING No.2)

NORTH ELEVATION
(EXISTING PARTS BUILDING No.3)



WEST ELEVATION
(SALES/SHOWROOM BUILDING No.1)

EAST ELEVATION
(SALES/SHOWROOM/NEW VEHICLE DELIVERY BUILDING No.1)

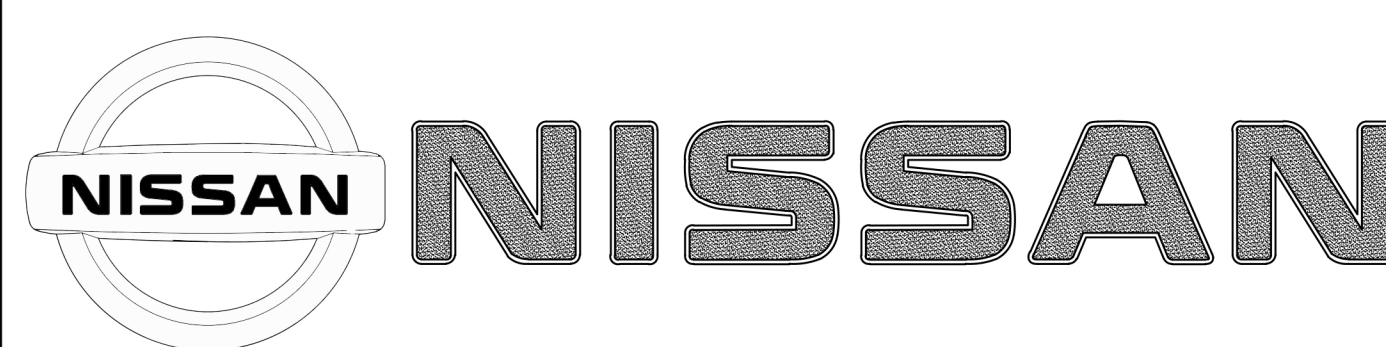


WEST ELEVATION (FACING BUENA VISTA ST.)
(EXISTING SERVICE BAYS BUILDING No. 4)

SOUTH ELEVATION (FACING CENTRAL AVE.)
(EXISTING SERVICE BAYS BUILDING No. 4)

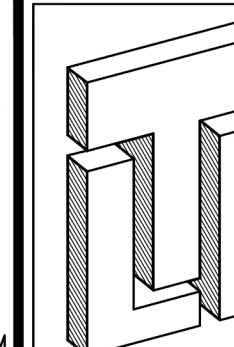
COLOR RENDERING

REMODEL & ADDITION FOR:
NISSAN OF DUARTE
1434 BUENA VISTA ST. DUARTE, CA 91010



NISSAN DEALER:

1434 BUENA VISTA STREET
DUARTE, CA 91010
TEL: (626) 305-3000
EMAIL: NISSAN@NISSANOFDUARTE.COM



ARCHITECT:

L. T. I., Inc.
2522 CHAMBERS ROAD, #100, TUSTIN, CA 92780-7210
1217 BUENA VISTA STREET, #101-C, DUARTE, CA 91010
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ARCHITECTURE • PLANNING • CONSTRUCTION MANAGEMENT

RESOLUTION PC 17-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE APPROVING ARB CASE 15-16AMD, A REQUEST BY DUARTE NISSAN FOR CHANGES TO A PREVIOUS APPROVAL ALLOWING A NEW COMMERCIAL BUILDING FOR AUTO SALES, FAÇADE ENHANCEMENT, SITE IMPROVMENTS AND REMOVAL OF SEVERAL BUILDINGS AT 1434 BUENA VISTA STREET

WHEREAS, The Duarte Nissan submitted a design review application for renovations and new construction at the Nissan dealership located at 1434 Buena Vista Street; and

WHEREAS, New nonresidential construction requires recommendation from the Architectural Review Board and approval from the Planning Commission, pursuant to Table 7-2 in Section 19.122.030 of the Duarte Development Code; and

WHEREAS, On February 8, 2016 the Architectural Review Board reviewed the plans for the Site Plan and Design Review Case ARB 15-16 and recommended approval to the Planning Commission subject to conditions; and

WHEREAS, On February 16, 2016, the Planning Commission review the plan sfor the Site Plan and Design Review Case ARB 15-16 and approved Resolution PC 16-04 with conditions of approval for the renovations and construction of new commercial buildings on the Duarte Nissan property located at 1434 Buena Vista Street; and

WHEREAS, Corporate Nissan updated their image worldwide with a variety changes that affect the color, material and other architectural elements; and

WHEREAS, Duarte Nissan requested to modify the Planning Commission approved plans from February 16, 2016 to be consistent with the new Nissan corporate image; and

WHEREAS, On February 13, 2017 the Architectural Review Board reviewed the changes to the previous approved Site Plan and Design Review Case 15-16 and recommended approval to the Planning Commission subject to conditions; and

WHEREAS, The Planning Commission of the City of Duarte has considered the changes to the project proposal, which provides, among other provisions, for the renovation and new construction at the Duarte Nissan dealership; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the Staff Report and all the information, evidence and public testimony received at the public meeting held on February 21, 2017.

NOW THEREFORE, the Planning Commission of the City of Duarte resolves as follows:

SECTION 1. That the Planning Commission approves Resolution PC 17-06 with conditions of approval “Exhibit B-1” for the renovations and construction of new commercial buildings on the Duarte Nissan located at 1434 Buena Vista Street.

SECTION 2. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 3. The Planning Commission finds and determines as follows, findings for Site Plan and Design Review, as set forth in DDC Section 19.122.050 (E), as the proposed development is:

1. Consistent with the General Plan and is in compliance with all applicable provisions of the Duarte Development Code and all other City ordinances and regulations;

The project conforms to the goals and objectives of the General Plan and the regulations of the Commercial Freeway C-F zone and the Town Center Specific Plan, including the intent and purpose, permitted uses, and other development standards. Furthermore, the project is consistent with the General Plan by maintaining a balanced community consisting of various commercial activities, meeting the shopping needs of the entire community, and providing sites for regionally oriented uses.

2. To be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development:

The project consists of several adjoining parcels totaling approximately 5.5 acres. A parcel merger will be required as part of the project approval. The property contains an overall width of approximately 800 feet and a depth of 300 feet, which is adequate in size and shape to accommodate the new construction and renovations to the Nissan dealership, as shown on the project plans.

3. In compliance with the applicable criteria specified in Subsection 19.122.040(D), and the site is suitable for the proposed development; and

- *Compatibility.* The project development has been well designed to improve the dealership property and provide a visual enhancement to the surrounding community. The surrounding land uses include the Duarte teen center to the north, the 210-freeway to the south, the Duarte High School softball field and skate park to the east, and commercial development across Buena Vista to the west. The car dealership will continue to operate as a dealership, which is suitable for the location near the 210 freeway and other commercial operations. Furthermore, the use meets the intent and guidelines of the C-F zone.
- *Architectural Design and Detail.* The project utilizes a combination of design features and a modern architectural style that help define the appearance of the building. The design incorporates variations of metal and stucco into the exterior, while a simple color palette consisting of grey tones to complement the modern design. The project has been designed to reflect the corporate image of Nissan and provide a visual enhancement at one of the main access points to the City.

- *Landscape, Lighting, Parking, Signs, and Other Design Details.*
 - a. *Equipment and Utilities.* All new service and utilities will be installed in a manner that screens them from the public right-of-way. New equipment will be installed within attic area or on the roof of the building and fully screened by the roof parapet. All utilities will be required to be installed underground.
 - b. *Fences/Walls.* Changes to the existing perimeter fences, walls, and/or retaining walls will require review and approval from the Community Development Department. The property currently contains a combination of wrought-iron fencing and slump-block wall along the perimeter. The wrought iron fencing and pilaster will be repaired/improved to complement the property. A separate fence/wall plan is required as a condition of approval and will require review from the Community Development Department to ensure compliance with the Duarte Development Code.
 - c. *Landscaping.* New landscape improvements will be required as a condition of approval. The landscape areas will be designed to meet the intent and purpose of Chapter 19.40 (Landscaping) of the Duarte Development code and will include a variety of drought tolerant plants, tree types, and decorative hardscape materials. Landscape and Irrigation plans will be prepared by a licensed landscape architect and will require review and approval by the Planning Division.
 - d. *Lighting.* The existing parking lot light will be upgraded to LED technology and refinished to complement the new architectural style of the buildings. New parking lot light standards will be installed and will also use LED technology and complement the building design. A lighting plan will be required for review prior to installing/replacing any light fixtures. New exterior wall lighting will also require review and approval from the Planning Division to ensure each fixture will be of high quality, decorative form and scaled to compliment the massing of the building. Lighting design will be reviewed to also ensure offsite glare is avoided.
 - e. *Parking.* New parking areas will be added and/or relocated to accommodate the new building construction and buildings being demolished. The project meets the off-street parking requirements of the C-F zone by providing adequate surface parking for customers, employees, and vehicle inventory. The project also allows adequate circulation into and throughout the property.
 - f. *Signs.* The existing pylon sign located at the southwest corner of the property will be removed. The sign is dated and does not match the new architectural design and corporate image of Nissan. Additionally, removal of the pylon sign will bring the property into compliance with the Duarte Development Code, which allows a maximum of one pylon sign per development. The project does not include the approval to install any new signs, however the corporate upgrade to the Nissan image will require a variety of new signs to complement

the architectural style. A comprehensive sign program, approved by the Architectural Review Board, will be required prior to any new signs being installed.

4. Designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

The site is sufficient in size and shape to accommodate the Nissan dealership. The project site is within the C-F zone and Town Center Specific Plan, which is designed for land uses and operations such as these. The general layout of the property allows for adequate and safe vehicular/pedestrian traffic, ensuring the safety and general welfare of the public and surrounding community.

SECTION 4. The Planning Commission approves Site Plan and Design Review Case ARB 15-16AMD based on the findings listed in Section 3 and the conditions of approval listed in “Exhibit B-1”.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.

Paula Watson-Gardner, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

CITY OF DUARTE
COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA

I, Craig Hensley, Secretary of the Planning Commission of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

EXHIBIT B-1

Conditions of Approval
Site Plan & Design Review Case ARB 15-16AMD
New Construction and Façade and Site Improvements to the
Duarte Nissan Dealership Located at 1434 Buena Vista Drive

1. This project is subject to a final review and approval by the Planning Division for all building elevations and design details (including color/material scheme, and architectural features).
2. The façade improvements to the Service Bays screen walls (Building No. 4 on the approved plans) shall incorporate stucco along the west elevation, and on portions of the front elevation in place of the ribbed aluminum, subject to review and approval of the Planning Division. The stucco areas shall be painted using Sherwin Williams color SW6254 “Lazy Grey” (light grey). The service bay screen walls shall also incorporate additional revisions/improvements, including but not limited to: framing in the space between the two taller screen walls and finishing with stucco or another approved material, and adding architectural features to the east and west elevation walls. Additional plans and details shall be required prior to implementing the changes. A final onsite inspection from the Planning Division shall also be required prior to receiving final sign-off on building permits.
3. Provide details on the changes to the parking lot light fixtures to the Planning Division for review prior to installing. The details shall include all necessary cut sheets and photometric information, including a photometric study identify the illumination levels throughout the property. All lighting shall use LED technology and be designed to avoid offsite glare. A final inspection from the Planning Division shall be required prior to receiving final sign-off on building permits.
4. Provide design details on the new raised platform for vehicle display along Buena Vista Street. The vehicle display platforms shall contain a decorative design that complements the architectural style and appearance of the property. The existing vehicle display platform along Central Avenue shall also be improved to reflect the architectural design of the new platform and the appearance of the property. The design and details for both vehicle display platforms shall require approval from the Planning Division prior to issuance of Building Permits. A final inspection from the Planning Division shall be required prior to receiving final sign-off on building permits.
5. The landscape improvements shall require review and approval from the Planning Division prior to installation or construction of new planter areas. A full landscape and irrigation plan shall be submitted for review, and may include requirements for additional landscaping installed throughout the parking lot areas and adjacent to buildings. The landscape plan shall include all details on the plant material, size, spacing and the irrigation system. All landscape improvements shall be in

compliance with the Landscape Chapter of the Duarte Development Code. Contact the Planning Division for more information on the plant palette options.

6. Any exterior wall lighting shall require final approval from the Planning Division prior to installation and/or issuance of permits. Any proposed lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. A lighting plan shall be provided to the Planning Division for review and shall include cut-section drawings, manufacture brochure, illumination levels/lighting distribution, and any additional information as needed.
7. Upgrades to the perimeter fences and/or walls shall require review and approval from the Planning Division prior to any changes or improvements commencing. The existing wrought iron shall be repaired and painted as necessary, the existing slump-block pilasters and caps shall improved with stucco/textcote and painted grey to match the overall theme of the property. A sample of the stucco/textcote material shall be provided prior to beginning work. Improvements to the pilasters shall be done in a manner that eliminates the appearance of the slump block material. Necessary modifications, such as furring out the pilasters prior to applying the stucco, shall be required.
8. The applicant shall provide an enhanced architectural feature on the west building wall (service bays) or at another location on the property to be determined by the Architectural Review Board. The necessary details and/or plans for the architectural feature shall be provided to the Community Development Department for review prior to issuance of permits. Final design of the art shall be subject to approval by the Architectural Review Board.
9. The existing pylon sign located at the northeast corner of the Buena Vista Street and Central Avenue shall be removed and the area repaired/replaced with landscaping. All new walls and any changes to the monument sign shall require separate review and approval. All signs shall be designed to complement the property they serve, with colors, materials and style. The applicant shall prepare a sign submittal outlining all the necessary details and locations of all proposed signs and shall submit to the Planning Division for review and approval prior to installation. Separate review fees apply.
10. A parcel merger or parcel map shall be required to consolidate the adjoining parcels comprising the project site. The merger or map shall be designed to consolidate the parcels into two parcels, subject to the review and approval of the Director. Prior to permit issuance, an application and all necessary documents shall be reviewed and approved by the Community Development Department in accordance with Section 19.76.040 of the Duarte Development Code.
11. The improvements to the parking areas and circulation throughout the property shall be in compliance with the Duarte Development Code.

12. Prior to the issuance of a permits, the applicant shall submit a Low Impact Development (LID) plan to the Community Development Director for review. The LID plan shall be prepared by a California registered civil engineer, architect, or landscape architect knowledgeable about storm water management issues in compliance with Section 6.15.140 of the Duarte Municipal Code.
13. Any Building Code, Development Code and/or Municipal Code violations shall be address and corrected as needed prior to receiving final sign-off on any building permits or issuance of Certificate of Occupancy.
14. The project shall comply with all the regulations of the C-F Commercial Freeway Zone and the Town Center Specific Plan, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development Code, ~~and~~ Duarte Municipal Code, and Town Center Specific Plan.
15. Any revisions to the site plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation.
16. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure, attic, or roof mounted and fully screened by the roof-parapet. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color. Ground mounted equipment shall be shielded from public view by landscaping and/or screen walls, subject to approval from the Planning Division.
17. All utilities for direct service to the project shall be installed underground and concealed from view.
18. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information.
19. Construction of the project shall follow the list of Best Management Practices (BMP's) of the National Pollution Discharge Elimination System (NPDES), including recommendations from the City grading inspector. During grading, watering shall be established to adequately reduce on and off site dust. Grading is prohibited during high wind conditions.
20. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.

21. Building permits for this project must be issued within one-year from the date of final approval by the Community Development Director and may be extended in compliance with Section 19.130.070 of the Duarte Development Code.
22. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
23. A final inspection shall be made by the Planning Division prior to final sign-off of any building permits to ensure that all conditions have been met.
24. The decision of the Planning Commission may be appealed to the City Council within 15 days from the date of approval. Said appeal must be in writing and filed with the Community Development Department (DDC 19.144). The written appeal shall include reasons for the appeal and the applicable fee.
25. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.



PLANNING COMMISSION STAFF REPORT

Date: February 21, 2017

Project: **General Plan Amendment (GPA 16-01); Zone Change (ZC 16-01); Tentative Tract Map 74365; Planned Development Permit (PDP 16-01); Site Plan Design Review (SPDR 16-22) and associated Mitigated Negative Declaration:** A request by Tipping Development, Inc. to demolish existing buildings and sitework, and allow the construction of an 18-unit, owner-occupied, two-story townhome project that includes the relocation and complete reconstruction of Third Street park, at the southwest corner of Oak Avenue and Third Street.

Location: 1101 Oak Avenue / 1634 Third Street

Applicant: Tipping Development, Inc.

SUMMARY

The proposed project is a partnership project between the City of Duarte and Tipping Development, Inc. The project site includes the existing Third Street Park, two buildings at 1101 Oak Avenue and 1634-1640 Third Street, and associated parking lots. The project includes demolition of all existing buildings and parking areas, relocating the existing Third Street Park to the southwest corner of Third Street and Oak Avenue, and the construction of 18 residential units.

The project was reviewed by the Architectural Review Board (ARB) for design review and a planned development permit (PDP), as well as, the Parks and Recreation Commission for park design and layout. Meetings were held on February 13, 2017 and both received a recommendation to the Planning Commission and City Council. The following recommendations are still required for the project:

- Planning Commission – recommendation to Council – design review, PDP, zone change, general plan amendment, tract map, CEQA (MND)
- City Council – approval body – design review, PDP, zone change, general plan amendment, tract map, CEQA (MND)

A courtesy notice was sent to abutting properties for both the Architectural Review Board and the Parks and Recreation Commission meeting on February 2, 2017. A public hearing notice was mailed for the Planning Commission meeting to the property owners within 600 feet of the subject property on January 26, 2017. Future public outreach includes a public hearing before the City Council.

BACKGROUND

The 71,730 square feet (1.65 acre) project site exists today as six (6) parcels with two (2) buildings. The properties are currently zoned Open Space (O) and Public Facility (PF). The

westerly portion of the site is comprised of three (3) parcels, which contain the existing Third Street Park, 1634-1640 Third Street building, and associated parking lot. The building began as a warehouse and was later converted to the City's first City Hall. The Third Street building is currently home to the Duarte Chamber of Commerce offices and was the former site of Duarte Montessori School. The easterly three (3) parcels contain the City's north yard and office building. The 1101 Oak Avenue building served as Cal-Am' Duarte field office for many years.

A Purchase and Sale Agreement was approved by the City Council on June 28, 2016, between Tipping Development Inc. and the City (who owns the entire property). The agreement provided for the development of the site into a residential project using high-quality Spanish-colonial style architecture and the reconstruction or relocation of Third Street Park, in exchange for \$1.9 million. The significant reasons for the City's decision to sell this property were grounded in the condition of the existing buildings and the prospect of less than compatible uses (e.g. office, commercial or school) if the City were to have elected to rehabilitate the buildings. Prior to considering this agreement, the City ascertained the condition of the buildings. The building assessment showed that the site would need costly seismic, accessibility and architectural upgrades to make it marketable to future office, civic or school uses.

The project has had and will include significant public outreach through the entitlement process. The neighborhood affected by the potential relocation of the park has been involved since early in the process, including two neighborhood meetings held in May 2015 and September 2016. At these meetings traffic, parking and park issues were raised as major topics of discussion. Most of the attendees indicated their preference for the relocation and reconstruction of the park, rather than upgrading the park in its current location. Residents also expressed their desire for the following features of the new park: upgraded lighting, safety and visibility, designed primarily as a passive park, smaller piece of playground equipment, dog waste station, reduction or elimination of benches and picnic areas, and protection for children from the street due to the park's geography. These concepts have been integrated or addressed in the proposed park design. Traffic and on-street parking concerns were also discussed in the neighborhood meeting. Staff indicated that a traffic analysis that was being conducted by Albert Grover and Associates, and did not anticipate a significant impact on traffic. In addition, the restriction of on-street parking in front of the project was discussed by most of the attendees.

On February 13, two advisory meetings were held before the ARB and Parks and Recreation Commission. The ARB recommended Planning Commission approval of Site Plan and Design Review 16-22 and PDP 16-01. Parks and Recreation Commission recommended City Council approval of the new park design and layout with several minor adjustments, including relocation of trash receptacles and dog waste stations and the addition of a citrus tree and a small commemorative/educational kiosk.

PROJECT DESCRIPTION

The applicant is proposing to raze all existing buildings (approximately 12,790 square feet); demolish all parking lots; remove, relocate and reconstruct Third Street Park to the south-east end of the project site at the corner of Third Street and Oak Avenue, and construct 18 owner-occupied, two-story attached residences (e.g. townhomes). The residences living area averages 1,616 square feet of floor area. All units will feature three bedrooms, 2 ½ baths, living

and dining areas, and an attached two-car garage. The common area proposes 14 overflow and guest parking spaces, private yards and/or patios for 11 units and a 2,192 square-foot common open space located toward the center of the development. Proposed project density is 11 dwelling units per acre (du/ac).

The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property.

ANALYSIS

The proposed residential development requires a series of entitlement approvals in order to proceed, which include:

- General Plan Amendment (GPA 16-01) - modifying the current land use designation from Public Facility and Open Space to Medium Density Residential and Open Space;
- Zone Change (ZC 16-01) - replacing Public Facility (PF) zoning to R-3, Multi-Family Residential (Medium Density) and Open Space (OS) zoning
- Tentative Tract Map 74365 – allowing the subdivision of six (6) existing parcels into 21 parcels to allow for the construction of an 18-unit, owner-occupied, two-story townhome project, park parcel, one common area lot, and a lot to be deeded to an abutting property;
- Planned Development Permit (PDP 16-01) - allowing customized development standards, that provide for flexibility with proposed development projects under limited and unique circumstances, in the following areas: front and rear setback, lot depth and common and private open space;
- Site Plan Design Review (SPDR 16-22) - reviewing building and site compatibility, architectural design and detail, and landscape, lighting and other aesthetic details; and
- Mitigated Negative Declaration (MND) - An associated environmental document reviewing the project's potential environmental impacts in compliance with the California Environmental Quality Act (CEQA). An MND was required based upon an Initial Study, indicating that the proposed project would not have any significant environmental impacts with adopted mitigation measures.

The following discussion further describes the required entitlements and highlights pertinent issues and topics related thereto.

General Plan Amendment

The proposed General Plan amendment would change the designations from Public Facility (PF) and Open Space (O) to Medium Density Residential (MDR) and Open Space (O) for all properties, except Lot C, as further described in the tract map section (below). Lot C would remain as a High Density Residential land use designation, which corresponds with the R-4 zoning associated with the senior apartment complex to the south of the project site. For the remaining five parcels involved in the subdivision, a PF designation is no longer necessary, since public buildings are being proposed for removal as a part of this project.

Medium Density Residential provides for denser multi-family dwelling developments and duplexes, up to 21 du/ac. Based upon historical records, project density is typically around 15 du/ac. This land use designation coincides with the R-3 zoning district.

The Open Space designation would apply to the easterly portion of the property that will be the location of the relocated Third Street Park. This designation allows recreational, park, and forest/wilderness land uses.

The recommended Medium Density Residential and Open Space General Plan designation would enable the this 18-unit residential project and park relocation to move forward, ensure land use compatibility with adjacent residential properties and assist in preserving the character of the existing residential neighborhood. If approved, the project site would be compatible with the high, medium and low-density residential land use designations for residential properties immediately to the north across Third Street, and properties to the east, south, and west.

Zone Change

Zoning on the project site would be changed from Public Facility (PF) and Open Space (O) to Multiple-Family Residential, Medium Density (R3) and Open Space (O) in conjunction with the General Plan Land Use designation amendments described above. This zone change would not affect the proposed Lot C, as further described in the tract map section (below). Lot C would remain as R-4, Multi-Family Residential (High Density) zoning associated with the senior apartment complex to the south of the project site. The assigned zoning classifications correspond to the General Plan Land Use designations described above.

The R-3 Multiple-Family (Medium Density) zone is established to accommodate residential development generally characterized by single structures of a collection of cohesive structures that house individual and/or multiple units, with common open space areas and amenities. The Open Space zone is established to set aside areas necessary to maintain and protect open space for the purpose of recreation.

Zoning classifications ensure that new and existing developments follow approved land uses and development standards assigned to each unique zone, such as density, scale, setbacks, height and open space. These standards help to define each zone and ensure new projects are compatible with adjacent uses.

Neighborhood Compatibility

The project density is 11 dwelling units per acre, which is well below the allowable maximum density of 21 dwelling units per acre for the R-3 zone. The properties to the north and west of the subject property are zoned for Single-family Residential (R-1) and Two-Family Residential (R-2), developed predominantly with single family residences and several smaller apartment buildings. Properties to the north-east and south are zoned Multiple-Family High Density (R-4) and include one larger senior apartment facility and smaller duplex rental units. Small lot single-family residential, zoned Duarte Gardens Specific Plan, is located to the southwest of the project. The Los Angeles County Fire Station #44 is located within the and Public Facility (P-F) zone to the east. The proposed 18-unit development and new park would be consistent with the

surrounding uses and existing neighborhood; and replace office, school and municipal yard uses that are less than compatible with surrounding residential properties.

Tentative Tract Map

The Planning Commission is being asked to consider the approval of a Tentative Tract Map. The site currently consists of six, City-owned, parcels, which contain two (2) buildings, Third Street Park, North City Yard and associated parking lots. The proposed project requires the subdivision of the existing site into 21 parcels, in order to create 18, owner-occupied parcels; a parcel dedicated to the City for the proposed relocation of the park (Lot A); one (1) common area parcel managed by a homeowner's association (Lot B); and Lot C. In addition to the tentative tract map, a lot line adjustment, shown as "Lot C", would need approval from the Community Development Director and City Engineer. Lot C involves the quitclaim of City-owned property south of the project site that currently contains an encroaching carport structure associated with the adjacent apartment development. The High Density Residential General Plan designation and R-4 zoning district would remain on Lot C, which corresponds with the existing residential density of the abutting apartment complex.

The tract map is intended to facilitate private property ownership in the residential project. Furthermore, the subdivision has been designed to meet Fire Department, Sanitation District, various utilities and Duarte Unified School District requirements related to the division of land and the purveying of vital services and infrastructure. Roadways and driveways serving the site meet City mobility and fire access standards. A fee for the undergrounding of overhead utilities on Oak Avenue will be required of the developer. The developer will also be required to repair or reconstruct curbs, gutters and sidewalks around the development, including several unimproved street frontages on the north side of Third Street. Water and sewer connections will be provided to each individual unit, and to also serve common open space areas.

Common areas that serve the entire development and managed by a future on-site homeowners association, are located on the map as Lot B. These common areas will feature private driveways, designated as fire lanes; 14 guest parking spaces, internal walkways that link residences to the sidewalk along Third Street; landscaped pedestrian pathways throughout the development; and a centralized trash enclosure. A community recreation area, which includes a trellis cover, barbeque and walled seating area, is provided at the center of the project site.

Planned Development Permit Process

Pursuant to Section 19.118 of the Duarte Development Code (DDC), a planned development permit (PDP) is required to allow for flexibility in development standards to create unique living environments through the efficient use of land, excellence of design, and/or provide for enhanced amenities and innovation in energy efficiency. This project contains PDP requests for several development standards: front and rear setbacks, lot depth and both private and common open space.

R-3 Zone Development Standards

With the rezoning of the property, the development will be required to comply with the R-3 zone development standards. The project meets all required development standards except for: 120-foot lot depth, 30-foot front setback and 20-foot rear setback. The project site maintains the

existing lot depth range of 50 feet to 129 feet, proposes front setbacks in a range of 15 to 17-feet for all 16 units along third street, and a 10 to 12-foot rear setback for ten units.

A PDP is requested to allow for the non-conforming lot depth and requested setback reductions. As a part of the PDP, the development provides the following amenities and efficiencies. All 18-units provide high-quality architecture, including the use of deep, recessed windows, Spanish tile accents, decorative iron work and a smooth-style stucco exterior. The 16-units with street frontage along Third Street provide an enhanced architectural streetscape, decorative colored concrete proposed for each entry, and units oriented so that pedestrian access is provided at the street with garage access to the rear or side of each the unit. Setback concerns have been addressed by providing buffered private open space between all units that adjacent to existing residential uses.

Staff recommends that the applicant's request for a R-3 development standards PDP is appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, ranging from 50' to 129', there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features. Table A, provided below, show the development standards and requested deviations for the R-3, multiple-family residential zone standards.

Table A: R-3, Multiple-Family Residential Development Standards

Feature	Standard	Project Proposal	Analysis
Dwelling Units/Acre	21 units / acre		
Min. Lot Area Per Unit	1 unit / 2,074 sq. ft.	11 units per acre	<i>Complies</i>
Minimum Lot Size	9,000 sq. ft.	71,730 sq. ft.	<i>Complies</i>
Minimum Lot Width	80 ft.	Approx. 840 ft.	<i>Complies</i>
Minimum Lot Depth	120 ft.	50 ft. to 129 ft.	<i>Requires PDP</i>
Minimum Setbacks			
Front			
Third Street	30 ft.	12 ft. to 17 ft.	<i>Requires PDP</i>
Side			
(Third Street West P.L)	5 ft.	10 ft. 2 in.	<i>Complies</i>
(Third Street East P.L)	5 ft.	10 ft.	<i>Complies</i>
Rear	20 ft.	10 ft. to 12 ft.	<i>Requires PDP</i>
Height Limit	40' or 3 stories, whichever is less	25' max., 2 stories	<i>Complies</i>
Floor Area of Dwelling			
3 Bedroom	1,000 sq. ft.	1,584 sq. ft.to 1,674 sq. ft.	<i>Complies</i>
Lot Coverage	50%	29%	<i>Complies</i>
Parking			
Residence	2 / unit within a garage	36 spaces	<i>Complies</i>
Guest/Overflow	<u>1 guest and 1 overflow / 4 units</u>	<u>14 spaces</u>	
Total Required	45 spaces	50 spaces	

Open Space Plan

The applicant has requested an open space PDP due to unique dimensions and a shallow lot depth that restrict the ability to provide private yards for all units; and proximity to the new park and an enhanced, centralized common open space area.

The minimum required private open space area is 200 square feet per unit, which can include balconies, yards or decks. Private, ground-level, yards have been provided for 11 of the 18 lots, which range in size from 148 square feet to 592 square feet. The properties on the easterly portion of the site receive larger, private rear yards. The remaining seven units along Third Street, at the west end of the development do not provide private yards due to the unit location within the development. Units without private yards are a short distance to the common yard area.

The common area open space plan provides several enhanced elements, including: a large (2,192 sq. ft.) centralized recreation area which features a trellis covered seating and barbeque area, an accent Oak tree, and a walled and landscaped courtyard, buffered from Third Street and adjacent units; and internal paseos with decorative paving and landscaped edges that provide a sense of place within the development and provide for additional residential privacy between the paseo and individual units.

Table B, shown below, provides a comparison of the private and common open space requirements and open space provided for the project.

Table B: Private and Common Open Space Requirements

	Minimum Required	Provided	Analysis
Private Open Space	200 sq. ft./unit Totaling 3,600 sq. ft.	3,118 sq. ft.	Reduction in <i>private</i> open space permitted w/ PDP approval
Common Open Space	200 sq. ft./unit or 3,600 sq. ft.	2,192 sq. ft. (useable common open space) & 1,550 sq. ft. (paseo's & enhanced walkways) <i>Combined 3,742 sq. ft.</i>	Reduction in <i>common</i> open space permitted w/ PDP approval
Overall Total	7,200 sq. ft.	6,860 sq. ft.	340 sq. ft. reduction

Site Plan and Design Review

Site Design and Architectural Style

Careful consideration has been integrated into this project to address compatibility with neighboring structures and to provide a high-quality design that provides unique and interesting architectural detail.

Comments from past neighborhood meetings included site plan and design concerns related to preserving portions of the southerly view from homes across the street from the project, massing and scale that complement the existing neighborhood, and the desire for a high-quality architectural design.

In working with the developer and architect, the site plan has been modified over time to: limit the number of attached buildings to no more than duplexes, provide additional width in walkways and paseos, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. Architecturally, the development proposes a high-quality Spanish Colonial Revival design. All 18-units have distinct front entries with decorative colored stamped concrete. The proposed architectural style utilizes a variety of architectural features such as bay windows and arched recessed windows with an anodized dark bronze trim finish, floral white smooth finish stucco, Spanish and stucco tile entry archways, recessed tile art features, and wrought iron balconies and window covers. Additionally, Capistrano blend concrete roof tile and wood grain steel garage doors with a walnut finish bead board design are also proposed. Each unit will have dark bronze aluminum gutters to match the window trim color.

Parking and Circulation

Two-car, attached garages have been provided for each of the eighteen units. Seventeen of the eighteen units maintain a vehicular free frontage, with access to all garages through four separate driveways which lead to the back/side/front of each unit. The eighteenth unit, located at the far east end of the project site, adjacent to the relocated park, will maintain vehicular access from Third Street. This unit has been designed so that the garage is recessed from Third Street with minimal public visibility. Guest and overflow parking includes 14 on-site parking spaces, eight stalls in the center of the project and the remaining guest spaces located at the rear of each driveway along the easterly portion of the project. As shown above in Table A, the project exceeds the required parking. Decorative paving will be used for each driveway entry, with colored concrete, stamped with a flagstone pattern.

Landscape, Lighting and Other Site Improvements

The common area within the project includes various site improvements that will be managed and maintained by a private homeowners association. Drought-tolerant and climate adapted landscaping will be featured in front yards facing Third Street, in paseos between units, along driveways and in parking areas. Although demolition of the site includes the proposal to remove 21 trees, approximately 40 trees will be planted throughout the development. Decorative colored concrete paving will also be used at unit entries with a stamped finish to match the entry

drives. A decorative, six-foot perimeter block wall is proposed along the south, east and west property lines.

A trash enclosure is proposed at a centralized location within the development, with tan colored, burnished CMU walls approximately six-feet in height, entry gates, and a wood trellis cover. Site lighting is proposed throughout the development with standard light poles painted bronze, as well as a censored down light within the trash enclosure area. A bike rack is proposed north of the trash enclosure.

A landscape and irrigation plan including site improvements, such as the trash enclosure and bicycle rack, detailed wall plan, site lighting will be required to be submitted for review and approval by the Planning Department prior to permit issuance, a condition of approval has been added to ensure compliance with this requirement.

Reconstruction of Third Street Park

Several neighborhood meetings were held to gather the opinions of local residents, who would be most affected by the development. At these meetings, most of the attendees indicated their preference for the relocation and reconstruction of the park, rather than upgrading the park in its current location. Residents also expressed their desire for the following features of the new park: upgraded lighting, safety and visibility, designed primarily as a passive park, smaller piece of playground equipment, dog waste station, reduction or elimination of benches and picnic areas, and protection for children from the street due to the park's geography.

The developer, Parks and Recreation Department and Planning Division worked on several designs to address resident interests, as well as to integrate responsible landscaping, safe park design and citrus-themed playground equipment. To achieve these goals, the proposed park will include a native plant garden and passive recreational area on the west-end of the park, a decomposed granite walking path surrounding a small lawn area at the center of the park, and a new, smaller-sized play equipment featuring a custom citrus orange theme, at the park's easterly side. The park will provide a unique street image using a river rock wall with a concrete cap approximately 20" in height, with four, five-foot high columns displaying four historic Duarte citrus crate labels, and park identification signage. The location of the proposed river rock wall near the intersection of Oak Avenue and Third Street provides adequate line-of-sight for vehicles and pedestrians while providing a barrier for children utilizing the play equipment from passing vehicle traffic. A decorative, six-foot high block wall will be installed along the southerly property line. Six low-light bollards, with a bronze finish have been placed throughout the native garden, decomposed granite walking path and lawn area. Two taller park light standards in a bronze finish are proposed on both the north and south side of the play equipment. Proposed lighting and selective placement of lower growing landscape materials throughout the park will provide adequate visibility for residents and law enforcement purposes. Durable equipment and furnishings, including benches, trash receptacles and dog waste stations, are located throughout the park.

On February 13, the Parks and Recreation Commission recommended City Council approval of the new park design and layout with several minor adjustments, including relocation of trash receptacles and dog waste stations and the addition of a citrus tree and a small commemorative/educational kiosk. These elements will be integrated into a future redesign.

California Environmental Quality Act (CEQA)

An Initial Study and Mitigated Negative Declaration (MND) have been prepared pursuant to CEQA to analyze the possible environmental impacts from the project. Several technical reports and studies were completed prior to the completion of the Initial Study, including a AQMD analysis, greenhouse gas analysis, cultural resource assessment, geotechnical evaluation, hydrology report and traffic analysis, including the multi-way stop application traffic study. The Initial Study identifies potentially significant impacts regarding geology/soils, hazardous materials, hydrology/water quality, noise and public services and utilities impacts and recommends the adoption of mitigation measures to reduce potential impacts to a less than significant level. A mitigation monitoring program is attached to the draft Resolution.

Traffic Analysis

A trip generation analysis was conducted by Albert Grover and Associates for the existing uses at the project site to determine the current typical traffic patterns. Based on the current employment at the offices, enrollment at the school, and acreage of the park, 326 trips are generated by the site on a typical weekday. The trip generation rates were determined using the Institute of Transportation Engineers' (ITE) *Trip Generation manual*, 9th Edition (2012). Table 1 shown below provides a summary of the existing site trip generation.

Table 1: Existing Site Trip Generation

Existing Site		Daily	AM Peak Hour			PM Peak Hour		
Use Type	Units*		In	Out	Total	In	Out	Total
Duarte City Departments (government offices)	3,740 SF	258	18	4	22	11	11	22
Duarte Montessori (elementary school)	52 STU	67	13	11	24	7	8	15
Third Street Park (city park)	0.29 AC	1	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Total Trips		326	31	15	46	18	19	37

* SF - Square Footage; STU - Enrolled Student; AC - Acreage

Note: ITE Trip Generation Manual (9th ed.) provides only daily trip generation rates for city parks.

The project trip generation rates for the proposed 18 two-story development was also determined using the ITE 2012 *Trip General Manual*. Table 2 below, provides the anticipated project trip generation. Based on the trip generation analysis, the existing offices, Montessori school, and park use experience traffic volumes greater than those anticipated from the proposed residential development.

Table 2: Anticipated Project Trip Generation

Proposed Project Site		Daily	AM Peak Hour			PM Peak Hour		
Use Type	Units*		In	Out	Total	In	Out	Total
Housing Development (residential townhomes)	18 DU	105	2	6	8	3	3	6
Third Street Park (relocated city park)	0.22 AC	0	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
Total Trips		105	2	6	8	3	3	6

* DU - Dwelling Unit

Note: ITE Trip Generation Manual (9th ed.) provides only daily trip generation rates for city parks.

As shown in the table above, the traffic analysis provided by Albert Grover and Associates indicates that the project will generate approximately 105 daily vehicle trips. Based on the trip generation analysis, the existing offices, montessori school and existing park produce heavier traffic volumes than those anticipated with the proposed residential development. The construction of 18 attached townhomes and relocation of Third Street Park is not expected to impact Third Street, Oak Avenue, or the surrounding residential area.

Multi-Way Stop

The intersection of Oak Avenue and Third Street is located primarily within a residential area, but is connected to commercial uses to the south and the Fire Station to the east. Third Street, with an east-west roadway is currently controlled with a two-way stop. Oak Avenue, north-south, does not have a stop control at this intersection. With the relocation and reconstruction of Third Street Park to the south-west end of the project site, adjacent to this insterection, a review of the traffic patterns was conducted. RKA Consulting Group performed an engineering and traffic study to determine if the intersection of Oak Avenue and Third Street required the installation of a multi-way stop application. As a result of this analysis, it was determined that based on a line of sight issue with on-street parking on Oak Avenue, the installation of a multi-way stop application is recommended pursuant to Section 2B.07, Subsection 05.C of the 2014 California MUTCD.

Conclusion

The proposed development provides for a high-quality residential development and the creation of a new park that serves the wider community. The project is consistent with the goals and policies of the Duarte General Plan by providing development that compliments surrounding uses and offers a variety of housing types to accommodate a range of tastes and incomes. Project density is complimentary to single-family residences, while also transitioning between

higher density apartments to the south and east. The proposed subdivision is physically suitable for 18 owner-occupied residences and provides surety that fire access, utility service and other public improvements are addressed. The site layout meets the standards of the R-3 Multiple-Family Residential zone, except for front and rear setbacks and lot depth. Through a PDP approval, flexibility would be given to these development standards due because of existing lot configurations and through developer-provided enhancements to project architecture, site design and the upgraded common areas. The scale, massing and architectural character of the project preserves the integrity of the surrounding homes and compliments the greater community. The project location also provides pedestrian connectivity to commercial areas, public transportation options and recreational opportunities with the relocation of Third Street Park just east of the proposed development.

Conditions of approval have been proposed for the Tract Map, PDP and Site Plan and Design Review approvals. Adherence to these conditions, in addition to implementing the required mitigation measures included in the MND, will reduce impacts to the surrounding neighborhood and environment.

RECOMMENDATION

Staff recommends that the Planning Commission review and recommend approval to the City Council the following project entitlements, in this order:

1. PC Resolution 17-07 – certifying the project's mitigated negative declaration (MND) and mitigation monitoring program (Exhibit D);
2. PC Resolution 17-01 - General Plan Amendment 16-01 (Exhibit E);
3. PC Resolution 17-02 - Zone Change 16-01 (Exhibit F);
4. PC Resolution 17-03 - Tentative Tract Map 74365 (Exhibit G);
5. PC Resolution 17-04 - Planned Development Permit 16-01 (Exhibit H); and
6. PC Resolution 17-05 - Site Plan and Design Review 16-22 (Exhibit I).

Respectfully Submitted,



Kristen Johnston
Associate Planner

ATTACHMENTS

Exhibit A – Plans

Exhibit B – Photo Survey

Exhibit C – Engineering and Multi-Way Stop Application

Exhibit D – Resolution PC17-07 MND and Mitigation Monitoring Program

Exhibit E – Resolution PC17-01 General Plan Amendment, with land use diagram

Exhibit F – Resolution PC17-02 Zone Change, with zoning map

Exhibit G – Resolution PC17-03 Tentative Tract Map 74365, with conditions

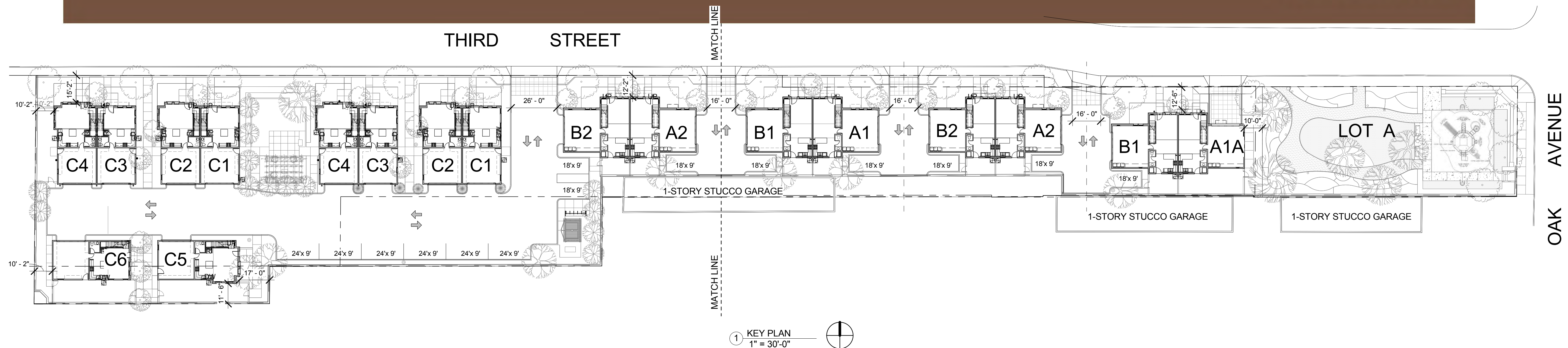
Exhibit H – Resolution PC17-04 Planned Development Permit, with conditions

Exhibit I – Resolution PC17-05 Site Plan and Design Review, with conditions

TIPPING INVESTMENT, INC.
FENG XIAO ARCHITECT, INC.



1. North Elevation-3rd Street



PROJECT SUMMARY

PROJECT ADDRESS: 1101 OAK AVE. & 1634 THIRD ST., DUARTE, CA
SITE AREA: 71,730 SF (1.647 AC INCLUDING PARK)
PARK AREA: 8,989 SF (0.21 AC)

EXISTING ZONING: PF AND O
PROPOSED ZONING: R3 AND O
EXISTING LAND USE: SCHOOL, OFFICE AND PARK
PROPOSED LAND USE: RESIDENTIAL AND PARK

UNIT COUNT: 18 DUPLEX UNITS
AVERAGE SIZE: 1,615 SF
TOTAL LIVABLE AREA: 29,076 SF

DENSITY: 18 UNITS (11 DU/ACRE)
MAX. HEIGHT: 30 FT(2 STORIES)

EXIST. SITE ENCROACHMENT: 3,409 SF
EXIST. BLDG ENCHROACHMENT: 1,408 SF
PROPOSED BLDG FOOTPRINT: 18,968 SF
LOT COVERAGE: $(19,475+1,408)/71,730=29.1\%$

SETBACK: FRONT: 10 FT
REAR: 10 FT
SIDE(INTERIOR) :10 FT

OPEN SPACE:
COMMON OPEN SPACE: 2,192 SF(122 SF/DU)
PRIVATE OPEN SPACE: 5,773 SF(321 SF/DU)

PARKING:
36 PRIVATE GARAGE
14 ON-SITE PARKING
TOTAL: 50

BIKE SPACE: 6

PROJECT TEAM

OWNER:
TIPPING INVESTMENT, INC.
911 S. PRIMROSE AVE.
SUITE P
MONROVIA, CA 91016
PHONE: 626.239.7900

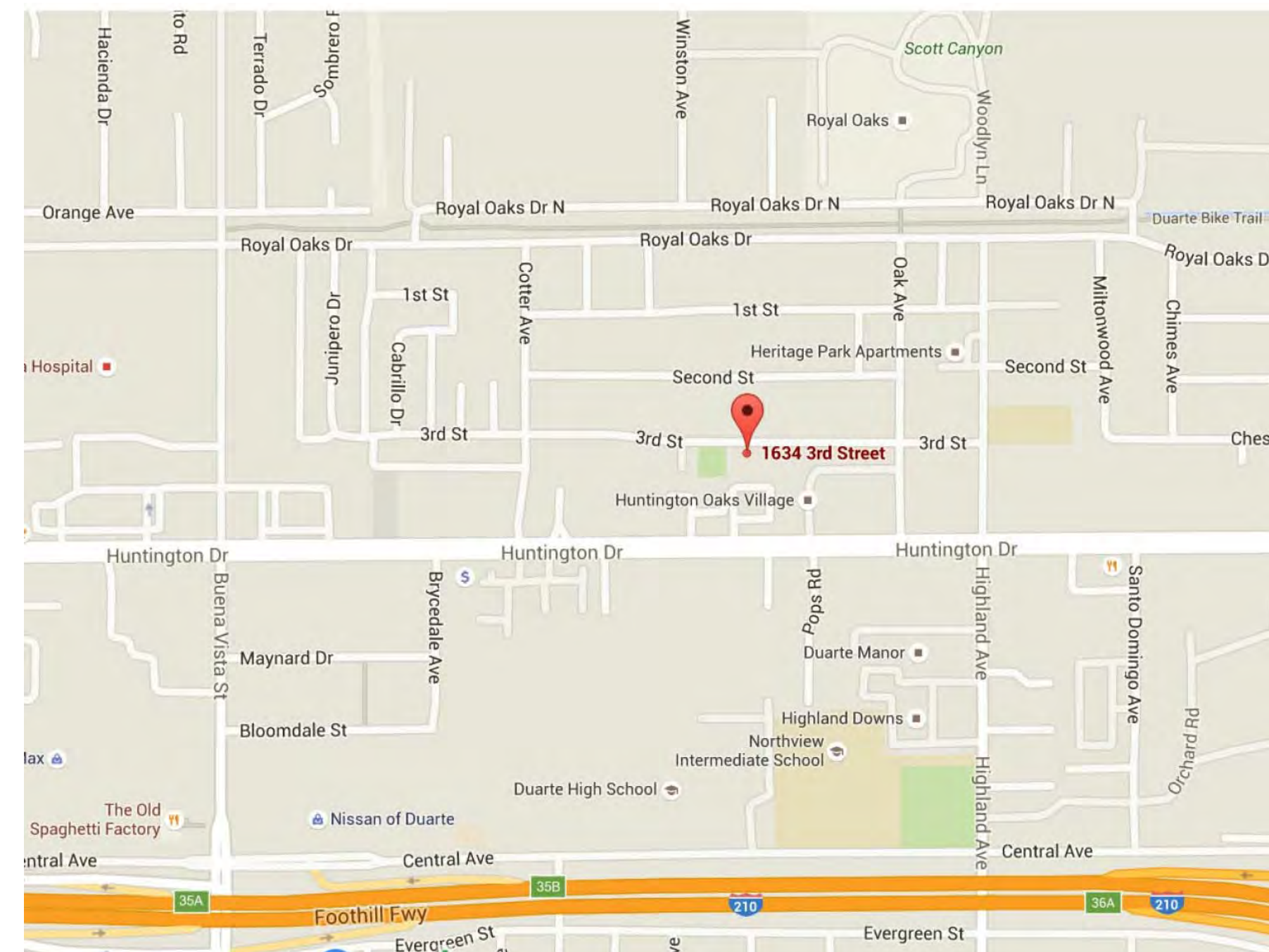
ARCHITECT:
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31742 COAST HIGH WAY
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PHONE: 949.645.9444
EMAIL: D.SCHNEIDER@FHSP.NET

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
G001	SITE PLAN
C-1	SHEET 1
C-2	SHEET 2
C-3	SHEET 3
L1.00	LANDSCAPE SITE PLAN
L1.01	PARTIAL RESIDENTIAL LANDSCAPE SITE PLAN
L1.02	PARTIAL RESIDENTIAL LANDSCAPE SITE PLAN
L1.03	PARTIAL RESIDENTIAL LANDSCAPE SITE PLAN
L1.04	PARTIAL RESIDENTIAL LANDSCAPE SITE PLAN
L1.05	EXISTING TREE PLAN
L1.06	PLANT PHOTOS
L1.07	PARTIAL RESIDENTIAL OPEN SPACE PLAN
L1.08	PARTIAL RESIDENTIAL OPEN SPACE PLAN
L2.01	PARK PLAN
L2.02	PARK ELEVATIONS
L2.03	PARK AMENITIES
A001	ENLARGED SITE PLAN
A101	UNIT A1-B1 FLOOR PLANS & ELEVATIONS
A102	UNIT A1A-B1 FLOOR PLANS & ELEVATIONS
A103	UNIT A2-B2 FLOOR PLANS & ELEVATIONS
A104	UNIT C1-C2 FLOOR PLANS & ELEVATIONS
A105	UNIT C3-C4 FLOOR PLANS & ELEVATIONS
A106	UNIT C5 FLOOR PLANS & ELEVATIONS
A107	UNIT C6 FLOOR PLANS & ELEVATIONS
A201	ELEVATIONS
Grand total: 25	

VICINITY MAP



OWNER:
TIPPING INVESTMENT, INC.
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PHONE: 949.645.9444
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**ARCHITECTURAL REVIEW
BOARD SUBMISSION
JANUARY 27, 2017**

[illegible]

3RD & OAK

3RD & OAK, DUARTE, CA

@ 2016 Feng Xiao Architect, Inc.

SITE PLAN

Project number: 15002	Date: 01/27/17
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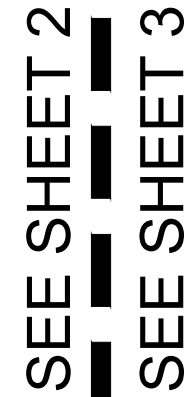
Drawing No.

G001

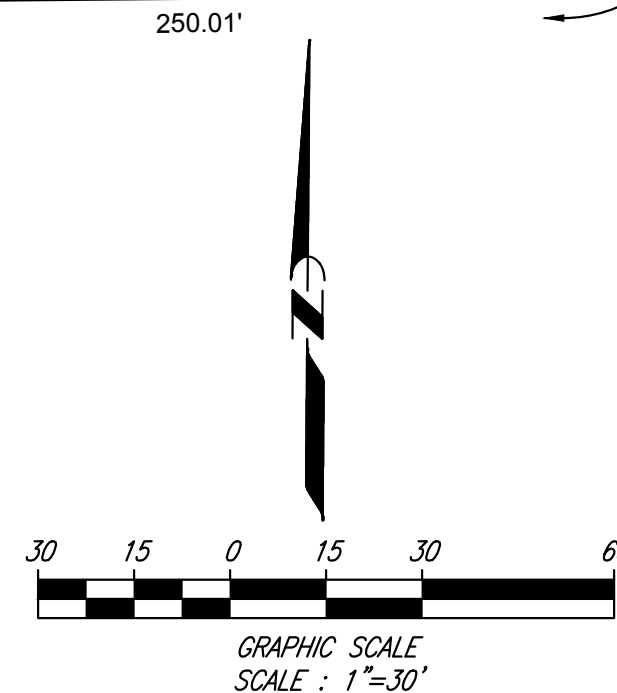
Scale: 1" = 30'-0"

BEING A SUBDIVISION OF LOT 1 AND PORTIONS OF LOTS 2, 6, 7, ALL IN BLOCK 8 OF TOWN OF DUARTE, AS PER MAP RECORDED IN BOOK 83 PAGE 21 OF MISCELLANEOUS RECORDS, TOGETHER WITH 10-FOOT ALLEY ADJOINING THE NORTH 61.5 FEET OF SAID LOT 7 ON THE WEST, AS VACATED BY THE CITY COUNCIL OF THE CITY OF DUARTE IN RESOLUTION NO. 82-4, RECORDED JANUARY 15, 1982, AS INSTRUMENT NO. 82-48736, OF OFFICIAL RECORD AND A PORTION OF LOT 11 OF SECTION 30, OF THE SUBDIVISION OF THE RANCHO ASUZA DE DUARTE, AS PER MAP RECORDED IN BOOK 6 PAGE 80 OF MISCELLANEOUS RECORDS, ALL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

ALSO KNOWN AS 8530-011-911,913,914,915, 912, 8530-017-905



SCALE: 1=30'



RESIDENTIAL LOT		RESIDENTIAL LOT		LETTER LOT	
Lot #	Area (SQ.FT.)	Lot #	Area (SQ.FT.)	Lot #	Area (SQ.FT.)
1	1281.4	10	1467.0	A- Park	8989.2
2	1191.2	11	1464.9	B - HOA	34449.7
3	1281.4	12	1465.5	C	3042.5
4	1191.2	13	1463.5	D	77.4
5	1281.4	14	1464.1		
6	1191.2	15	1497.7		
7	1281.4	16	1686.2		
8	1191.2	17	1713.1		
9	1266.4	18	1792.0		

- PROJECT AREA IMPVIOUSNESS ~ 87% (EXCLUDES CITY PARK AREA TO BE DEDICATED TO CITY OF DUARTE)
- 85TH PERCENTILE, 24-HR RAIN EVENT = 1.3 INCHES (PER LA COUNTY GIS HYDROLOGY)
- SITE IS OUTSIDE LIQUFACTION AND LANDSLIDE ZONES PER CALIFORNIA SEISMIC HAZARD MAP-AZUSA QUADRANGLE
- PER PRELIMINARY GEOTECHNICAL EVALUATION BY DUCO ENGINEERING, INC (JUNE 10, 2016)

- "DUE TO THE SOFT SURFACE/FILL AND THEIR POTENTIAL FOR DIFFERENTIAL SETTLEMENT IT IS RECOMMENDED THAT ALL FILL SOILS AND THE SOFT SURFACE SOILS BE REMOVED AND RECOMPACTED WITHIN THE ENTIRE BUILDING AREAS (GARAGE, AND RESIDENCE BUILDINGS INCLUDING ATTACHED COVERED PATIO/OUTDOOR LIVING AREA) TO A MINIMUM DEPTH OF 5 FEET BELOW THE EXISTING GROUND SURFACE."

- "HAZARDS ASSOCIATED WITH SEISMIC HAZARD MAPPING WERE NOT FOUND ON SITE AND THE SITE IS NOT LOCATED IN THE MAPPED HAZARD ZONE. THESE INCLUDED FAULTS, LIQUEFACTION, AND LANDSLIDES. NO GROUND WATER WAS ENCOUNTERED IN ANY HOLES TO THE DEPTHS EXPLORED AND NONE IS EXPECTED AT AN ELEVATION THAT WOULD AFFECT THE PROPOSED SITE DEVELOPMENT."

THE FOLLOWING EASEMENT PER PRELIMINARY REPORT, ORDER NO. 00033835-994-X23,
DATED JAN. 23, 2015, PREPARED BY CHICAGO TITLE COMPANY:

- ① GENERAL TELEPHONE COMPANY OF CALIFORNIA, A CALIFORNIA CORPORATION
EASEMENT FOR: PUBLIC UTILITIES
RECORDING DATE: JANUARY 26, 1972
RECORDING NO: 2517, OFFICIAL RECORDS
- ② COUNTY OF LOS ANGELES
EASEMENT FOR: PUBLIC ROAD AND HIGHWAY
RECORDING NO: BOOK 42488, PAGE 108, OFFICIAL RECORDS

THE LAND REFERRED TO HEREIN BELOW:

IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

LOT 1 AND PORTIONS OF LOTS 2, 6, 7, ALL IN BLOCK 8 OF TOWN OF DUARTE, AS PER MAP RECORDED IN BOOK 83 PAGE 21 OF MISCELLANEOUS RECORDS, TOGETHER WITH 10-FOOT ALLY ADJOINING THE NORTH 61.5 FEET OF SAID LOT 7 ON THE WEST, AS VACATED BY THE CITY COUNCIL OF THE CITY OF DUARTE IN RESOLUTION NO. 82-4, RECORDED JANUARY 15, 1982, AS INSTRUMENT NO. 82-48736, OF OFFICIAL RECORD, AND A PORTION OF LOT 11 OF SECTION 30, OF THE SUBDIVISION OF THE RANCHO ASUZA DE DUARTE, AS PER MAP RECORDED IN BOOK 6 PAGE 80 OF MISCELLANEOUS RECORDS, ALL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALSO KNOWN AS 8530-011-911,913,914,915, 912, 8530-017-905

DUCO ENGINEERING, INC.
14175 TELEPHONE AVE., STE. K
CHINO, CA 91710
(909) 594-7414

EMAIL: office@ducoengineering.com

CONTACT: JAMES COLLETT

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EMAIL: imar@southlandcivil.com

CONTACT: LARRY MAR, P.E. L.S.

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LAGUNA BEACH, CA 92651
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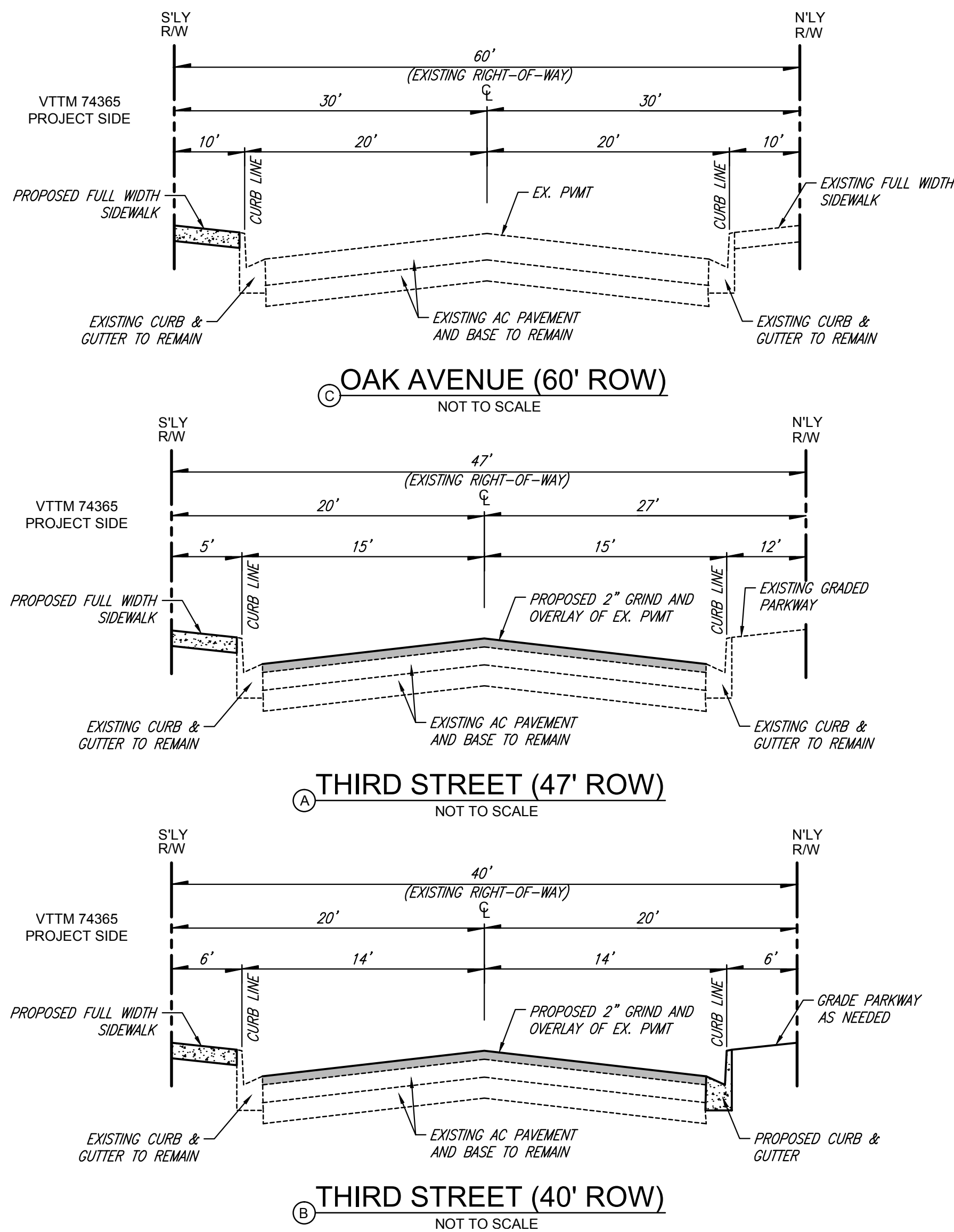
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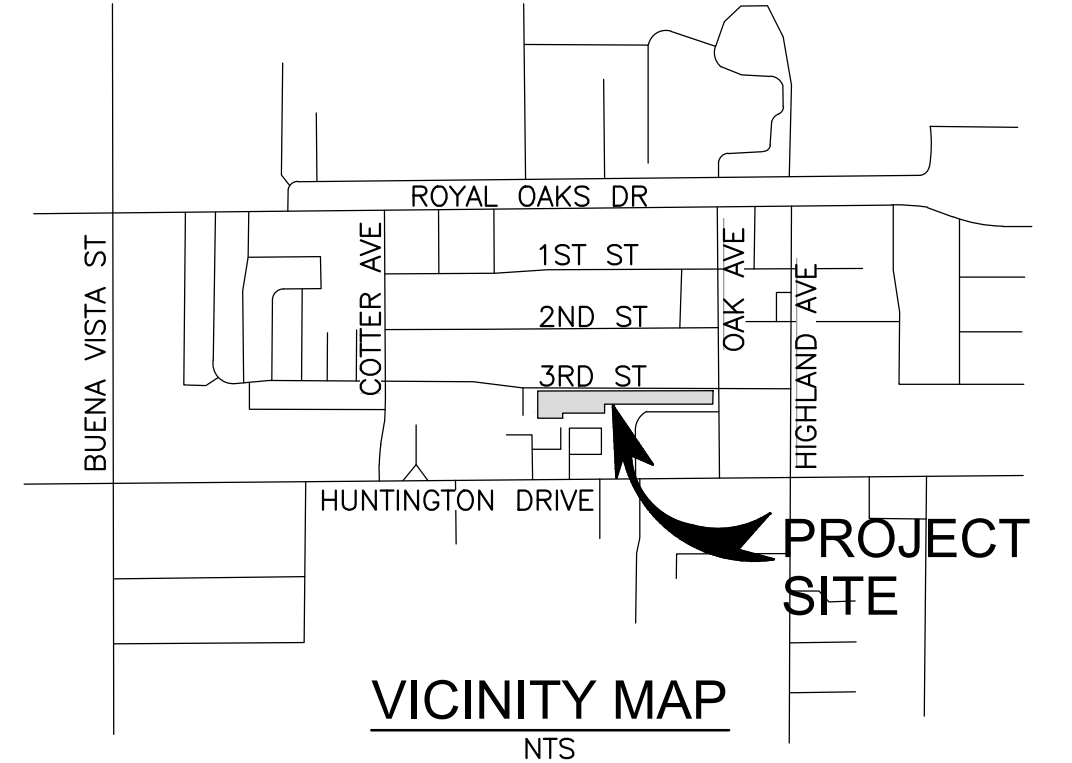
EMAIL: richard@tippingdevelopment.com
CONTACT: RICHARD TIPPING

FENG XIAO ARCHITECT, INC.
2540 HUNTINGTON DR, SUITE 207
SAN MARINO, CA 91108
(626) 380-7098

EMAIL: feng@fxarchitect.com



1. PROJECT ADDRESS: 1101 OAK AVENUE & 1634 THIRD STREET, DUARTE, CA
2. APN #: 8530-011-911, 913, 914, 915, 912, 8530-017-905
3. PROJECT AREA: 71,730 S.F. (1.65 AC)
4. PARK AREA: 8,989 S.F. (0.21 AC)
5. EXISTING ZONING: PUBLIC FACILITIES
6. PROPOSED ZONING: R3
7. EXISTING LAND USE: SCHOOL, OFFICE AND PARK
8. PROPOSED LAND USE: RESIDENTIAL PLAN DEVELOPMENT
9. PROPOSED DRAINAGE: SITE IS SPLIT IN HALF TO DRAIN FROM THE MIDDLE HIGH POINT BOTH SOUTHWEST AND SOUTHEAST.
10. EARTHWORK QUANTITIES: CUT = 5,700 CY
FILL = 5,700 CY
11. A RETAINING WALL IS PROPOSED THROUGHOUT THE SOUTH SIDE OF THE SITE WITH VARYING HEIGHTS FROM 2' TO 9' MAXIMUM.
12. STORMWATER WILL BE DETAINED IN UNDERGROUND PIPES AND AN INFILTRATION BASIN INSTALLED BELOW OVER-EXCAVATED AND RECOMPACTED SOILS.
13. ALL EXISTING ON-SITE UTILITY LOCATIONS AND SIZES TO BE CONFIRMED DURING FINAL ENGINEERING.
14. ALL FUTURE UTILITIES SERVING THIS PROJECT SHALL BE UNDERGROUND.
15. BOUNDARY SURVEY: CONDUCTED ON 10/10/2015 BY MICHAEL H. KAZNOCHA, PLS. AND RECORDED AS RECORD OF SURVEY 19185, BOOK 276, PAGE 15 THRU 21.
16. TOPOGRAPHIC SURVEY: CONTOURS SHOWN ON THIS MAP WERE DERIVED FROM A FIELD SURVEY PERFORMED ON 8/29/2015. BY MICHAEL H. KAZNOCHA, PLS. AT THE REQUEST OR TIPPING DEVELOPMENT, INC.
17. ALL EXISTING BUILDINGS AND STRUCTURES ARE TO BE DEMOLISHED.
18. ALL TREES TO BE REMOVED PER PLAN PREPARED BY FONG HART SCHNEIDER, LANDSCAPE ARCHITECT, DWG. NO. L2.01, JULY 12, 2016.

[illegible]

Southland
Civil Engineering
& Survey, LLP



87 N. Raymond Ave., Ste. 300, Pasadena, CA 91103
TEL: (626) 486-2555, FAX: (626) 486-2556
www.SouthlandCivil.com



ENGINEER:	LARRY MAR, P.E.
DESIGNED BY:	BKL
DRAWN BY:	BKL
CHECKED BY:	LARRY MAR, P.E.
DRAWING SCALE:	

TENTATIVE
TRACT MAP NO. 74365
for
1101 OAK AVENUE & 1634 THIRD STREET

OWNER:
TIPPING DEVELOPMENT, INC.
911 S. PRIMROSE AVE., SUITE P, MONROVIA, CA 91016

DB NUMBER:	1650-15010
DRAWING NO.	

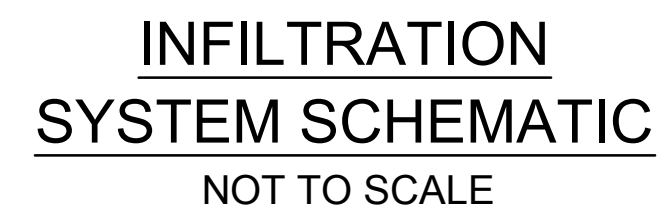
1

SHEET 1 OF 3 SHEETS

LAN CHECK #

BEING A SUBDIVISION OF LOT 1 AND PORTIONS OF LOTS 2, 6, 7, ALL IN BLOCK 8 OF TOWN OF DUARTE, AS PER MAP RECORDED IN BOOK 83 PAGE 21 OF MISCELLANEOUS RECORDS, TOGETHER WITH 10-FOOT ALLY ADJOINING THE NORTH 61.5 FEET OF SAID LOT 7 ON THE WEST, AS VACATED BY THE CITY COUNCIL OF THE CITY OF DUARTE IN RESOLUTION NO. 82-4, RECORDED JANUARY 15, 1982, AS INSTRUMENT NO. 82-48738, OF OFFICIAL RECORD AND A PORTION OF LOT 11 OF SECTION 30, OF THE SUBDIVISION OF THE RANCHO ASUZA DE DUARTE, AS PER MAP RECORDED IN BOOK 6 PAGE 80 OF MISCELLANEOUS RECORDS, ALL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

ALSO KNOWN AS 8530-011-911,913,914,915, 912, 8530-017-905



MATCH LINE - SEE SHEET 3



EXISTING TREE TO BE REMOVED
PER PLAN PREPARED BY FONG HART
SCHNEIDER+PARTNERS, LANDSCAPE
ARCHITECT DWG. NO. L2.01, JULY 12, 2016

Southland
Civil Engineering
& Survey, LLP

87 N. Raymond Ave., Ste. 300, Pasadena, CA 91103
TEL: (626) 486-2555, FAX: (626) 486-2556
www.SouthlandCivil.com



ENGINEER:	LARRY MAR. P.E.
DESIGNED BY:	BKL
DRAWN BY:	BKL
CHECKED BY:	LARRY MAR. P.E.
DRAWING SCALE:	

INITIATIVE
TRACT MAP NO. 74365
for
1101 OAK AVENUE & 1634 THIRD STREET

OWNER: TIPPING DEVELOPMENT, INC.
911 S. PRIMROSE AVE., SUITE P, MONROVIA, CA 91016

NUMBER:
1650-15010

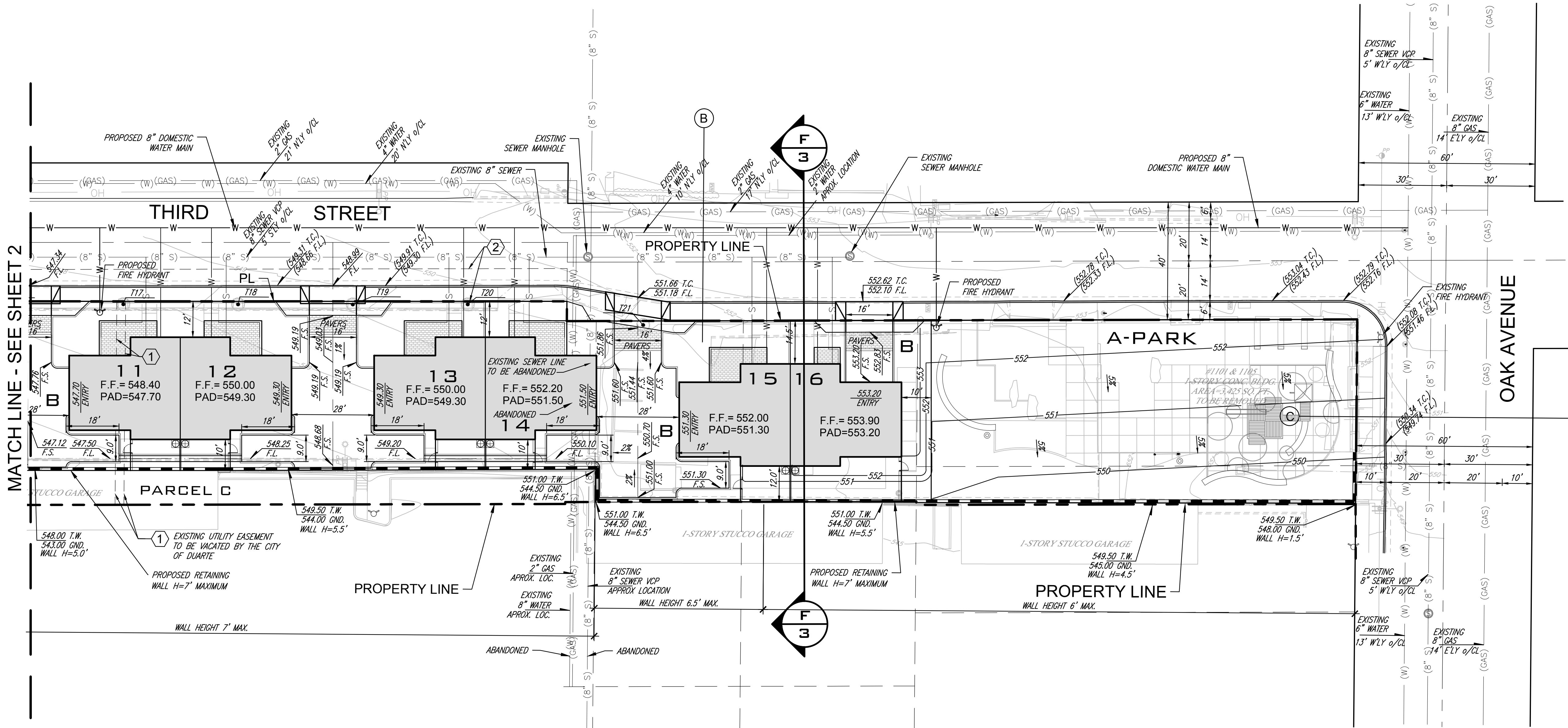
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SHEET 2 OF 3 SHEETS

— LARRY O'LEARY #

TENTATIVE TRACT MAP NO.74365

BEING A SUBDIVISION OF LOT 1 AND PORTIONS OF LOTS 2, 6, 7, ALL IN BLOCK 8 OF TOWN OF DUARTE, AS PER MAP RECORDED IN BOOK 83 PAGE 21 OF MISCELLANEOUS RECORDS, TOGETHER WITH 10-FOOT ALLEY ADJOINING THE NORTH 61.5 FEET OF SAID LOT 7 ON THE WEST, AS VACATED BY THE CITY COUNCIL OF THE CITY OF DUARTE IN RESOLUTION NO. 82-4, RECORDED JANUARY 15, 1982, AS INSTRUMENT NO. 82-48736, OF OFFICIAL RECORD AND A PORTION OF LOT 11 OF SECTION 30, OF THE SUBDIVISION OF THE RANCHO ASUZA DE DUARTE, AS PER MAP RECORDED IN BOOK 6 PAGE 80 OF MISCELLANEOUS RECORDS, ALL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, IN THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

ALSO KNOWN AS 8530-011-911,913,914,915, 912, 8530-017-905



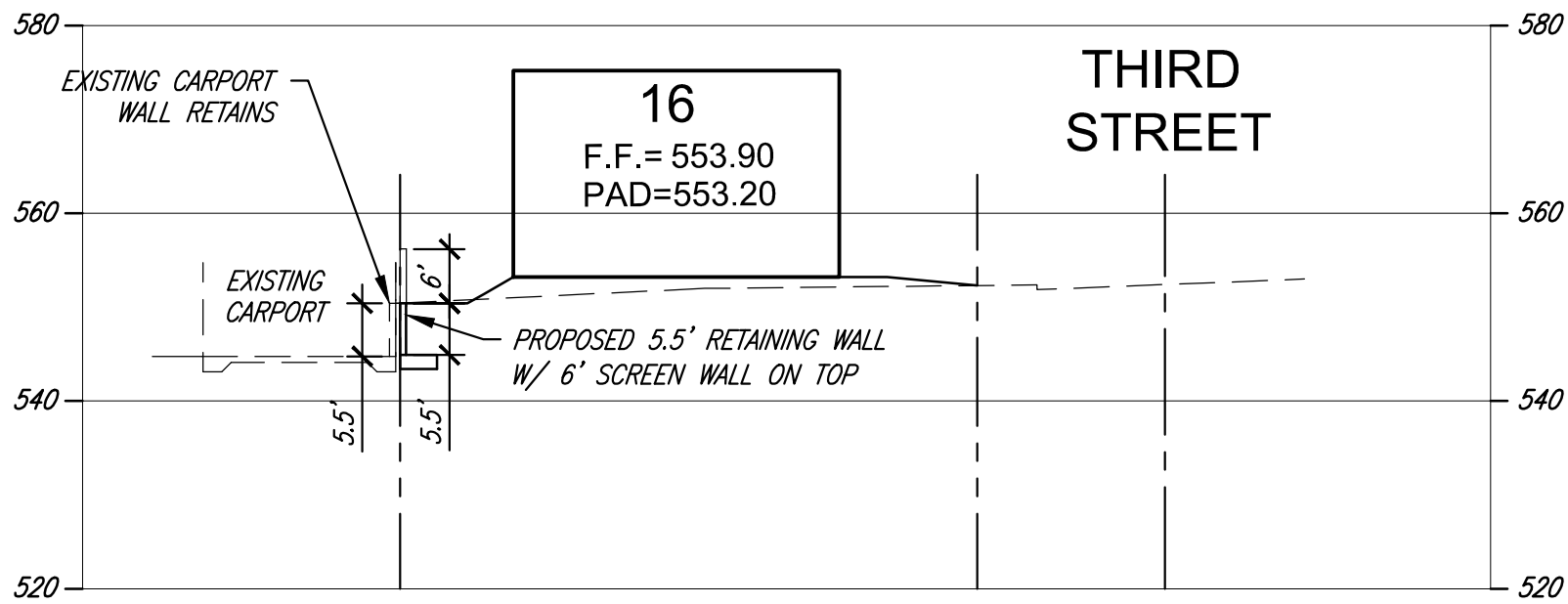
SITE PLAN
SCALE: 1"=20'

LEGEND & ABBREVIATIONS:

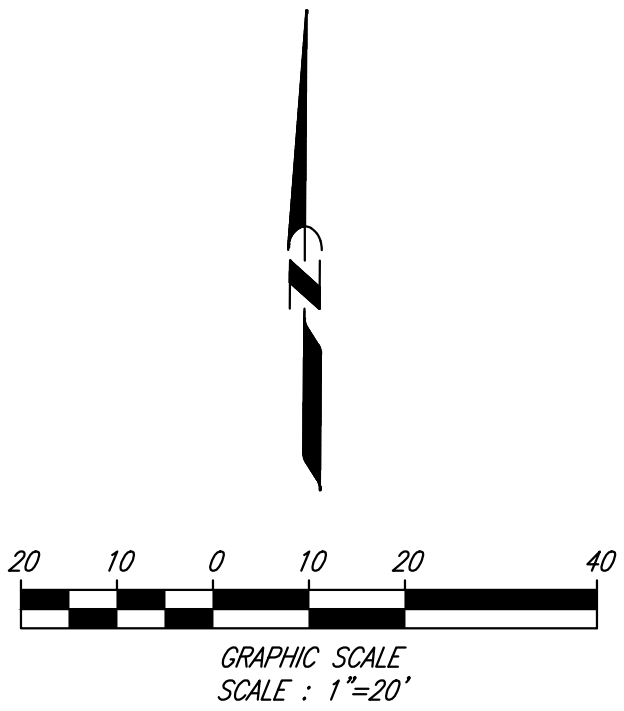
- 220 PROPOSED CONTOUR LINE
- PROPOSED RETAINING WALL
- TRACT BOUNDARY
- CONC. DIA. PROPOSED SEWER LINE
- W PROPOSED WATER LINE
- PROPOSED STORM DRAIN LINE
- (T) EXISTING TELEPHONE LINE
- (W) EXISTING WATER LINE
- (S) EXISTING SEWER LINE
- (W) EXISTING WATER MAIN
- (GAS) EXISTING GAS LINE
- (SD) EXISTING STORM DRAIN LINE
- 721 EXISTING TREE TO BE REMOVED PER PLAN PREPARED BY FONG HART SCHNEIDER+PARTNERS, LANDSCAPE
- Q-O/S APPROX. CENTERLINE - OFFSET
- BOV APPROXIMATE BLOW OFF VALVE
- CONC. DIA. CONCRETE DIAMETER
- EG EXIST. EDGE OF GUTTER
- IE/ INV. EXISTING INVERT ELEVATION
- FL FLOW LINE
- HP HIGH POINT
- P.O.C. POINT OF CONNECTION
- RET. RETAINING
- R/W REINFORCED CONCRETE PIPE
- R/W RIGHT OF WAY
- TC TOP OF CURB
- TW TOP OF WALL
- PAD=552.0 PAD ELEVATION
- FF=551.5 FINISHED FLOOR ELEVATION
- S.F. LOT AREA IN SQUARE FEET

EASEMENTS:

- THE FOLLOWING EASEMENT PER PRELIMINARY REPORT, ORDER NO. 00033835-994-X23, DATED JAN. 23, 2015, PREPARED BY CHICAGO TITLE COMPANY:
- 1 GENERAL TELEPHONE COMPANY OF CALIFORNIA, A CALIFORNIA CORPORATION EASEMENT FOR: PUBLIC UTILITIES RECORDING DATE: JANUARY 26, 1972 RECORDING NO: 2517, OFFICIAL RECORDS
 - 2 COUNTY OF LOS ANGELES EASEMENT FOR: PUBLIC ROAD AND HIGHWAY RECORDING NO: BOOK 42488, PAGE 108, OFFICIAL RECORDS



SECTION F-F
SCALE:
H: 1"=20'
V: 1"=20'



DATE:	BY:
NO. REVISIONS:	
WORK ACCEPTED	REFERENCE

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& Survey, LLP
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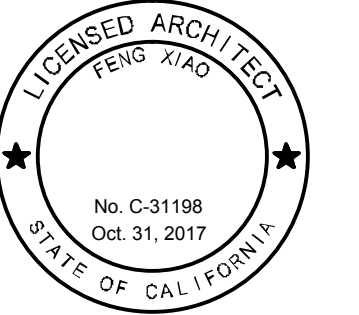


SOUTHLAND CIVIL ENGINEERING AND SURVEYING, LLP	LARRY MAR, P.E.
ENGINEER:	BKL
DESIGNED BY:	BKL
DRAWN BY:	LARRY MAR, P.E.
CHECKED BY:	
DRAWING SCALE:	

SHEET TITLE:
TENTATIVE TRACT MAP NO.74365
for
1101 OAK AVENUE & 1634 THIRD STREET
OWNER:
TIPPING DEVELOPMENT, INC.
911 S. PRIMROSE AVE., SUITE P, MONROVIA, CA 91016

JOB NUMBER:
1650-15010
DRAWING NO.
3
SHEET 3 OF 3 SHEETS

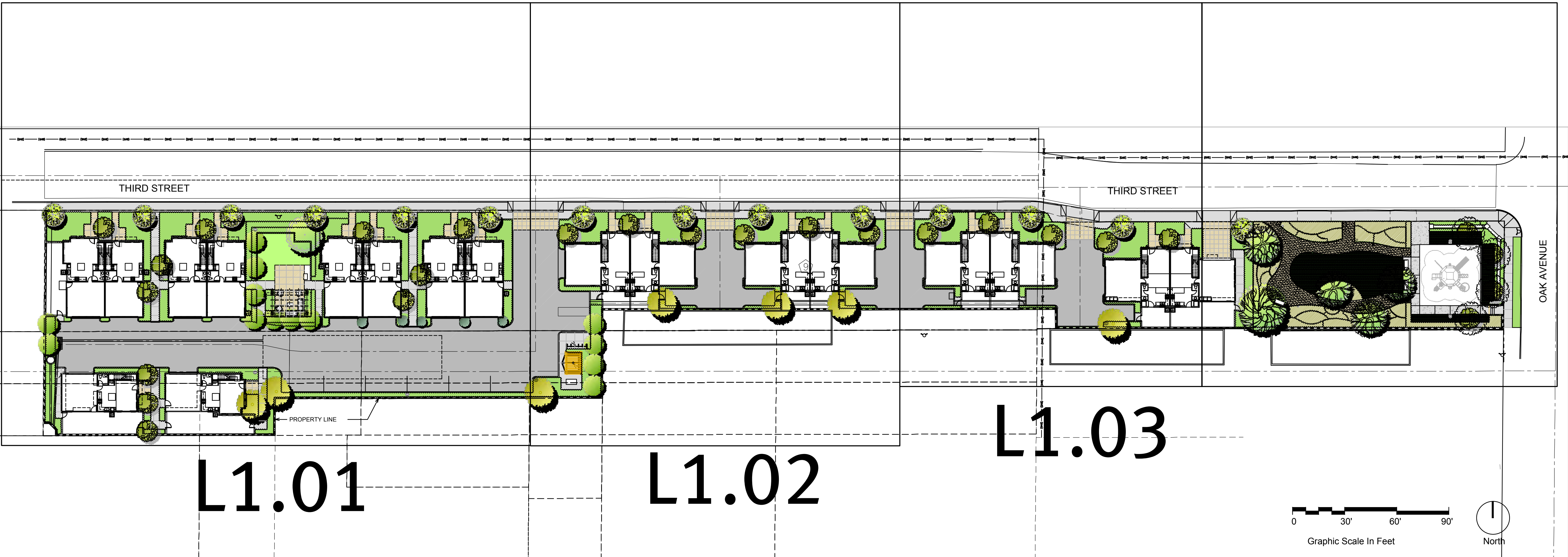
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Last Edit Date: Oct 27, 2016 - 11:50am
Drawing Location: J:\1650-15010\Planning
Plotted By: alalevossian
AutoCAD Version: AutoCAD 14



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JANUARY 27, 2017**

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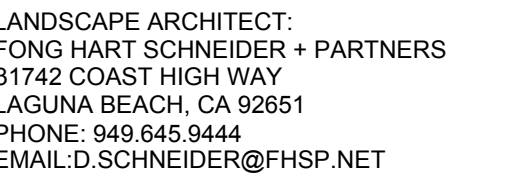
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L1.01

L1.02

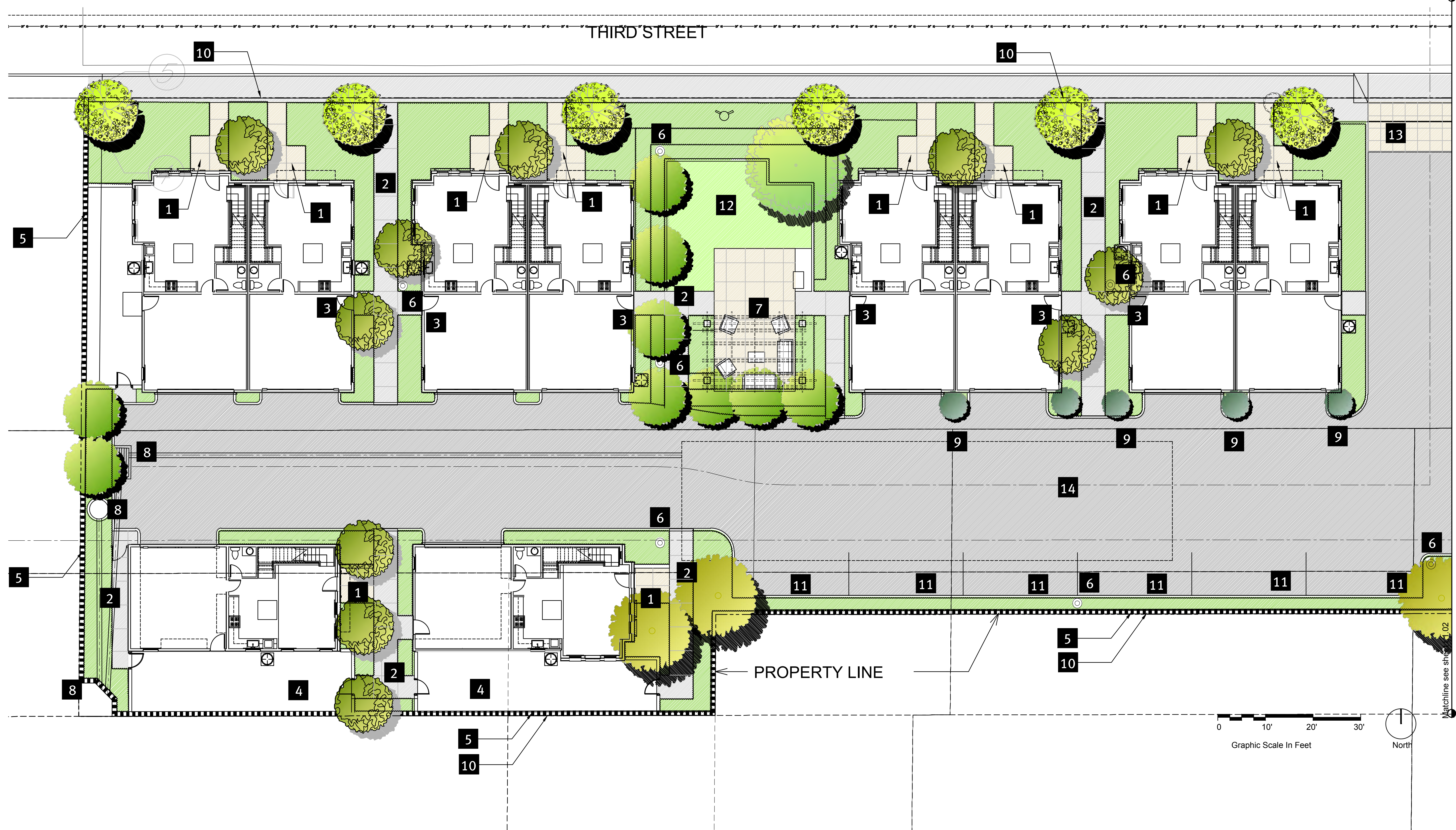
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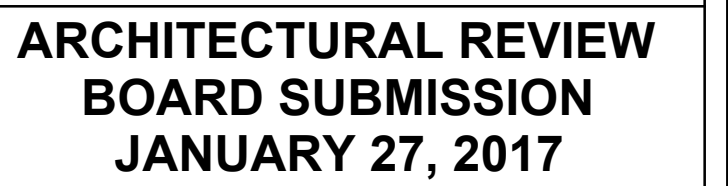
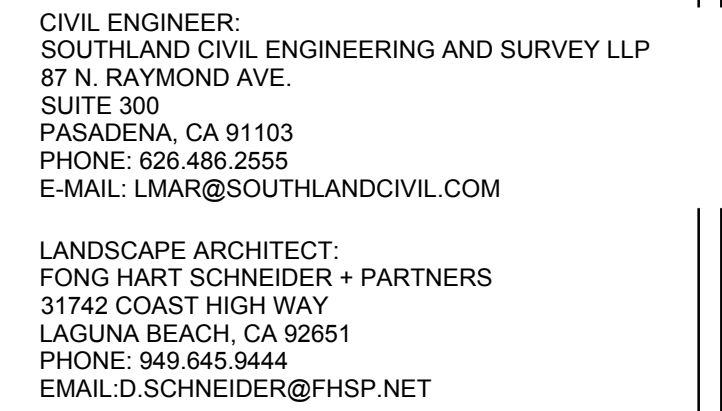
**ARCHITECTURAL REVIEW
BOARD SUBMISSION
JANUARY 27, 2017**

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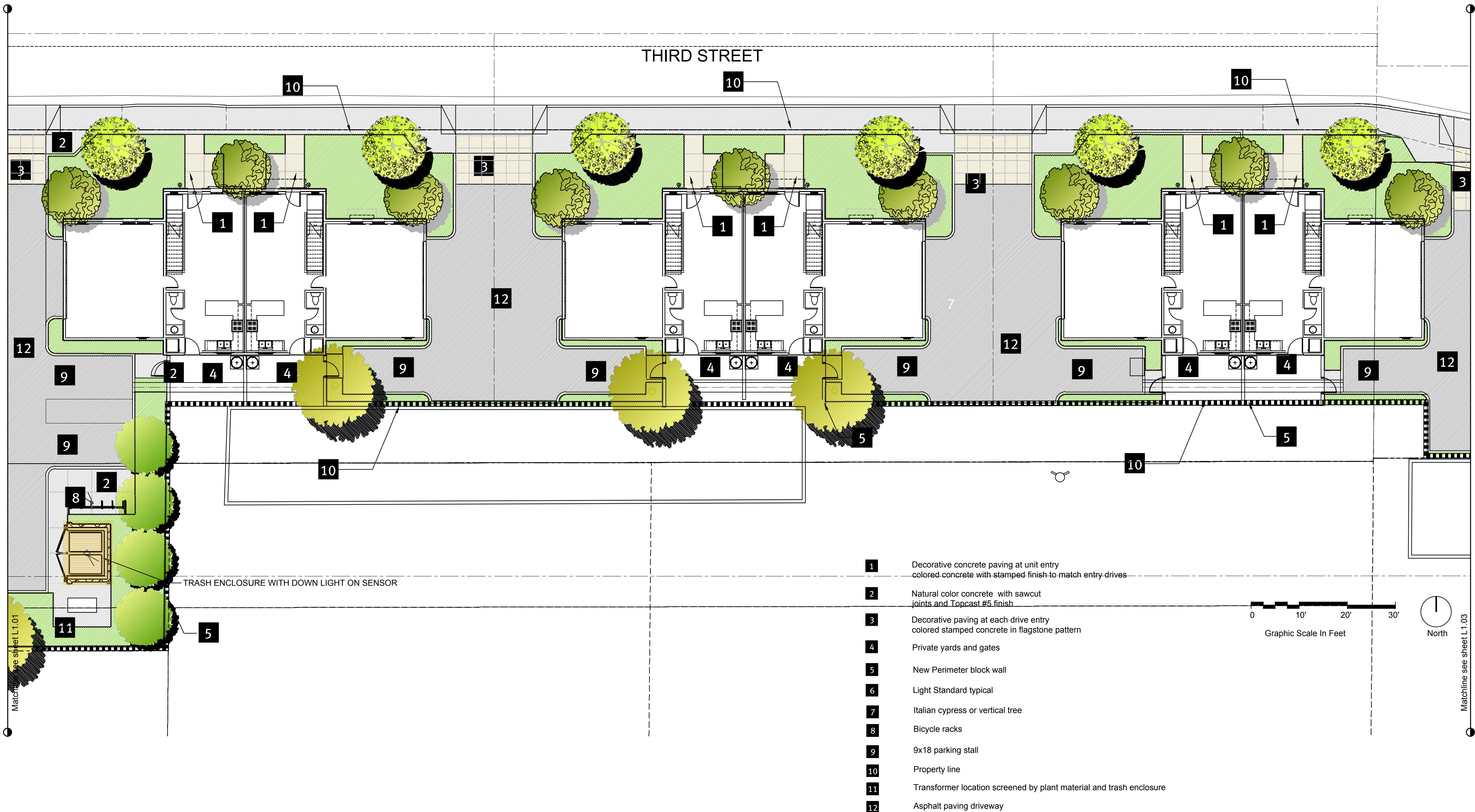
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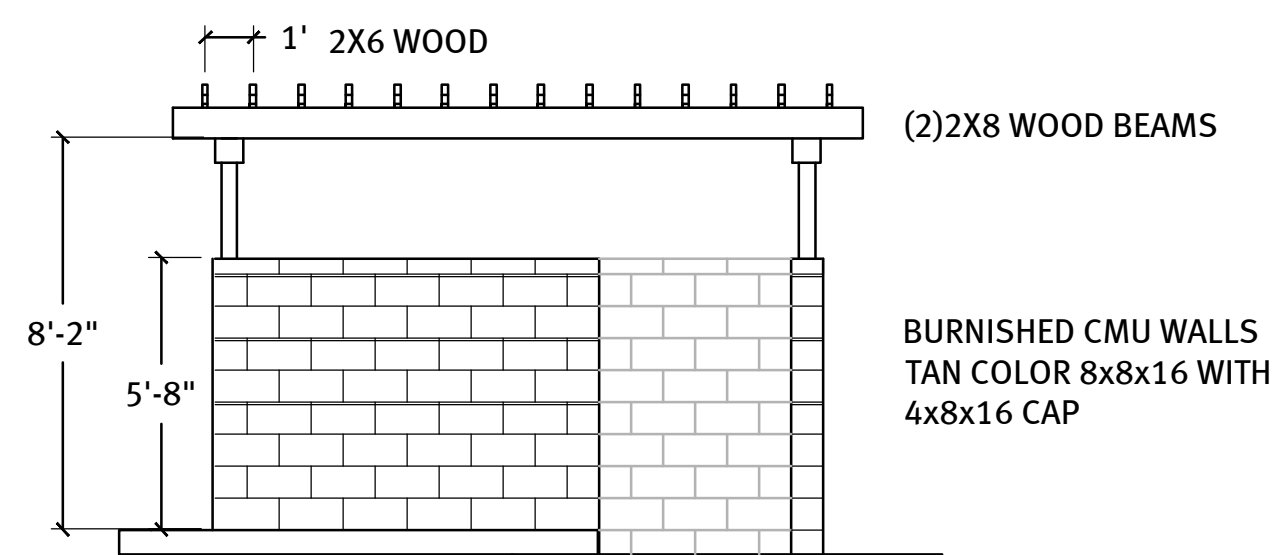
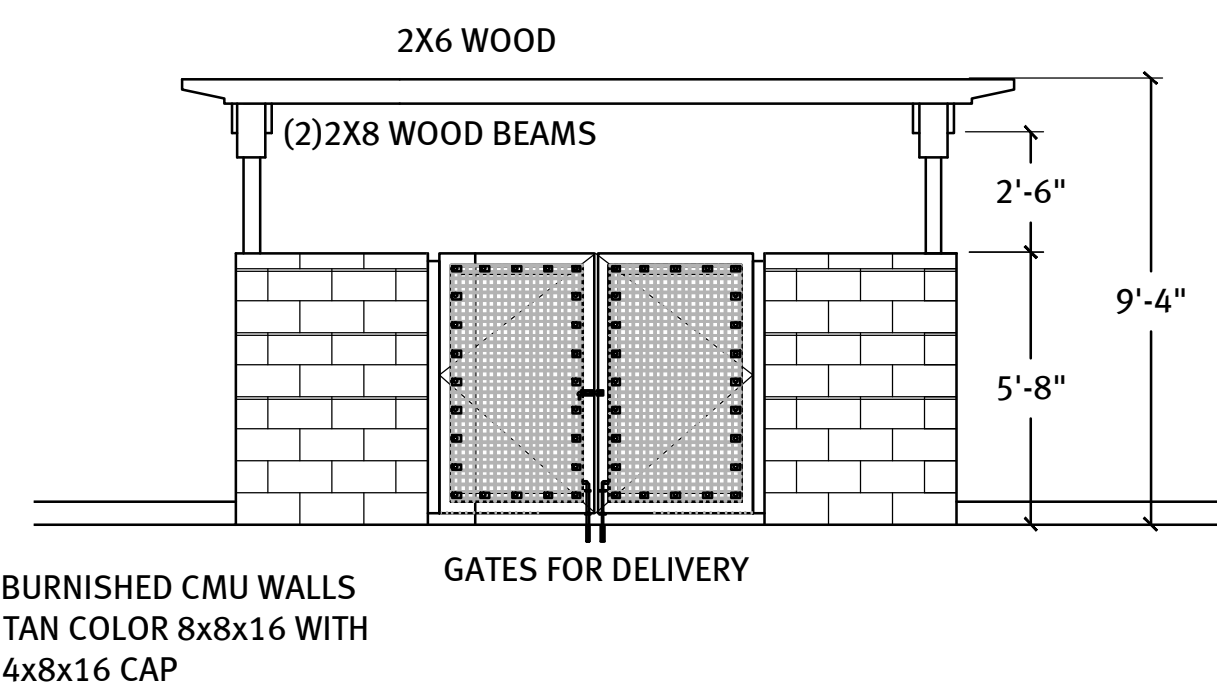


- | | | | |
|---|---|----|---|
| 1 | Decorative concrete paving at unit entry colored concrete with stamped finish to match entry drives | 7 | Common Open space and lawn with Trellis, Seating, Barbeque areas and accent Oak tree in hedge enclosed courtyard with decorative paving colored stamped concrete in flagstone pattern |
| 2 | Natural color concrete with sawcut joints and Topcast #5 finish | 8 | Underground Vault Equipment see Civil Drawings |
| 3 | Walkways to garage | 9 | Italian cypress or vertical tree |
| 4 | Private yards and gates | 10 | Property Line typical |
| 5 | New Perimeter block wall | 11 | Parking 24x9 feet for parallel parking stalls |
| 6 | Light Standard typical | 12 | Open Lawn area for play |
| | | 13 | Decorative paving at each drive entry colored stamped concrete in flagstone pattern |
| | | 14 | Asphalt paving driveway |

[illegible]

Scale:

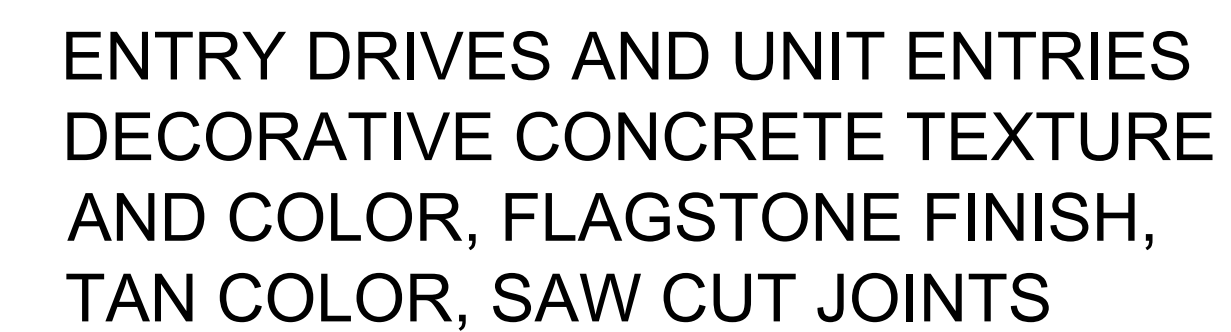




TRASH ENCLOSURE
WITH WOOD TRELLIS TO
MATCH PRECEDENT
TRELLIS



PRECEDENT TRELLIS FOR COMMON OPEN SPACE



OWNER:
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[illegible]

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PARTIAL RESIDENTIAL
LANDSCAPE SITE PLAN

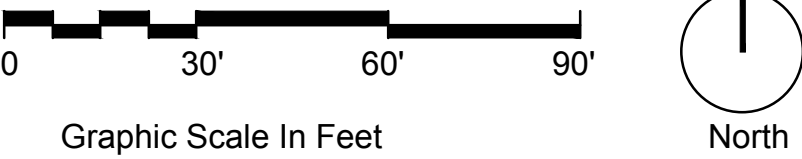
Project number: 15002	Date: 09/25/16
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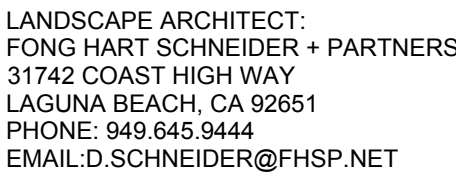
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Scale:

07/2016 4:56:02 PM



REFERENCE	BOTANICAL NAME	COMMON NAME	CALIPER	STATUS
T1	MORUS ALBA	MULBERRY TREE	20"	TO BE REMOVED
T2	CUPANIOPSIS ANACARDIODES	CARROT WOOD TREE	8"	TO BE REMOVED
T3	ULMUS PARVIFOLIA	CHINESE ELM	12"	TO BE REMOVED
T4	PITTOSPORUM UNDULATUM	VICTORIAN BOX	12"	TO BE REMOVED
T5	ULMUS PARVIFOLIA	CHINESE ELM	12"	TO BE REMOVED
T6	QUERCUS AGRIFOLIA	COAST LIVE OAK	48"	TO BE REMOVED
T7	ULMUS PARVIFOLIA	CHINESE ELM	20"	TO BE REMOVED
T8	SEQUOIA SEMPERVIRENS	REDWOOD	18"	TO BE REMOVED
T9	CUPANIOPSIS ANACARDIODES	CHINESE ELM	12"	TO BE REMOVED
T10	PYRUS CALLERYANA	EVERGREEN PEAR	6"	TO BE REMOVED
T11	LAGERSTROEMIA INDICA	CRAPE MYRTLE	8"	TO BE REMOVED
T12	MORUS ALBA	MULBERRY TREE	12"	TO BE REMOVED
T13	MORUS ALBA	MULBERRY TREE	8"	TO BE REMOVED
T14	PITTOSPORUM UNDULATUM	VICTORIAN BOX	6"	TO BE REMOVED
T15	LAGERSTROEMIA INDICA	CRAPE MYRTLE	8"	TO BE REMOVED
T16	LAGERSTROEMIA INDICA	CRAPE MYRTLE	6"	TO BE REMOVED
T17	LAGERSTROEMIA INDICA	CRAPE MYRTLE	6"	TO BE REMOVED
T18	LAGERSTROEMIA INDICA	CRAPE MYRTLE	6"	TO BE REMOVED
T19	LAGERSTROEMIA INDICA	CRAPE MYRTLE	6"	TO BE REMOVED
T20	LAGERSTROEMIA INDICA	CRAPE MYRTLE	6"	TO BE REMOVED
T21	ULMUS PARVIFOLIA	CHINESE ELM	31"	TO BE REMOVED



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JANUARY 27, 2017**

[illegible]

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EXISTING TREE PLAN

Project number: 15002	Date: 09/25/16
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Drawing No.

L1.05

Scale: 1" = 30'-0"

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Brachychiton populneus

Koelreuteria paniculata

Quercus agrifolia

Ulmus parvifolia

Three photographs of different types of grasses. The left image shows a tall, green grass with long, thin blades. The middle image shows a low-growing, white, fuzzy grass covering the ground, with a path made of grey stones running through it. The right image shows a large, bushy pink grass with long, thin blades, growing in a grassy area.

Bouteloua gracilis and cvs.

Festuca ovina glauca

Muhlenbergia capillaris and cvs.

The image contains four photographs of different groundcover plants. From left to right: 1. A dense patch of white-flowered groundcover next to a brick path. 2. A dense patch of green, leafy groundcover next to a concrete path. 3. A dense patch of blue-flowered groundcover next to a concrete path. 4. A dense patch of purple-flowered groundcover next to a concrete path.

Lantana montevidensis

Salvia "Bee"s Bliss"

Senecio mandraliscae (Kleinia mandraliscae)

Teucrium chamaedrys

A horizontal strip of seven photographs showing various plants. From left to right: 1. A close-up of yellow kangaroo paws (Anemone xanthophylla) with green leaves. 2. A dense shrub with small red flowers (possibly Mimulus) growing over rocks. 3. A bushy plant with green leaves and clusters of red flowers (possibly Mimulus). 4. A large, dense bush of purple flowers (possibly Salvia). 5. A spiky, agave-like plant (possibly Agave) in a planter box. 6. A large, bushy plant with many small yellow flowers (possibly Mimulus). 7. A tall, green, leafy hedge or shrub.

Anigozanthos hybrids & cvs.

Calliandra "Sierra Star"

Callistemon "Little John"

Ceanothus "Julia Phelps"

Furcraea spp.

l antana camera & cys

Laurus nobilis



Cereus peruvianus

Bougainvillea spp.



FENG XIAO ARCHITECT, INC.

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PLANT PHOTOS

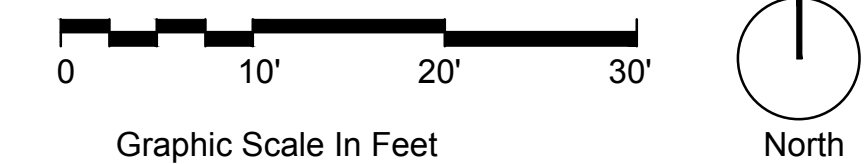
Project number: 15002	Date: 09/25/16
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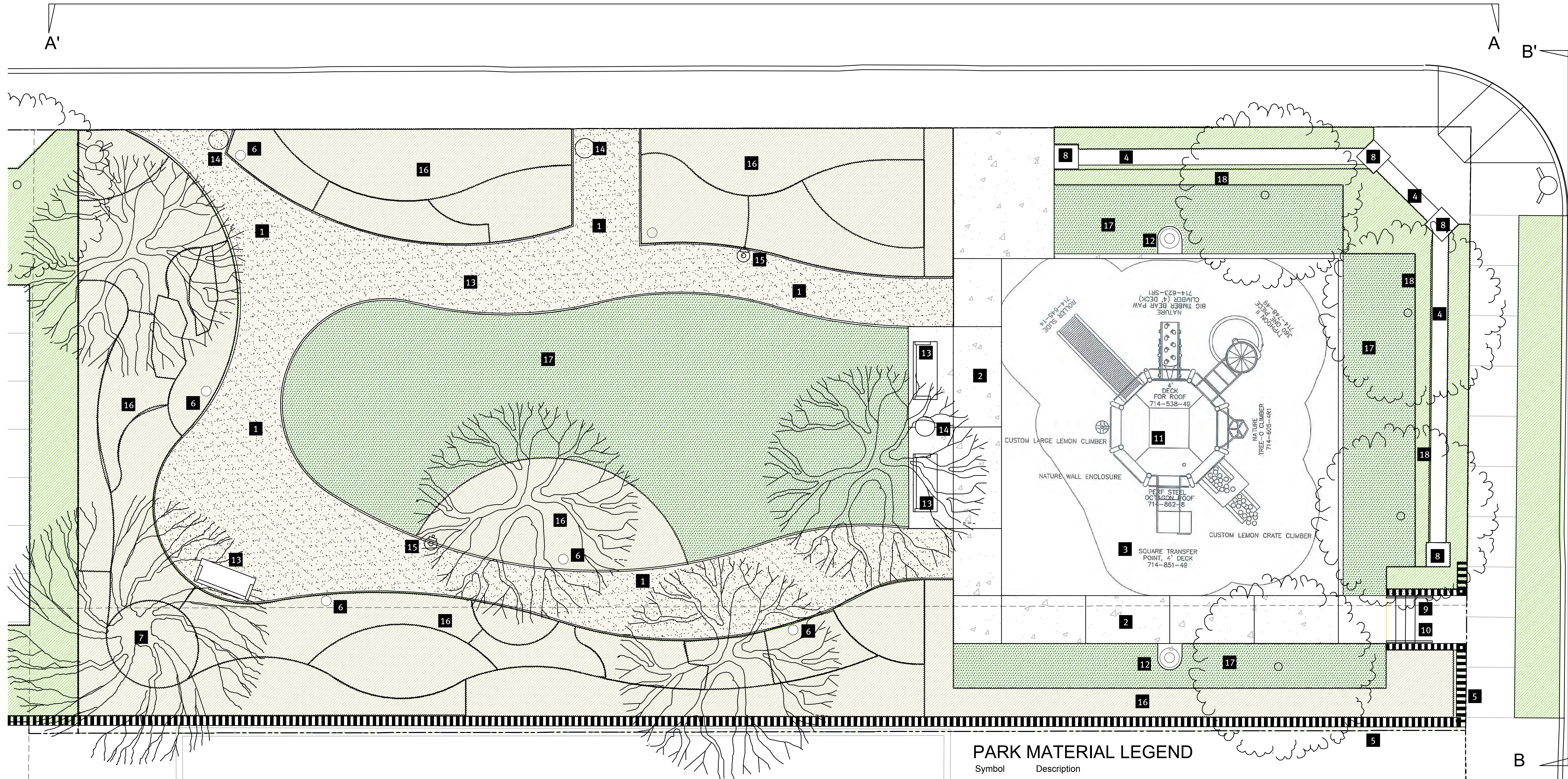
PARK PLAN

Project number: 15002	Date: 09/25/16
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Drawing No.

L2.01

Scale



PARK MATERIAL LEGEND

Symbol	Description
1	Decomposed granite walk with stabilizer with metal headers
2	Natural color concrete with sawcut joints and Topcast #5 finish
3	Rubberized mat and sand for play ground for fall prevention, single color for rubberized mat
4	+/- 22" high river rock wall with concrete cap
5	Perimeter block/retaining wall see Civil Drawings
6	Light bollard in Native Garden
7	Oak tree 48" box, Quercus agrifolia
8	Entry pilasters with river rock base . Inset citrus industry graphics in river rock portion of pilaster
9	Concrete steps from City Sidewalk to park
10	Handrails for steps
11	Play equipment for children 12 and under
12	Park light standard
13	Park benches
14	Trash cans
15	Dog waste/bag disposal station
16	Native plant garden, native low water use shrubs and native trees, Irrigated by drip
17	Lawn Area with metal header, lawn irrigated with spray heads
18	Citrus Garden, non-fruiting ornamental strawberry ground cover, mock orange shrubs and trees and other non-fruiting plants that suggest the agricultural past. Irrigated by drip

10/7/2016 4:56:03 PM

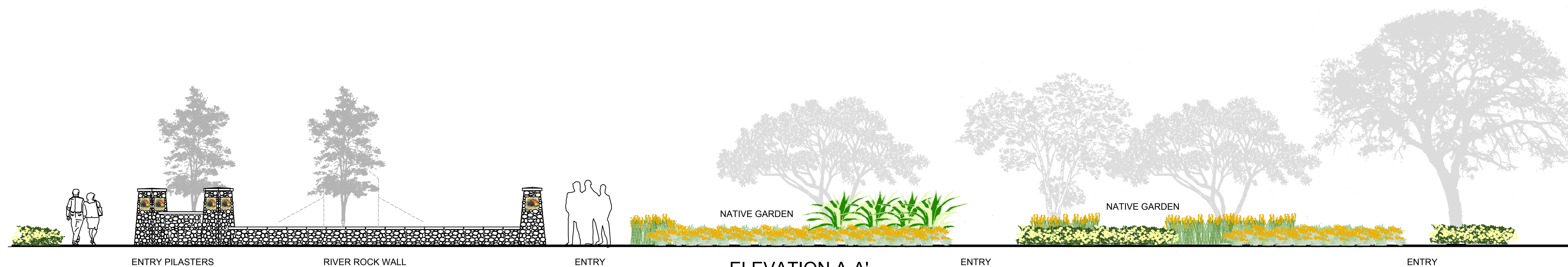


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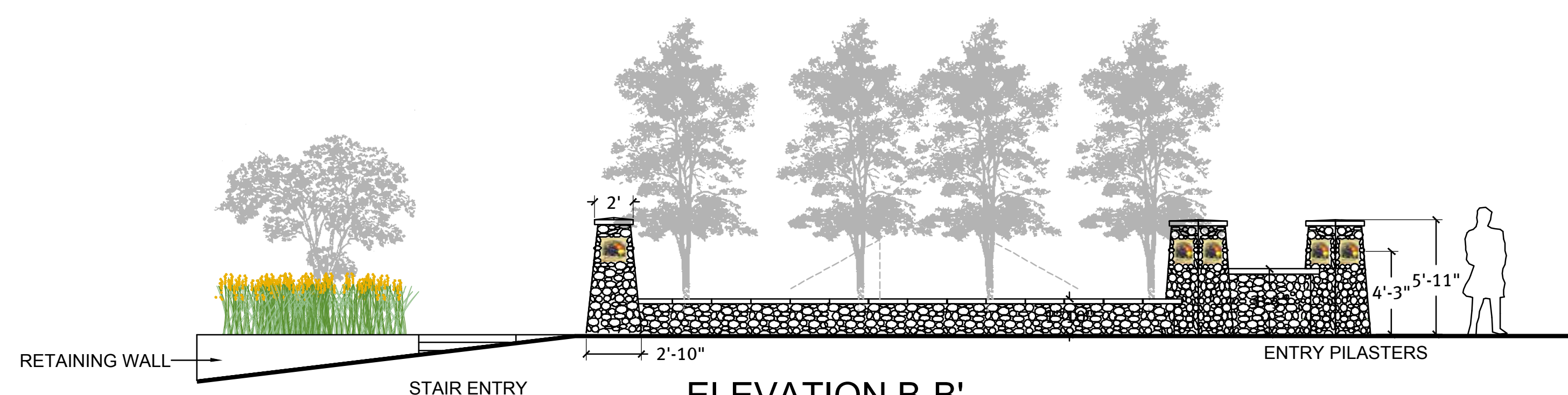
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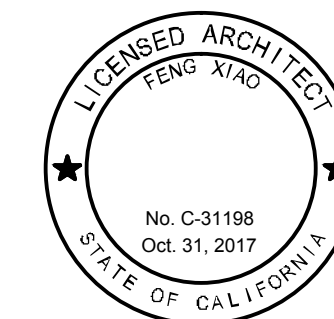
LANDSCAPE ARCHITECT:
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LAGUNA BEACH, CA 92651
PHONE: 949.645.9444
EMAIL: D.SCHNEIDER@FHSP.NET



ELEVATION A-A'
Scale 3/16"=1'-0"



ELEVATION B-B'
Scale 3/16"=1'-0"



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JANUARY 27, 2017**

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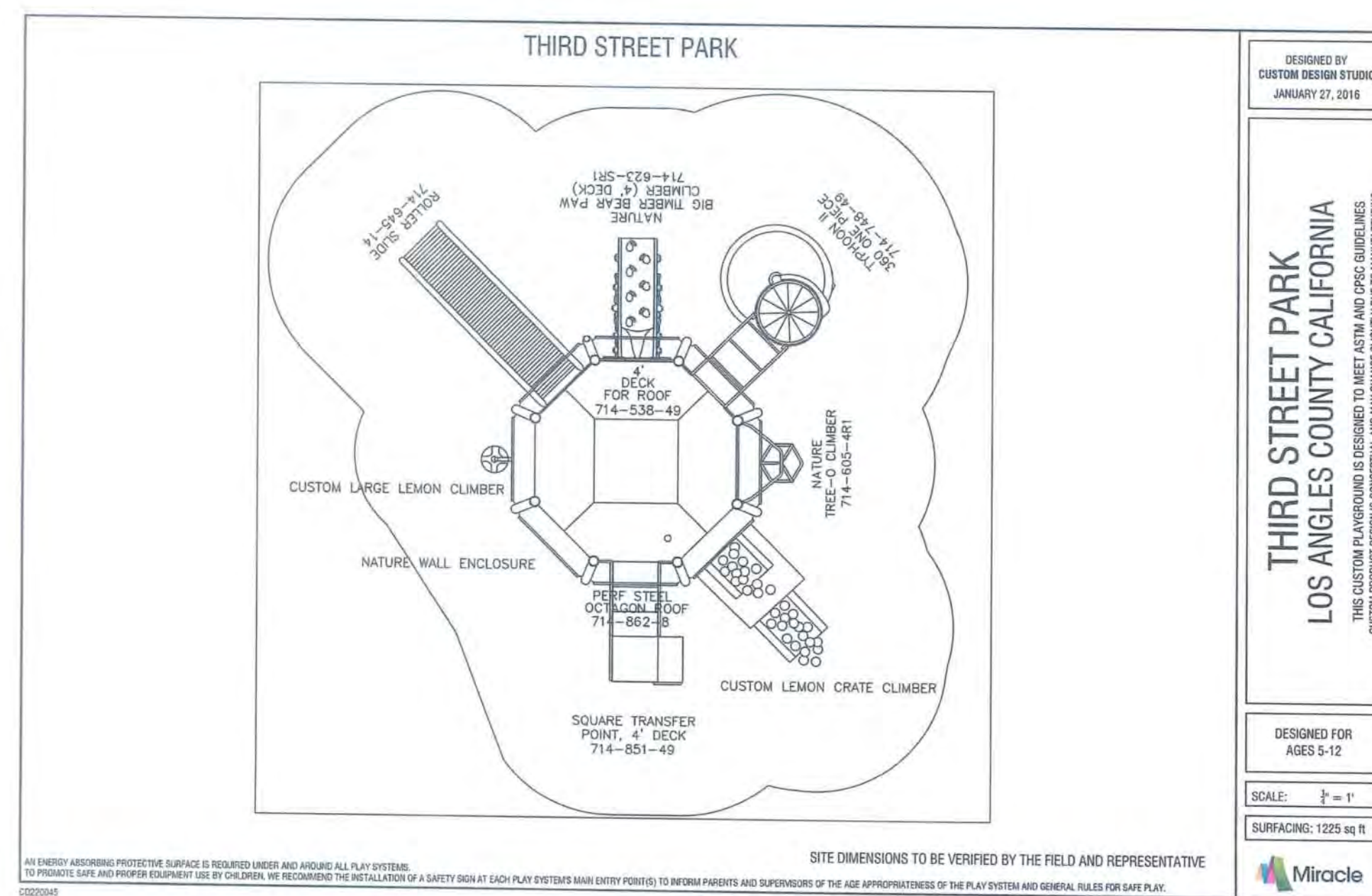
PARK ELEVATIONS

Project number: 15002	Date: 09/25/16
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Drawing No.

L2.02

Scale:



PLAY EQUIPMENT



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JANUARY 27, 2017**

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PARK AMENITIES

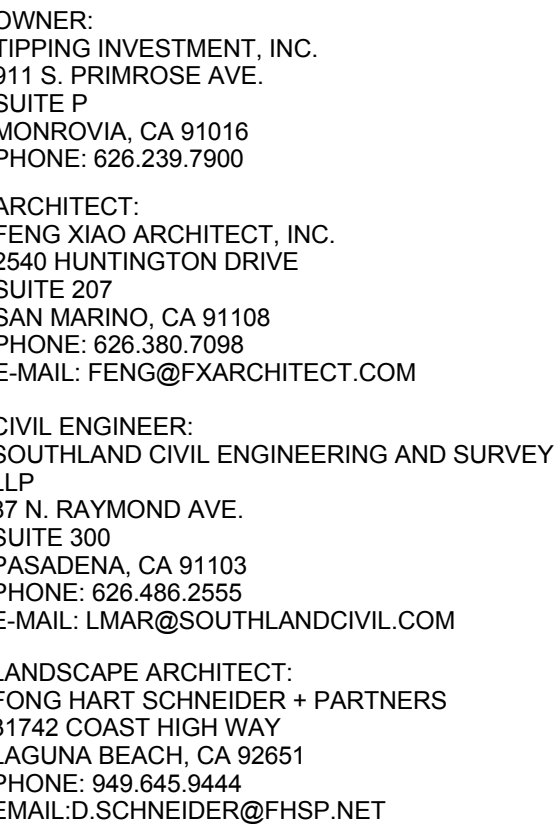
Project number: 15002	Date: 09/25/16
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Drawing No.	
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L2.03

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**ARCHITECTURAL REVIEW
BOARD SUBMISSION
JANUARY 27, 2017**

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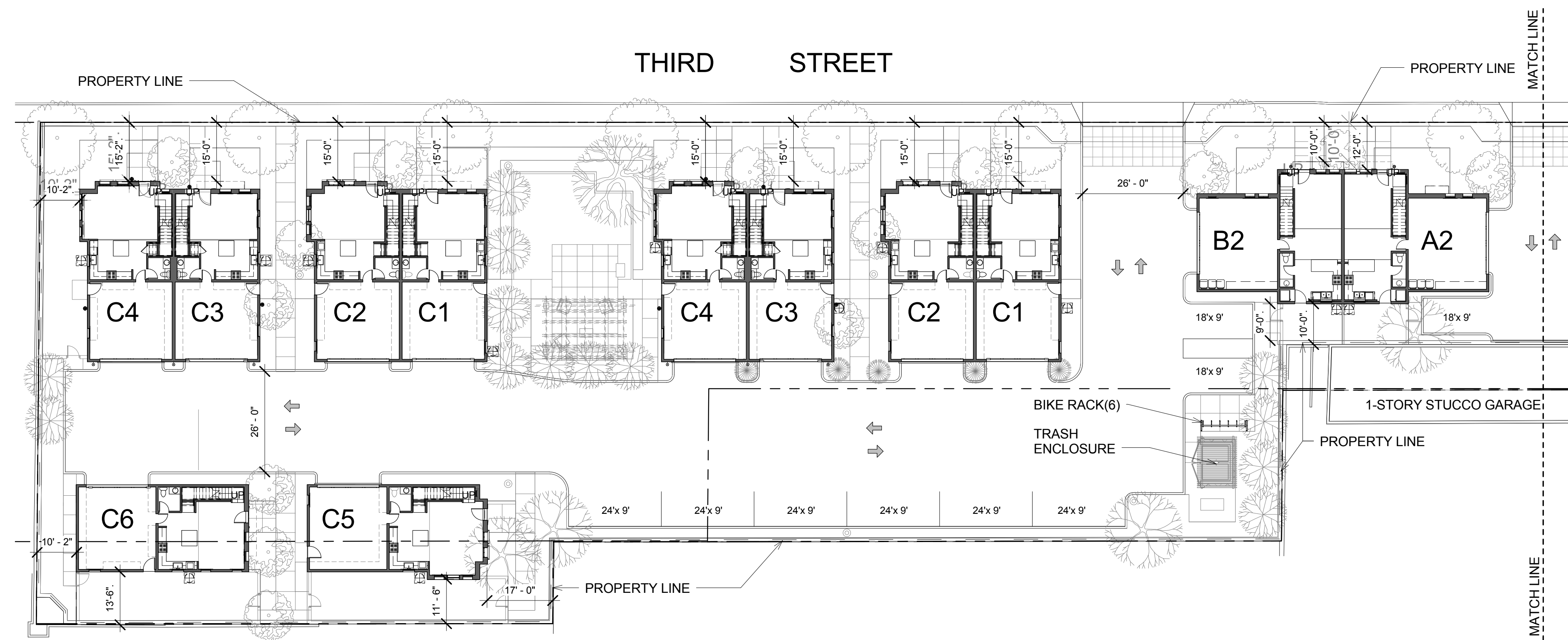
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ENLARGED SITE PLAN

Project number: 15002	Date: 01/27/17
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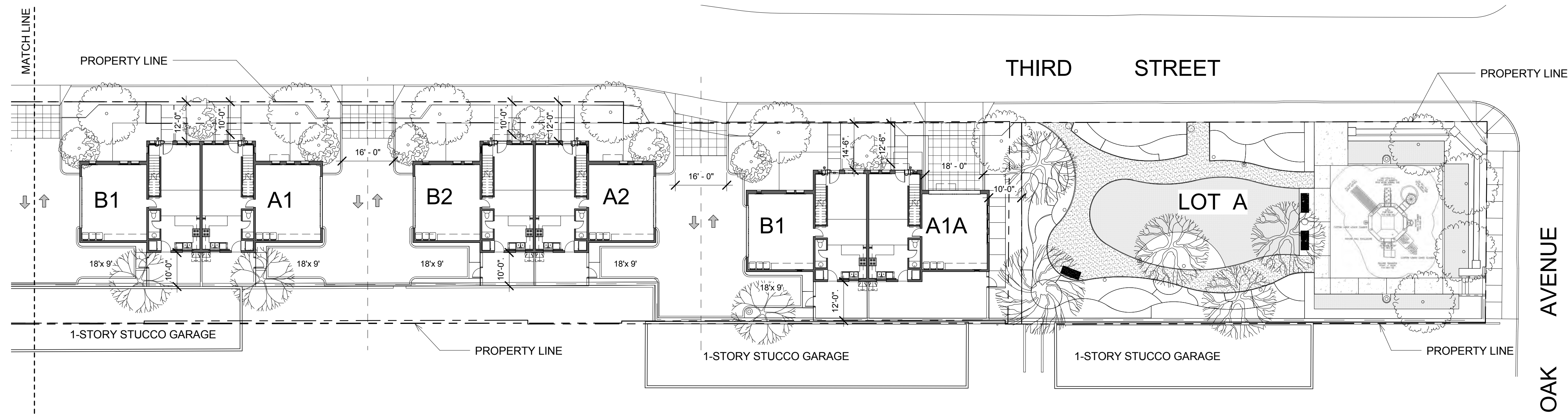
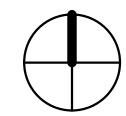
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A001

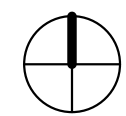
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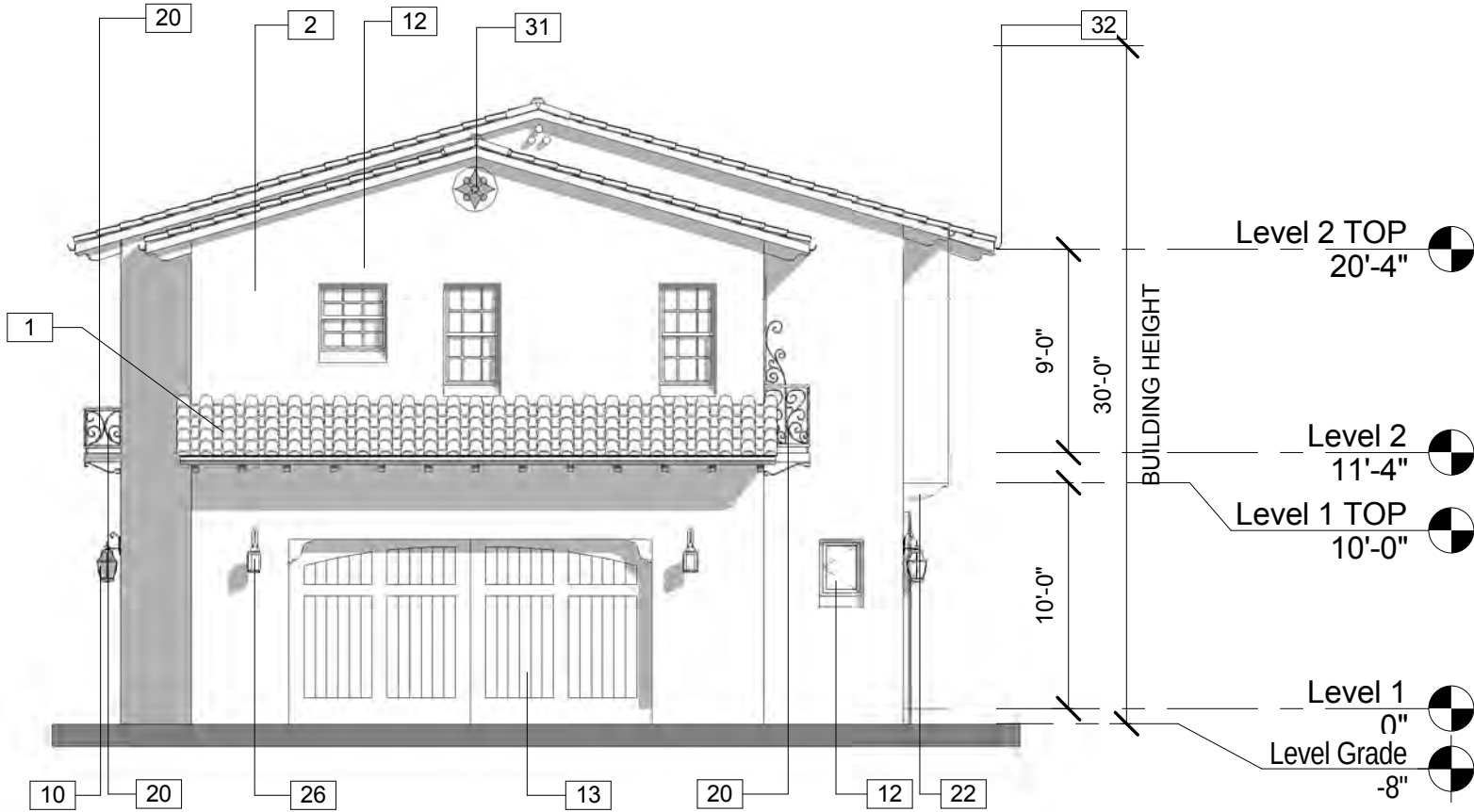
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1" = 20'-0"



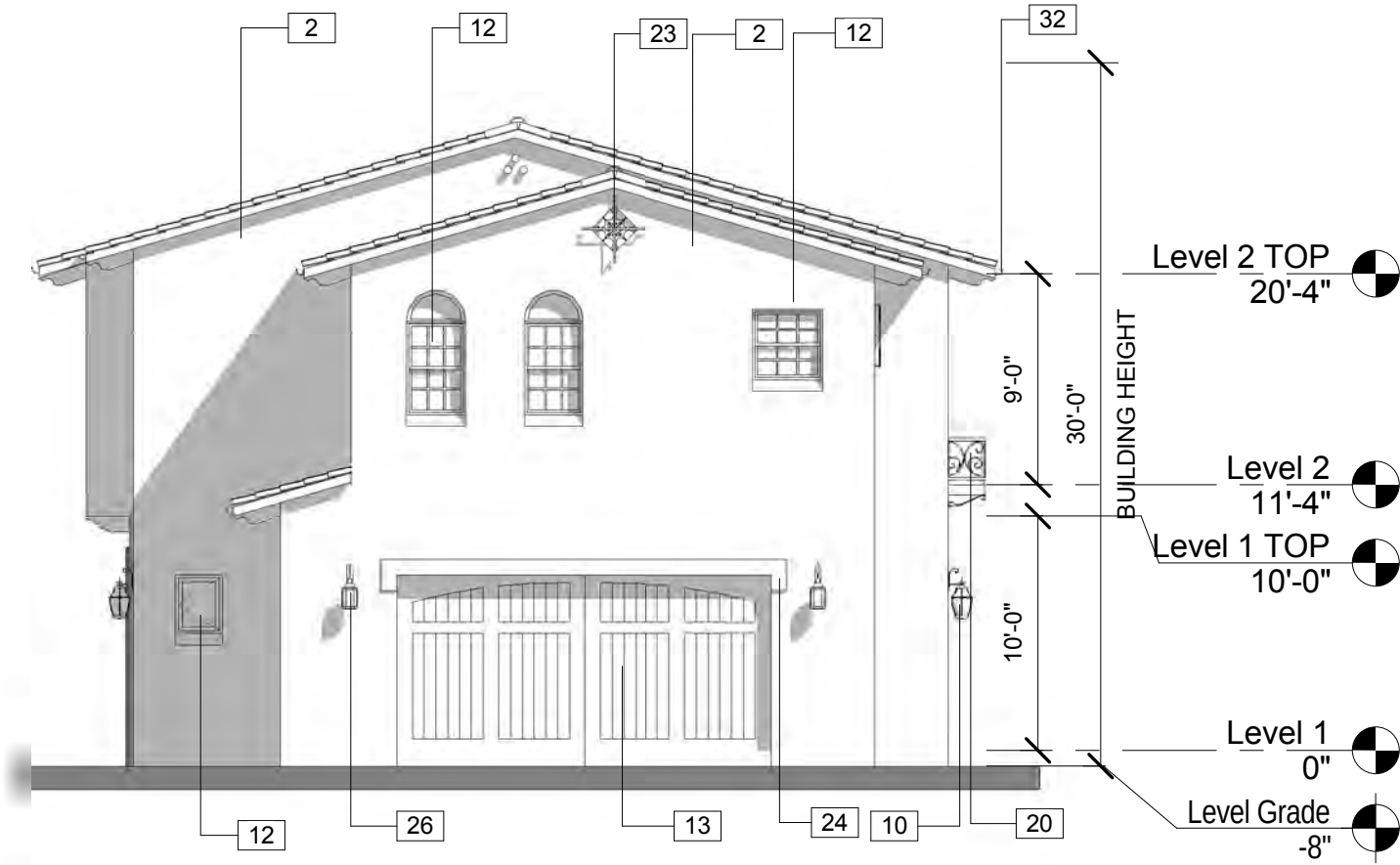
2 ENLARGED SITE PLAN - EAST
1" = 20'-0"



Keynote Legend	
Key Value	Keynote Text
1	CONCRETE ROOF TILE, EAGLE ROOFING, CAPISTRANO, SIGNATURE BLENDS OF BLENDS, SCC 8830 50% AND SCC 8820 50%(ICC-ES ESR-1900), STANDARD TILES, APROX. INSTALLED WEIGHT 9 LB/SF.
2	STUCCO SMOOTH FINISH, OMEGA SAND 20/30, COLOR 420, FLORAL WHITE
8	WROUGHT IRON WINDOW COVER
10	MAIN ENTRY LIGHT FIXTURE, HINKLEY LIGHTING EDGEWATER 1676 BK-LED
11	PAINTED WOOD ENTRY DOOR
12	VINYL WINDOW AND FRENCH DOORS, SUPERCAPSR CO-EXTRUDED PROCESS, DARK BRONZE EXTERIOR COLOR MI WINDOWS OR AMSCO ARTISAN SERIES WITH 1" SIMULATED DIVIDERS
13	WOODGRAIN STEEL GARAGE DOOR, AMARR OAK SUMMIT, WALNUT FINISH BEAD BOARD DESIGN WITH DECORATIVE METAL BLUE RIDGE 11"HANDLES AND 16" STRAP HINGE
20	WROUGHT IRON FLOWER POT HOLDER
21	STUCCO RECESS
22	PAINTED WOOD BRACKET
23	CERAMIC TILE RECESS
24	PAINTED WOOD BEAM
25	CERAMIC TILE DOOR TRIM
26	LIGHT FIXTURE PORTFOLIO 13-IN H LED RUST DARK SKY MODEL #: EFU1691L-3
31	STUCCO VENT
32	DARK BRONZE PAINTED ALUMINUM GUTTER, TO MATCH WINDOW EXTERIOR COLOR



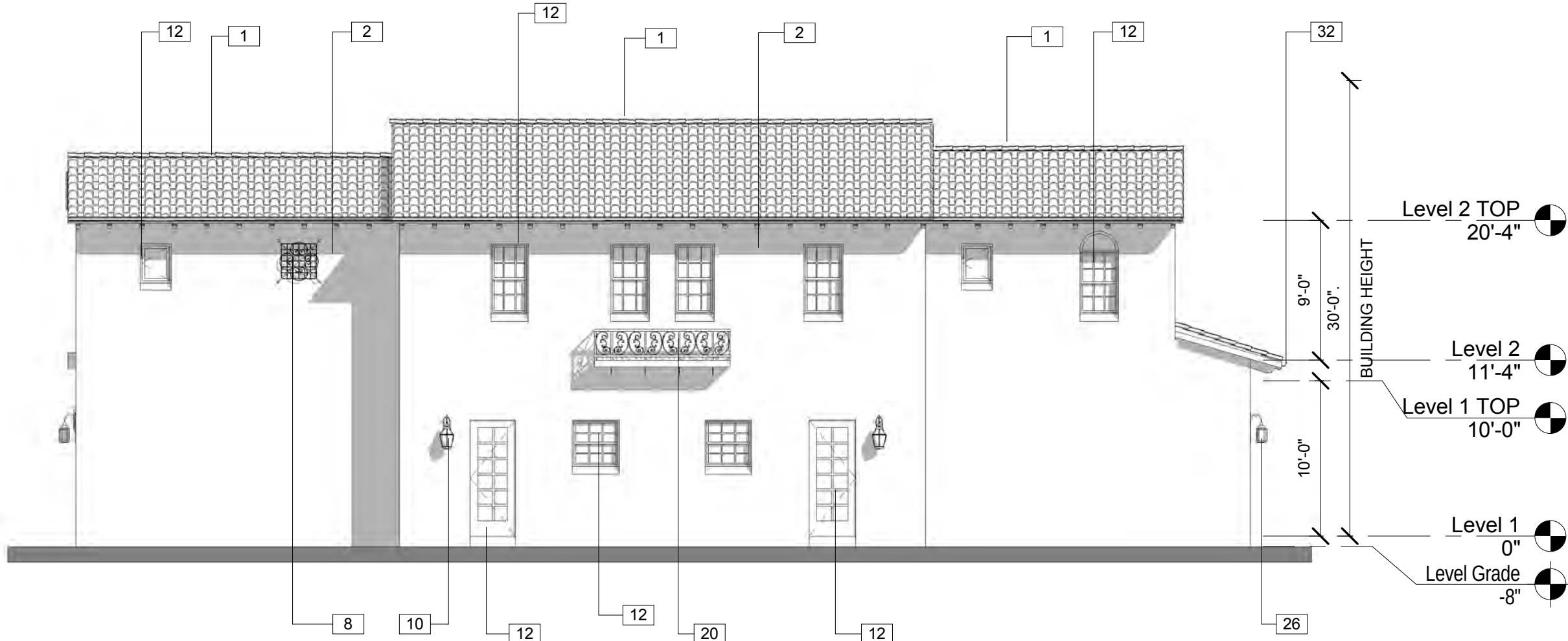
⑥ SIDE ELEVATION - LEFT
1/8" = 1'-0"



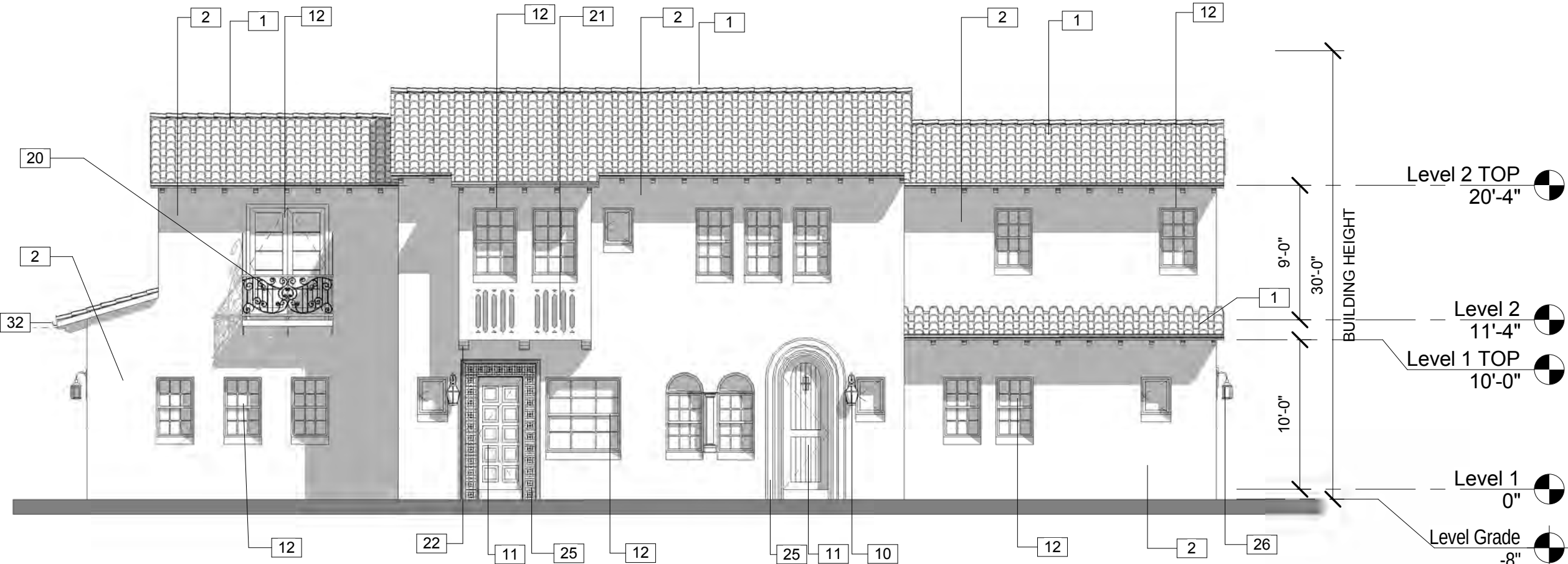
5 SIDE ELEVATION - RIGHT
1/8" = 1'-0"

TYPICAL LIVEABLE AREA:

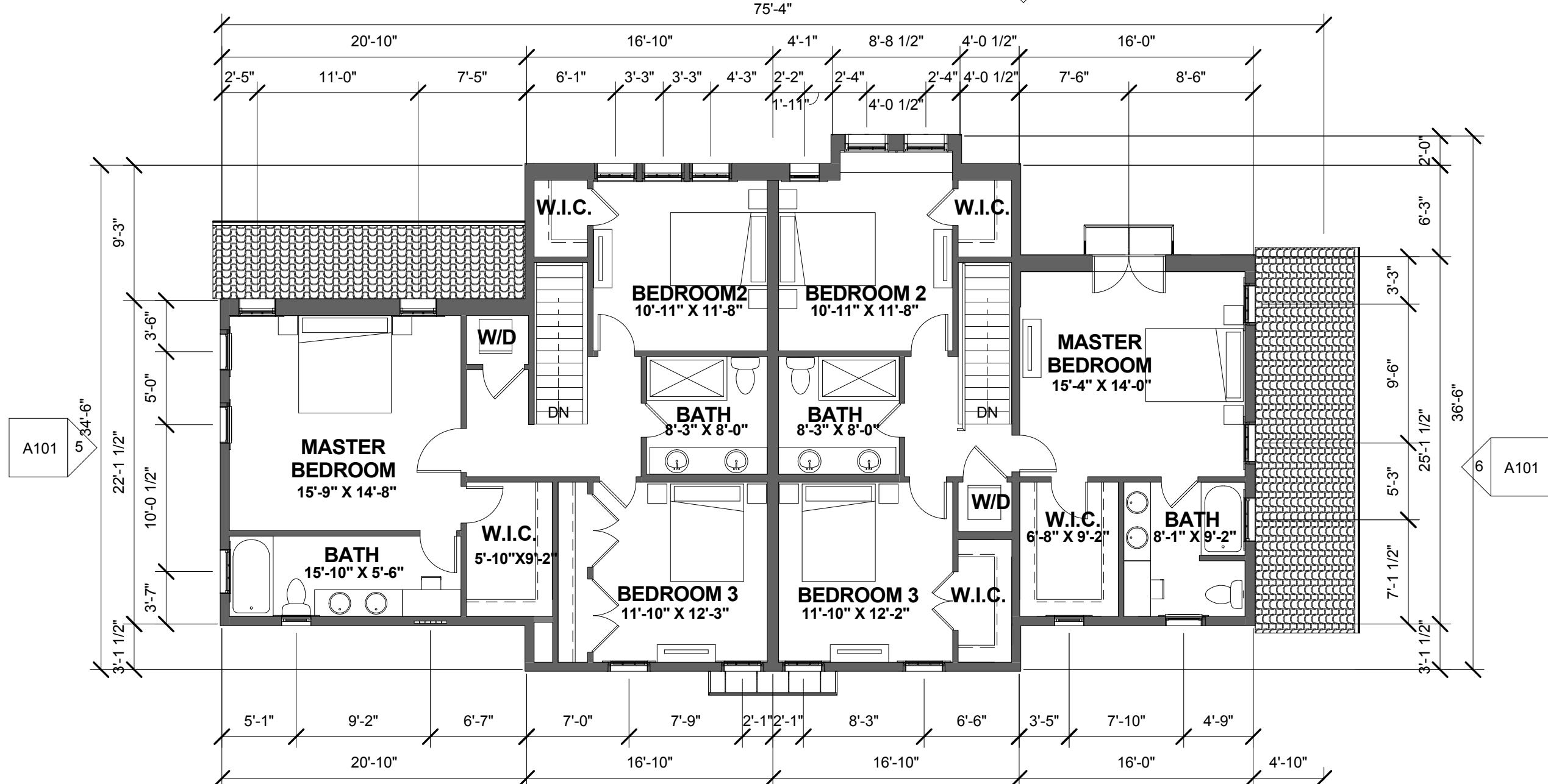
	A1	B1
LEVEL 1:	589 SF	589 SF
LEVEL 2:	1013 SF	1054 SF
TOTAL:	1602 SF	1645 SF



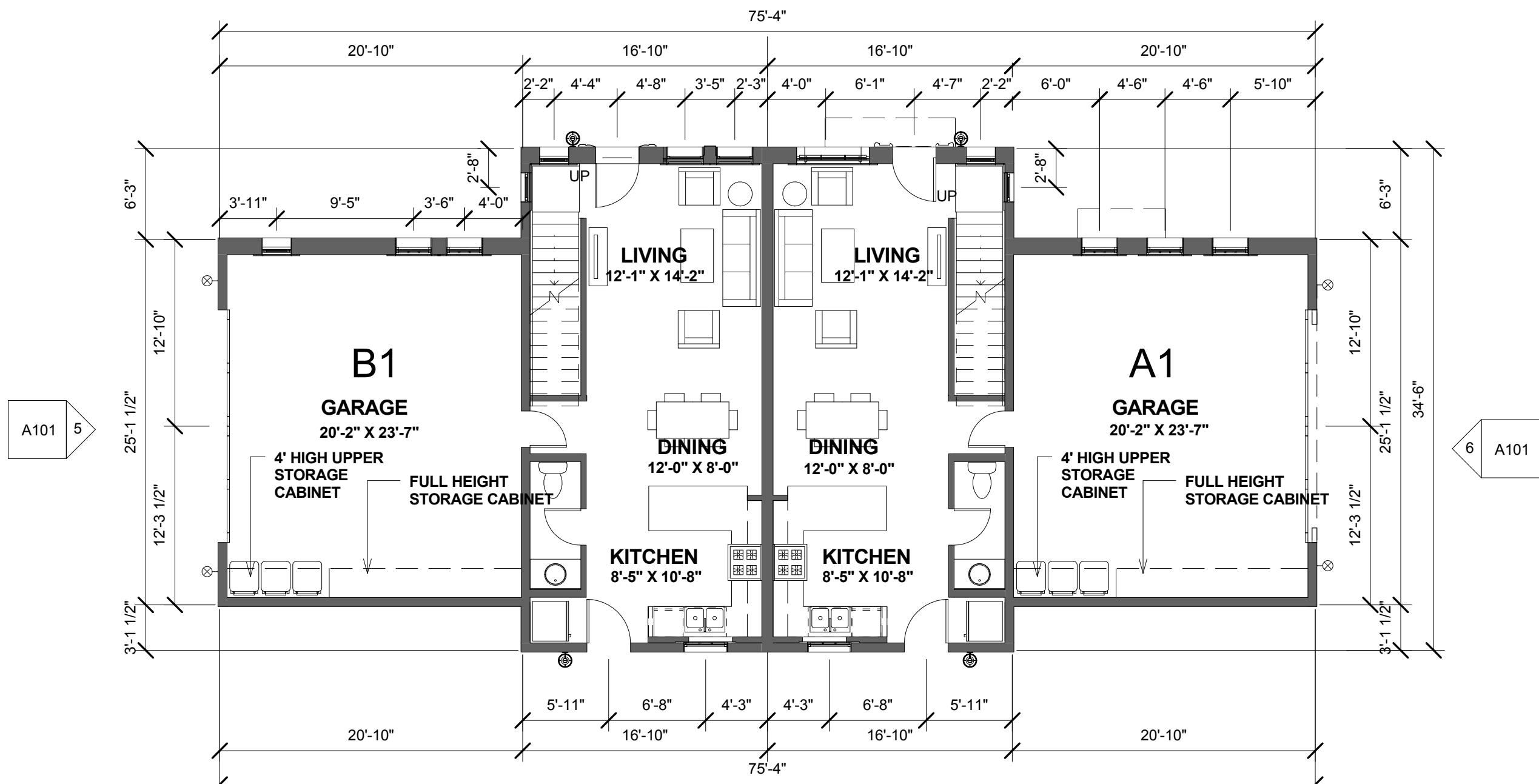
④ REAR ELEVATION
1/8" = 1'-0"



③ FRONT ELEVATION
1/8" = 1'-0"



② LEVEL 2 FLOOR PLAN
1/8" = 1'-0"



① LEVEL 1 FLOOR PLAN
1/8" = 1'-0"



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BOARD SUBMISSION
JANUARY 27, 2017**

[illegible]

3RD & OAK

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UNIT A1-B1 FLOOR PLANS & ELEVATIONS

Project number:	15002	Date:	01/27/1
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Drawing No.

A101

Scale: $1/8" = 1'-0"$

Unit 1 (Left):

- Master Bedroom: 15'-3" X 14'-0"
- Bedroom 2: 10'-11" X 11'-8"
- Bedroom 3: 11'-10" X 12'-2"
- Bath: 8'-3" X 8'-1"
- W.I.C. (Walk-In Closet)
- W/D (Washer/Dryer)

Unit 2 (Right):

- Master Bedroom: 15'-3" X 14'-0"
- Bedroom 2: 10'-11" X 11'-8"
- Bedroom 3: 11'-10" X 12'-2"
- Bath: 8'-3" X 8'-1"
- W.I.C. (Walk-In Closet)
- W/D (Washer/Dryer)

Central Area:

- Bath: 8'-3" X 8'-1"
- Bath: 8'-3" X 8'-1"
- W.I.C. (Walk-In Closet)

Overall Dimensions:

- Width: 75'-4"
- Depth: 25'-4 1/4"

Second Floor Plan Details:

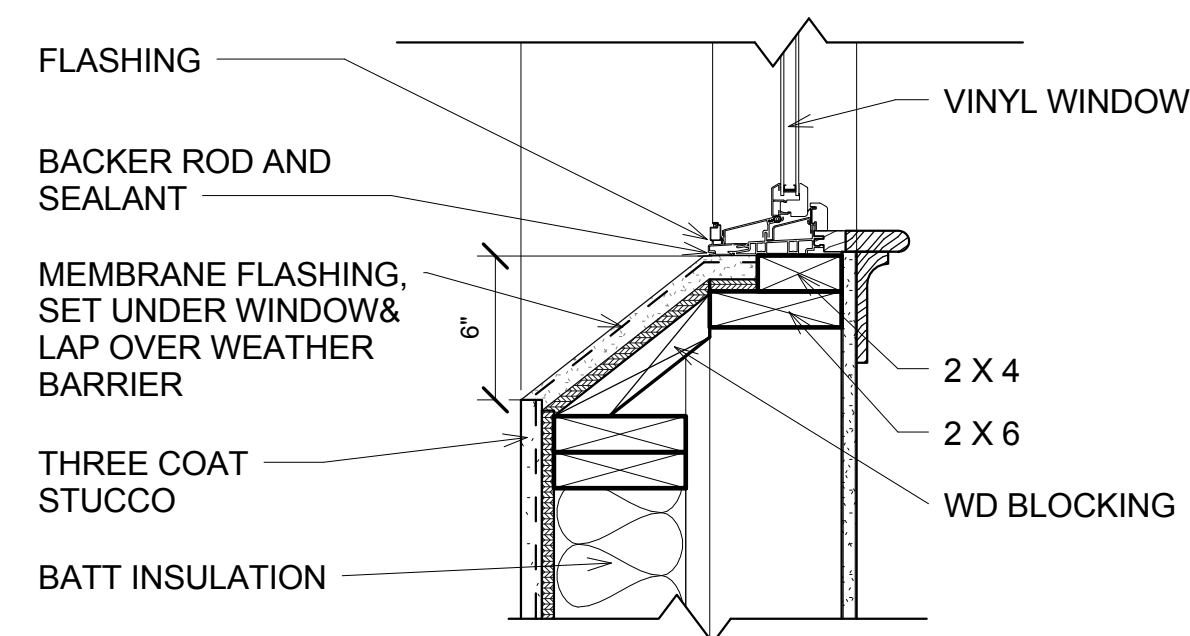
- Overall Dimensions:**
 - Top: 75'-4" (split into 33'-8" and 20'-10")
 - Bottom: 75'-4" (split into 16'-10", 4'-3", 4'-3", 16'-10")
 - Left: 25'-1 1/2" (split into 12'-5 1/4" and 12'-9 3/8")
 - Right: 25'-1 1/2" (split into 12'-5 1/4" and 12'-9 3/8")
- Rooms and Dimensions:**
 - B1 GARAGE:** 20'-2" X 23'-7"
 - A1A GARAGE:** 20'-2" X 23'-7"
 - LIVING (Left):** 12'-4" X 14'-2"
 - LIVING (Right):** 12'-1" X 14'-2"
 - DINING (Left):** 12'-0" X 8'-0"
 - DINING (Right):** 12'-0" X 8'-0"
 - KITCHEN (Left):** 8'-5" X 10'-8"
 - KITCHEN (Right):** 8'-5" X 10'-8"
- Storage and Cabinetry:**
 - 4' HIGH UPPER STORAGE CABINET:** Located in both garages.
 - FULL HEIGHT STORAGE CABINET:** Located in both garages.
- Hallway and Stairs:**
 - Central hallway with stairs labeled "UP" and "DOWN".
 - Dimensions for hallway sections: 5'-11", 6'-8", 4'-3", 4'-3", 6'-8", 5'-11".
- Other Features:**
 - Two restrooms, one in each unit.
 - Furniture placement including sofas, dining tables, and kitchen fixtures.
 - North arrow pointing towards the top right.

1/27/2017 12:28:27 PM

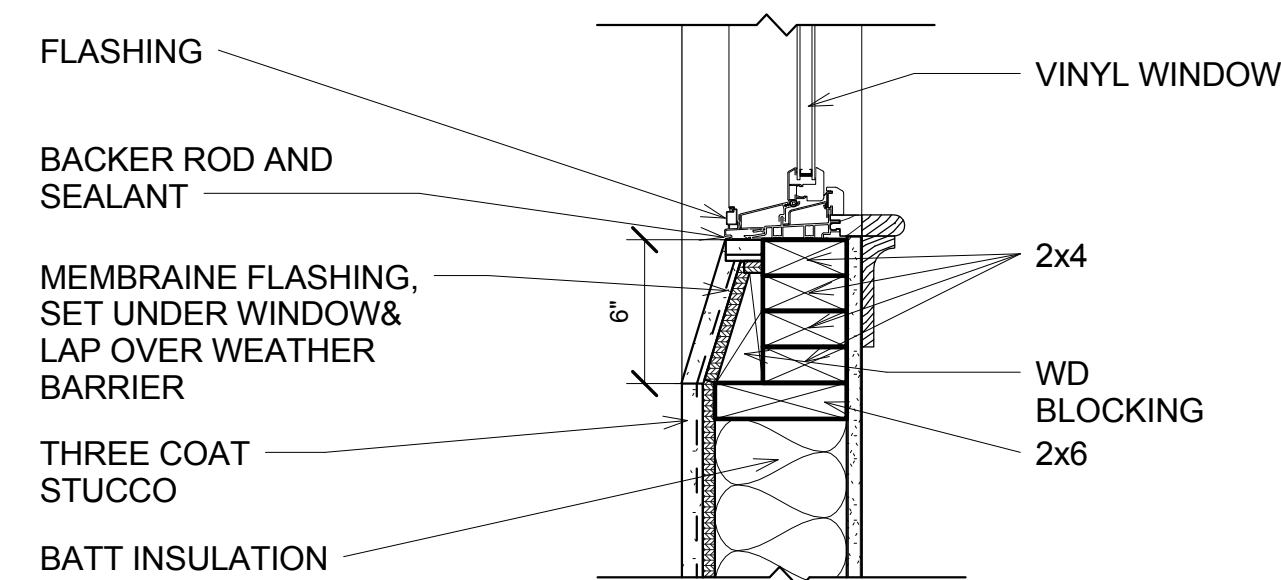
KEYNOTE LEGEND	
KEY	KEYNOTE TEXT
1	CONCRETE ROOF TILE, EAGLE ROOFING, CAPISTRANO, SIGNATURE BLENDS OF BLENDS, SCC 8830 50% AND SCC 8820 50%(ICC-ES ESR-1900), STANDARD TILES, APROX. INSTALLED WEIGHT 9 LB/SF.
2	STUCCO SMOOTH FINISH, OMEGA SAND 20/30, COLOR 420, FLORAL WHITE
8	WROUGHT IRON WINDOW COVER
10	MAIN ENTRY LIGHT FIXTURE, HINKLEY LIGHTING EDGEWATER 1676 BK-LED
11	PAINTED WOOD ENTRY DOOR
12	VINYL WINDOW AND FRENCH DOORS, SUPERCAPSR CO-EXTRUDED PROCESS, DARK BRONZE EXTERIOR COLOR MI WINDOWS OR AMSCO ARTISAN SERIES WITH 1" SIMULATED DIVIDERS
13	WOODGRAIN STEEL GARAGE DOOR, AMARR OAK SUMMIT, WALNUT FINISH BEAD BOARD DESIGN WITH DECORATIVE METAL BLUE RIDGE 11"H HANDLES AND 16" STRAP HINGE
17	WOOD RAFTER TAIL
20	WROUGHT IRON FLOWER POT HOLDER
21	STUCCO RECESS
22	PAINTED WOOD BRACKET
23	CERAMIC TILE RECESS
24	PAINTED WOOD BEAM
25	CERAMIC TILE DOOR TRIM
26	LIGHT FIXTURE PORTFOLIO 13-IN H LED RUST DARK SKY MODEL #: EFU1691L-3
30	SOLID CORE DOOR
31	STUCCO VENT
32	DARK BRONZE PAINTED ALUMINUM GUTTER, TO MATCH WINDOW EXTERIOR COLOR

TYPICAL LIVEABLE AREA:

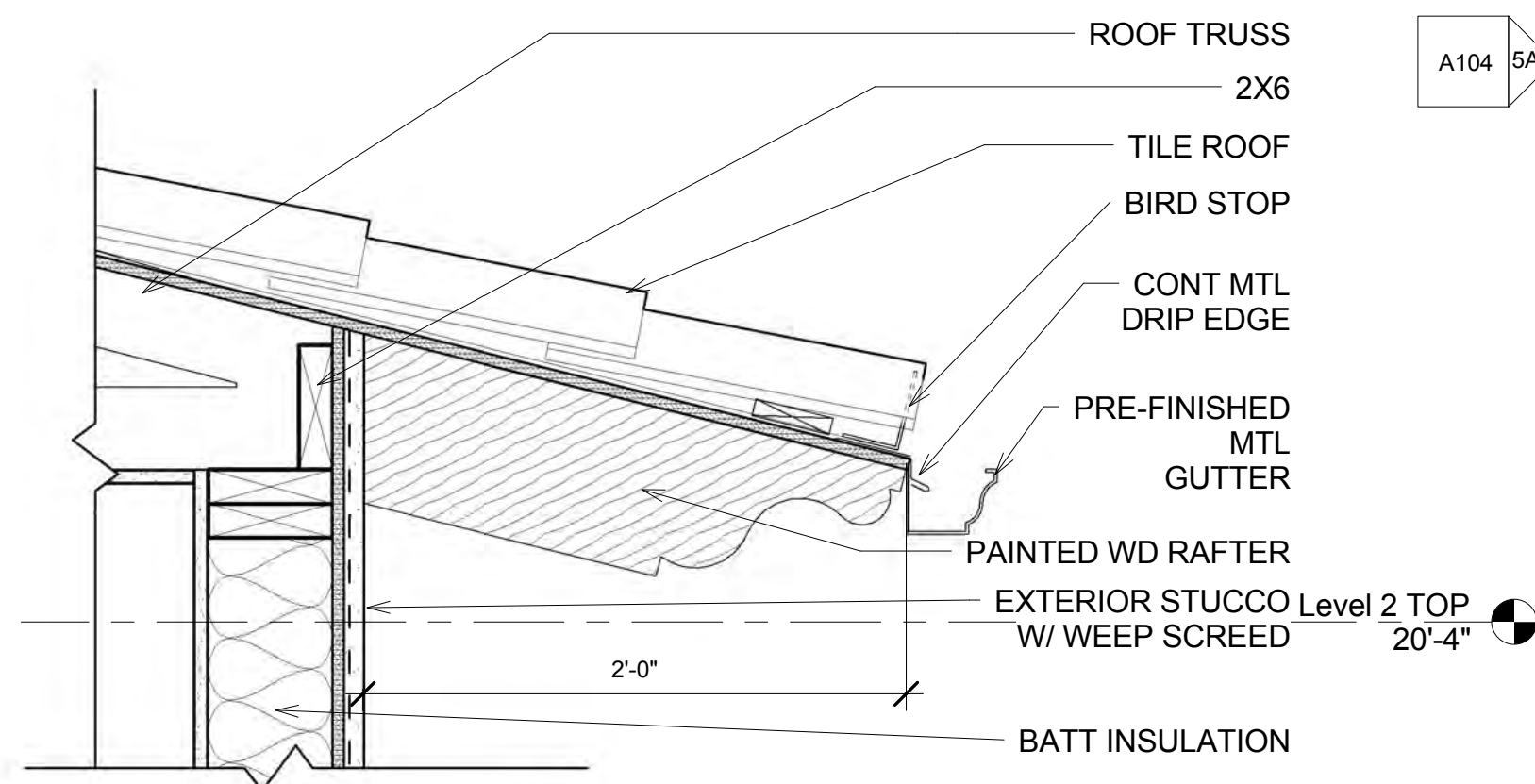
	C1	C2
LEVEL 1:	536 SF	597 SF
LEVEL 2:	1051 SF	1030 SF
TOTAL:	1587 SF	1627 SF



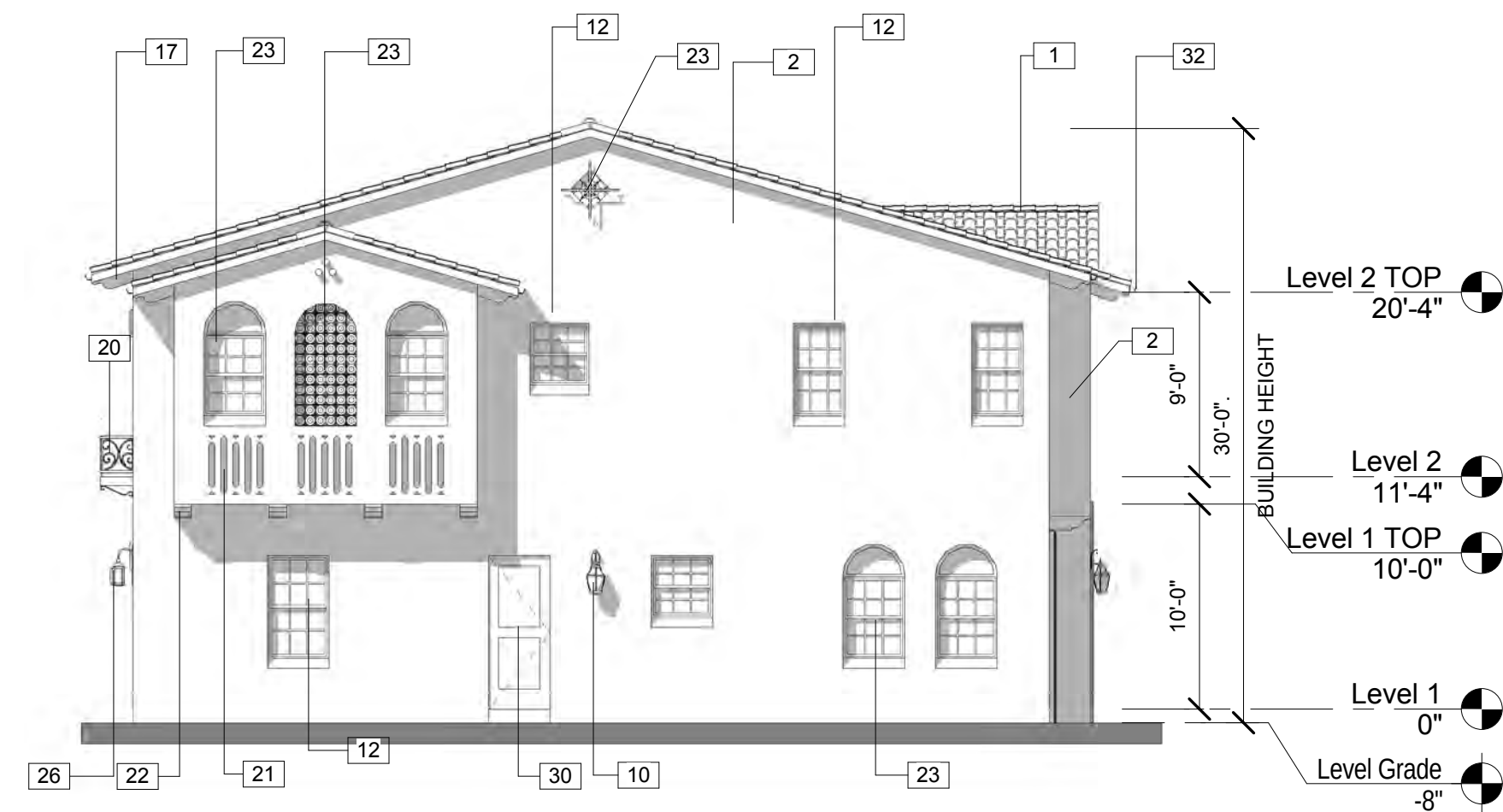
6 DETAIL-- WINDOW SILL DETAIL 1
1 1/2" = 1'-0"



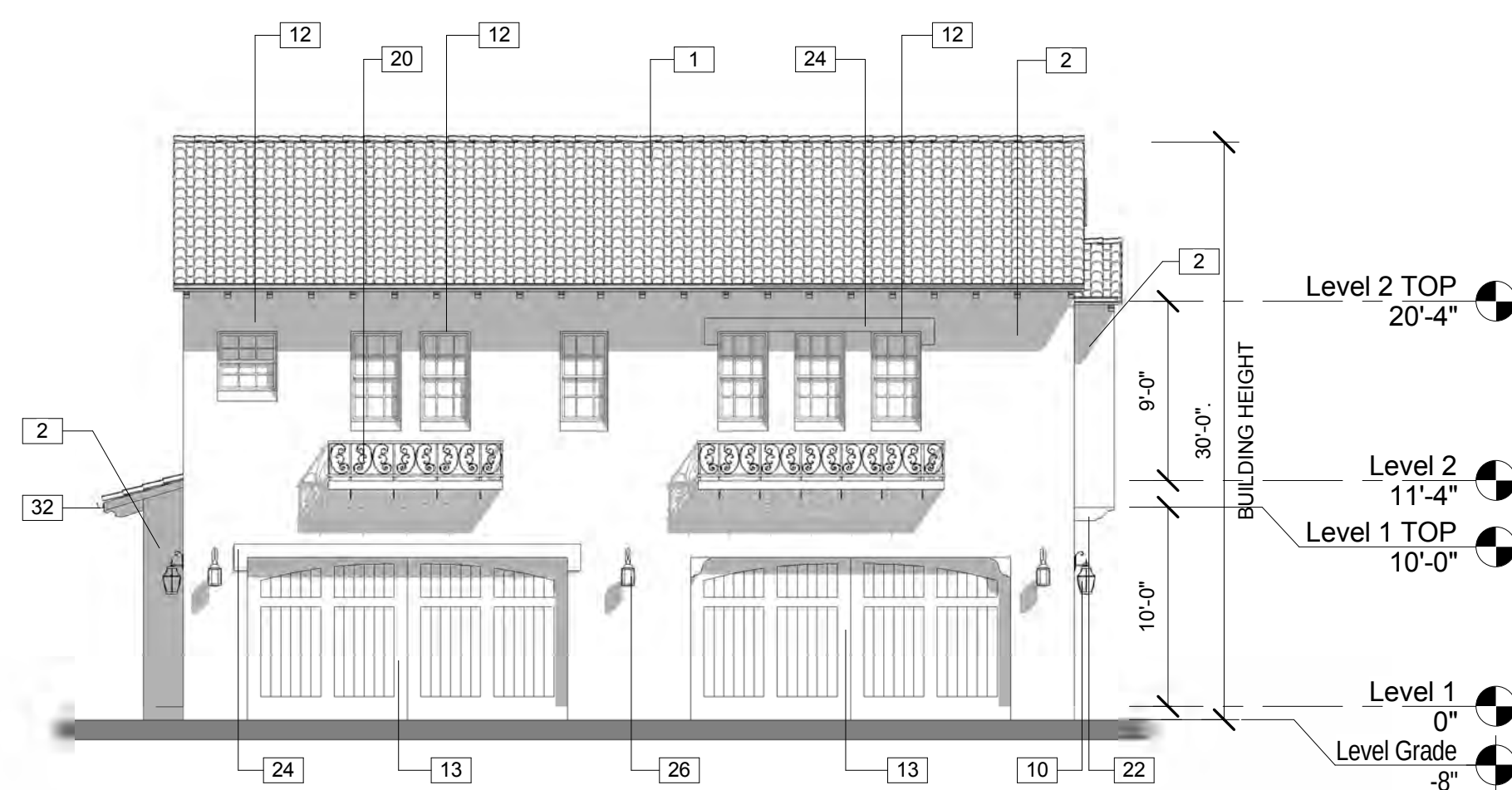
7 DETAIL -- WINDOW SILL DETAIL 2
1 1/2" = 1'-0"



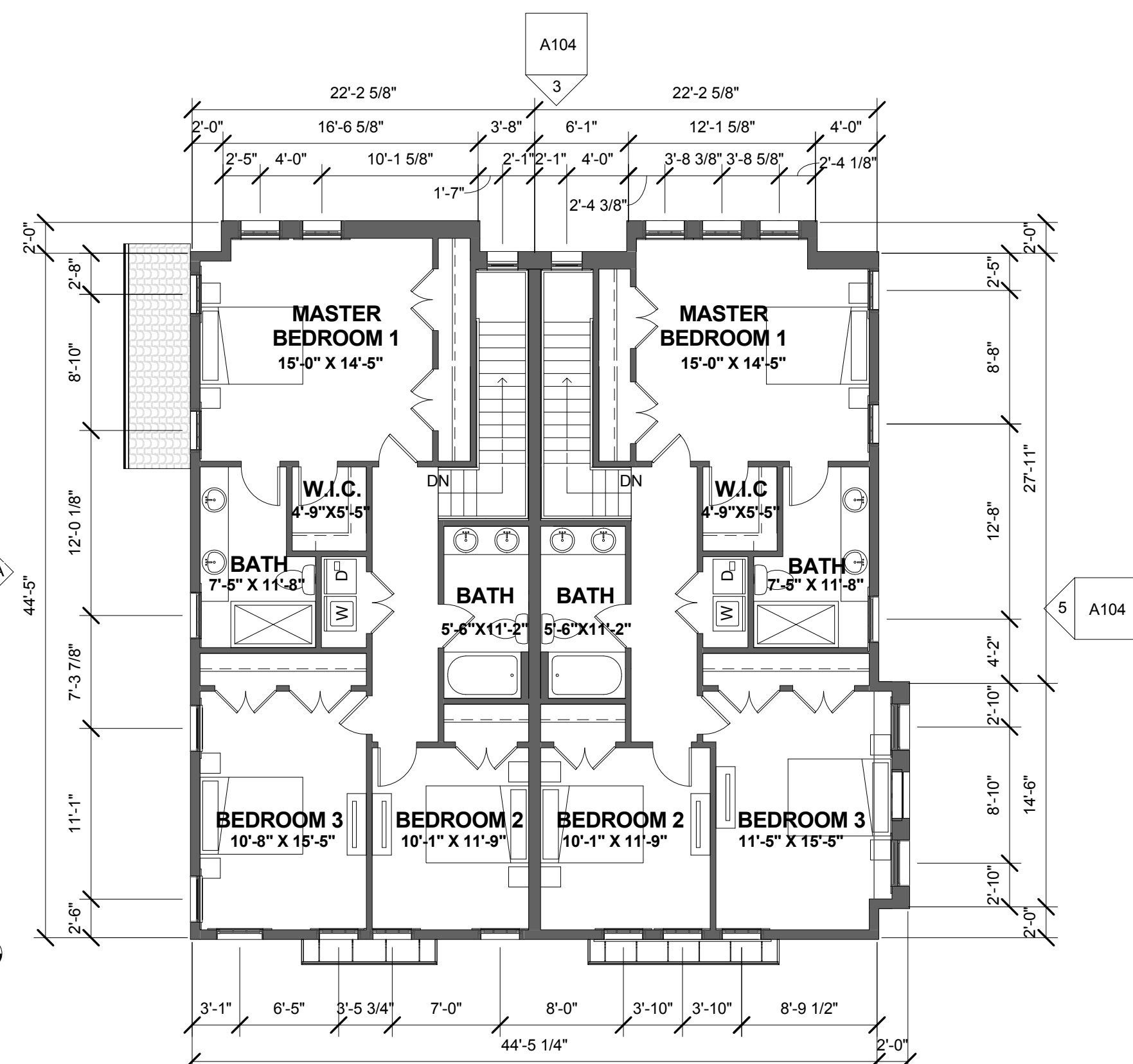
8 RAFTER AND GUTTER DETAIL
1 1/2" = 1'-0"



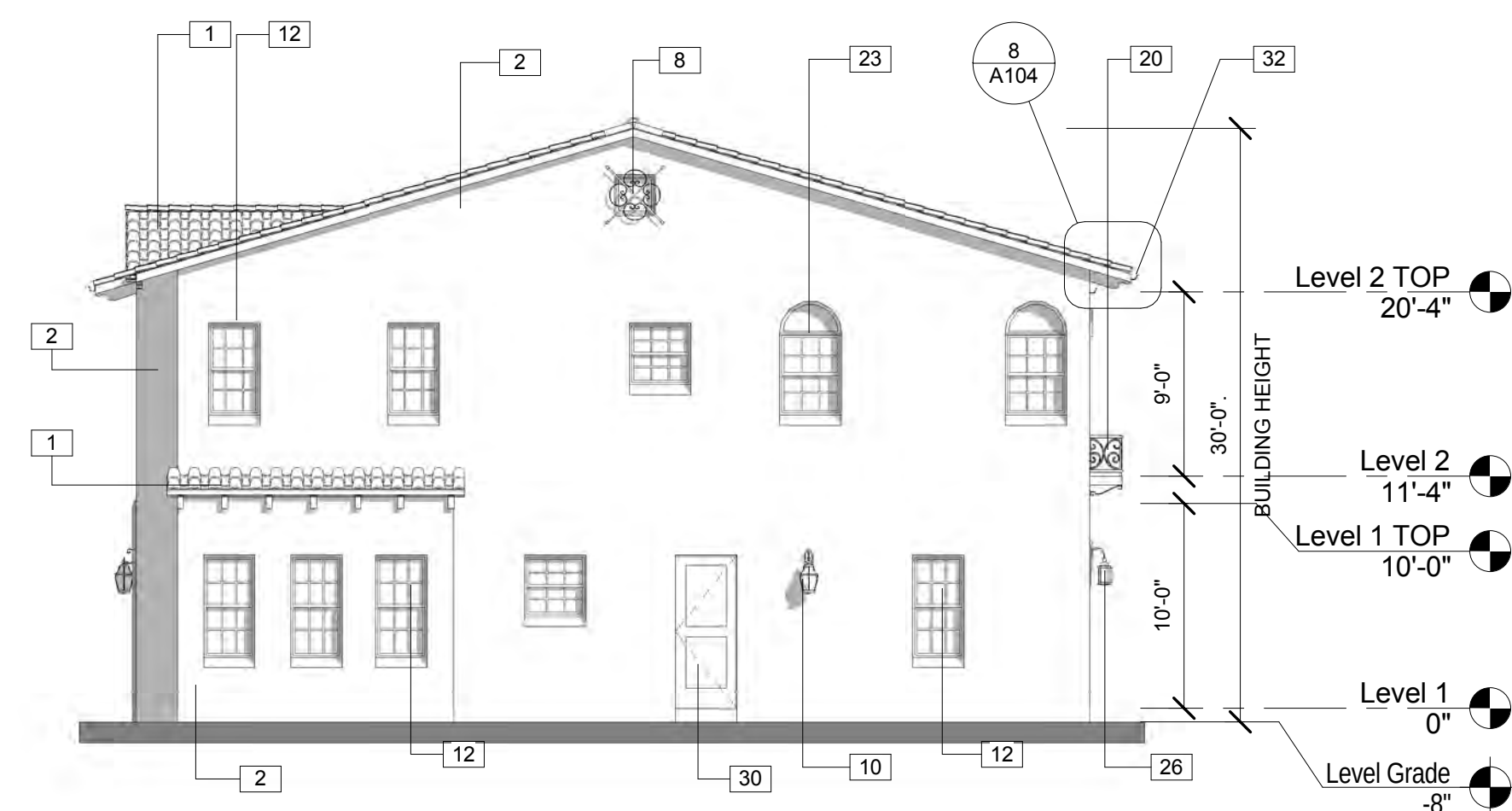
5 SIDE ELEVATION - LEFT
1/8" = 1'-0"



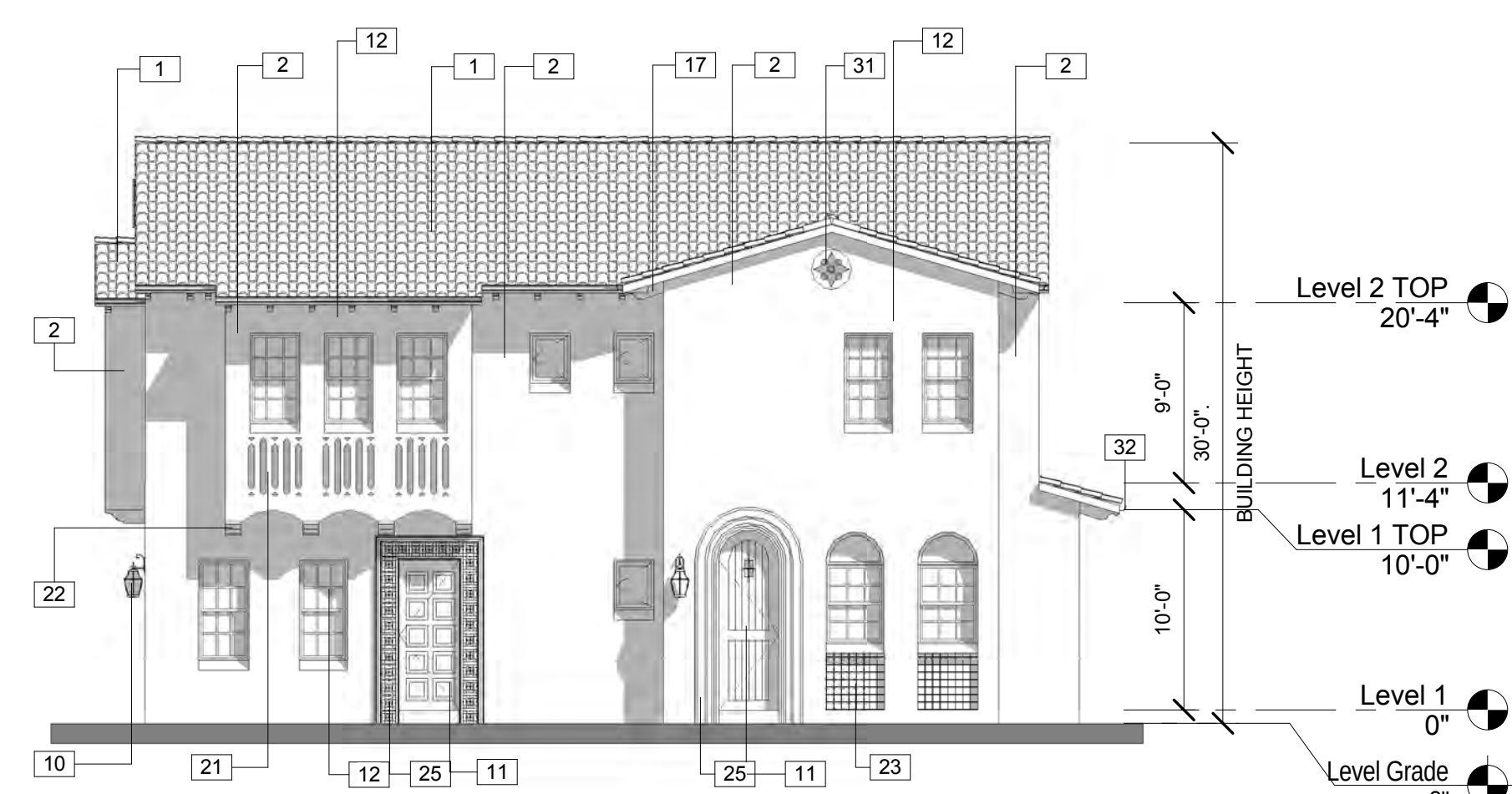
4 REAR ELEVATION
1/8" = 1'-0"



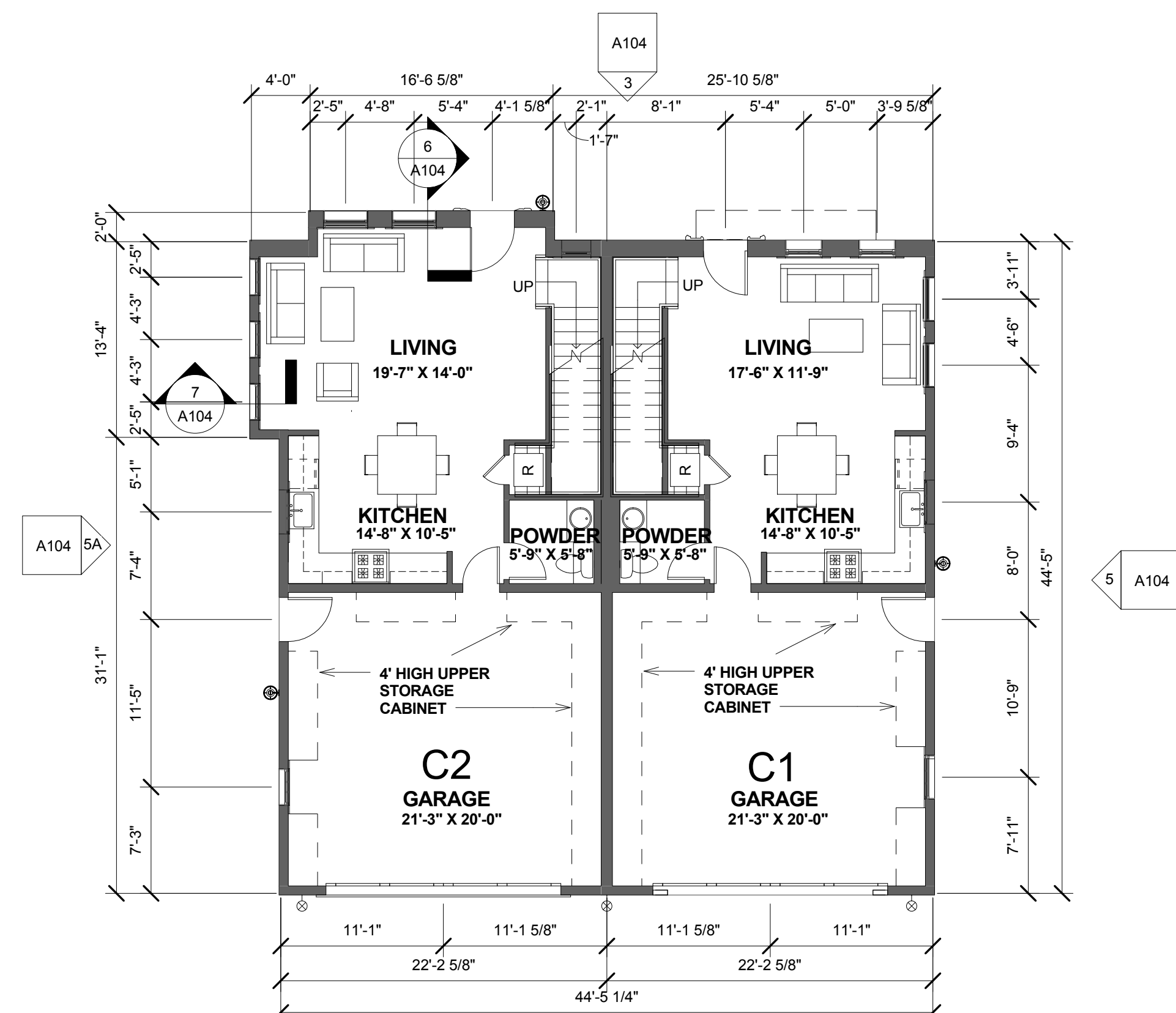
② LEVEL 2 FLOOR PLAN
1/8" = 1'-0"



5A SIDE ELEVATION - RIGHT
1/8" = 1'-0"



3 FRONT ELEVATION
1/8" = 1'-0"



① LEVEL 1 FLOOR PLAN
1/8" = 1'-0"



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JANUARY 27, 2017**

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UNIT C1-C2 FLOOR PLANS & ELEVATIONS

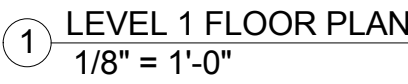
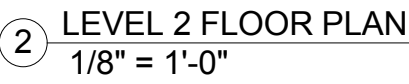
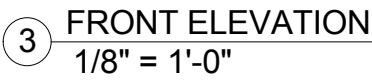
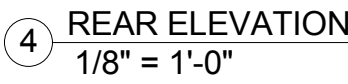
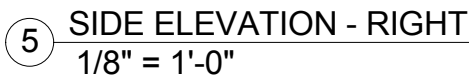
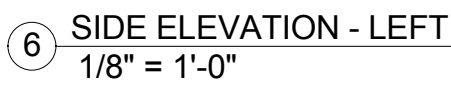
Project number:	15002	Date:	01/27/17
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Drawing No.

A104

Scale:	As indicated
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TYPICAL LIVEABLE AREA:		
	C3	C4
LEVEL 1:	536 SF	597 SF
LEVEL 2:	1026 SF	1030 SF
TOTAL:	1562 SF	1627 SF



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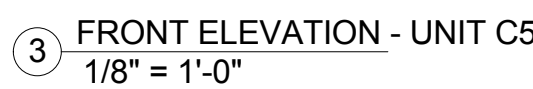
UNIT C3-C4 FLOOR PLANS & ELEVATIONS

Project number: 15002	Date: 01/27/17
Drawing No.	

A105

Scale: $1/8" = 1'-0"$

TYPICAL LIVEABLE AREA:
C5
LEVEL 1: 604 SF
LEVEL 2: 1070 SF
TOTAL: 1674 SF



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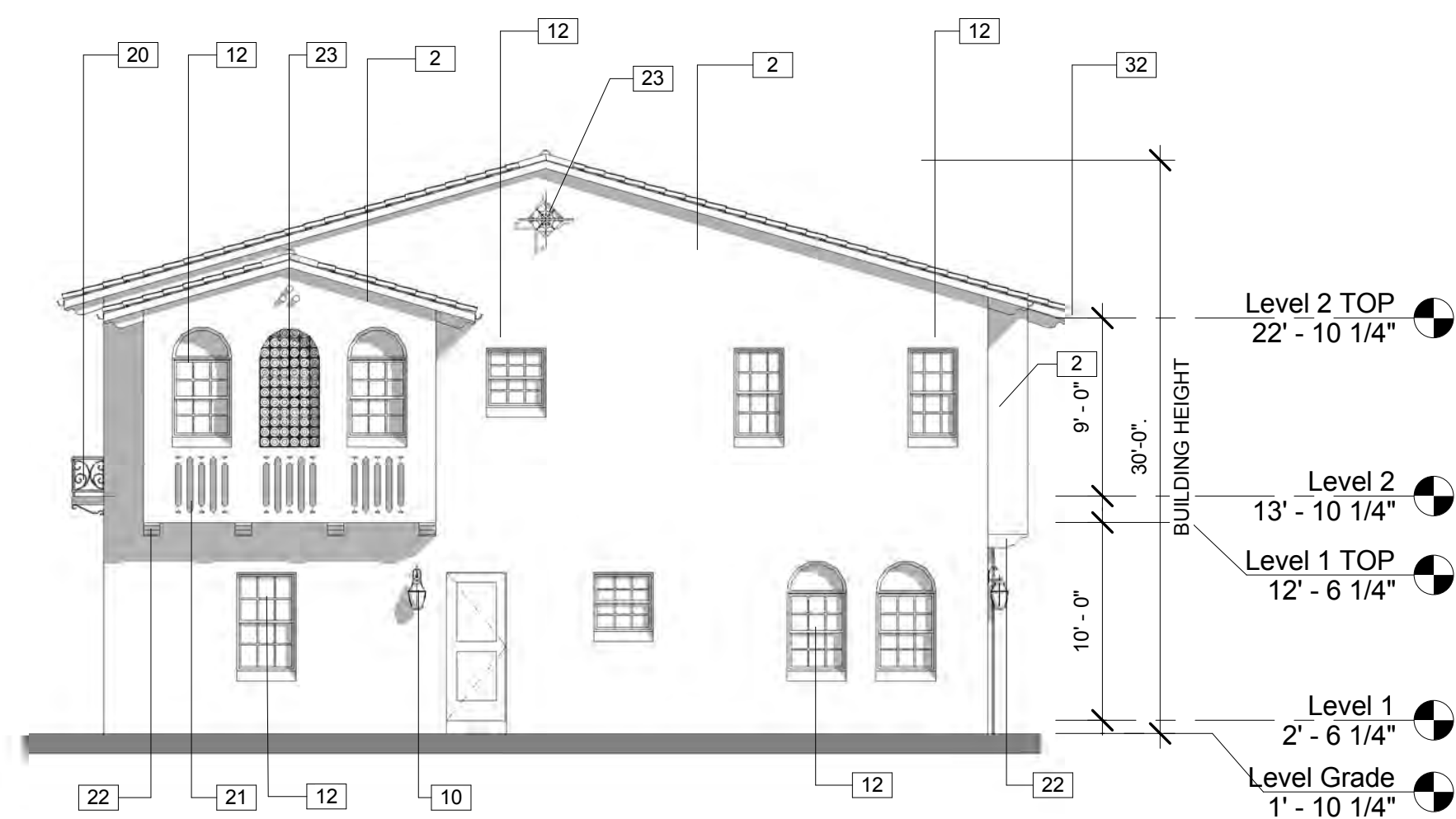
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UNIT C5 FLOOR PLANS & ELEVATIONS

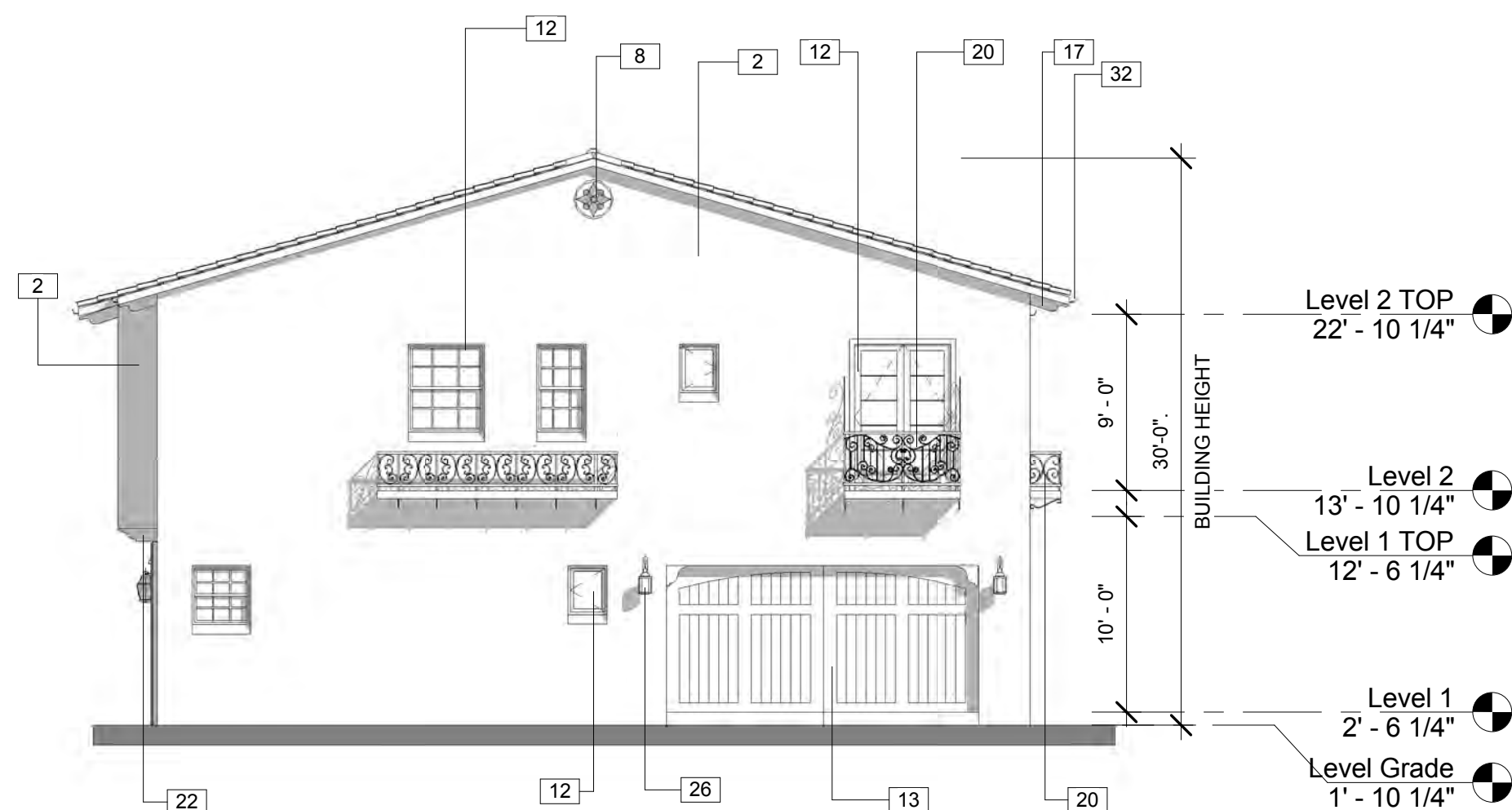
Project number:	15002	Date:	01/27/17
Drawing No.			
A106			
Scale:		$1/8" = 1'-0"$	

KEYNOTE LEGEND	
KEY	KEYNOTE TEXT
1	CONCRETE ROOF TILE, EAGLE ROOFING, CAPISTRANO, SIGNATURE BLENDS OF BLENDS, SCC 8830 50% AND SCC 8820 50%(ICC-ES ESR-1900), STANDARD TILES, APROX. INSTALLED WEIGHT 9 LB/SF.
2	STUCCO SMOOTH FINISH, OMEGA SAND 20/30, COLOR 420, FLORAL WHITE
8	WROUGHT IRON WINDOW COVER
10	MAIN ENTRY LIGHT FIXTURE, HINKLEY LIGHTING EDGEWATER 1676 BK-LED
11	PAINTED WOOD ENTRY DOOR
12	VINYL WINDOW AND FRENCH DOORS, SUPERCAPSR CO-EXTRUDED PROCESS, DARK BRONZE EXTERIOR COLOR MI WINDOWS OR AMSCO ARTISAN SERIES WITH 1" SIMULATED DIVIDERS
13	WOODGRAIN STEEL GARAGE DOOR, AMARR OAK SUMMIT, WALNUT FINISH BEAD BOARD DESIGN WITH DECORATIVE METAL BLUE RIDGE 11"H HANDLES AND 16" STRAP HINGE
17	WOOD RAFTER TAIL
20	WROUGHT IRON FLOWER POT HOLDER
21	STUCCO RECESS
22	PAINTED WOOD BRACKET
23	CERAMIC TILE RECESS
25	CERAMIC TILE DOOR TRIM
26	LIGHT FIXTURE PORTFOLIO 13-IN H LED RUST DARK SKY MODEL #: EFU1691L-3
32	DARK BRONZE PAINTED ALUMINUM GUTTER, TO MATCH WINDOW EXTERIOR COLOR

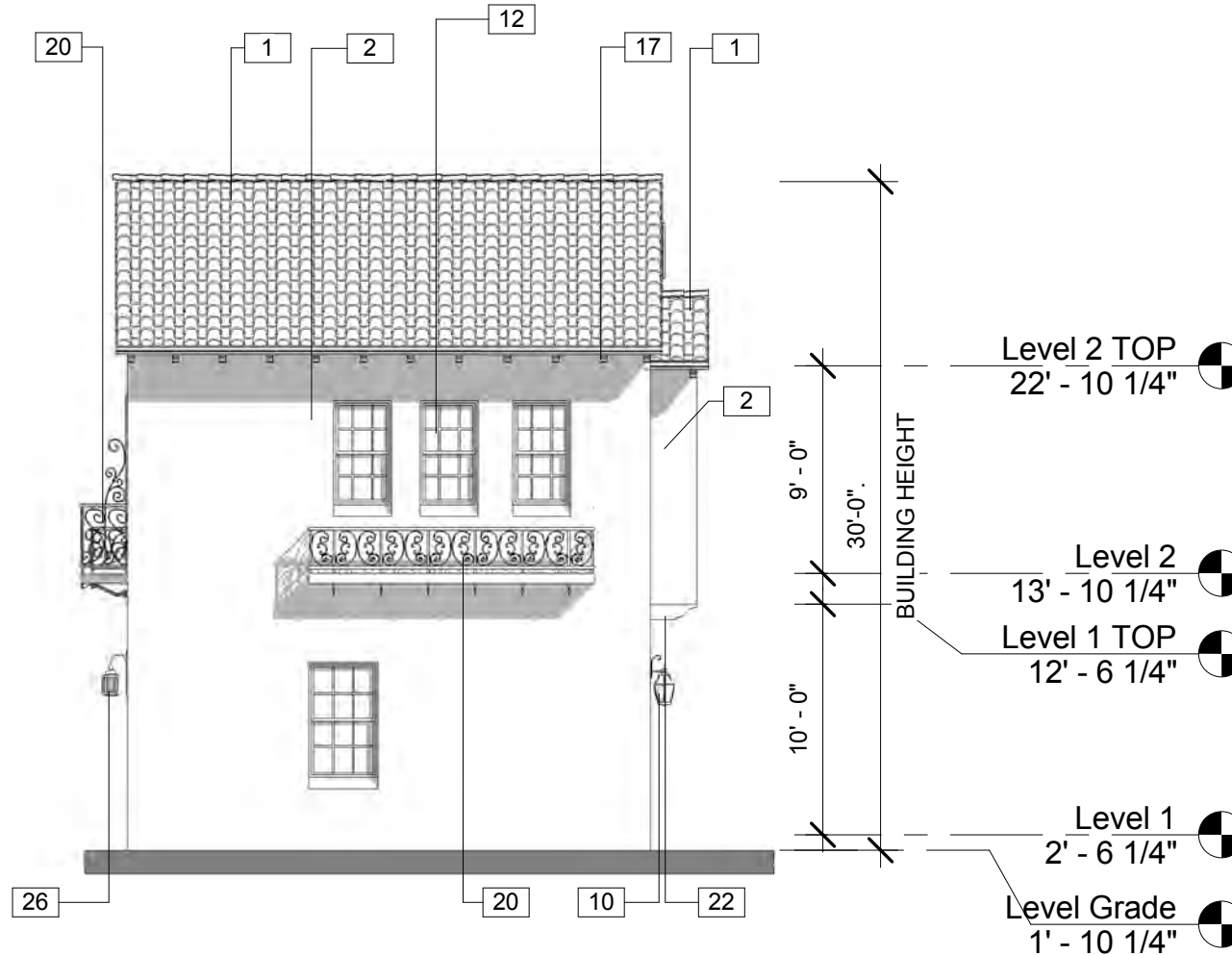
	C6
LEVEL 1:	546 SF
LEVEL 2:	1068 SF
TOTAL:	1614 SF



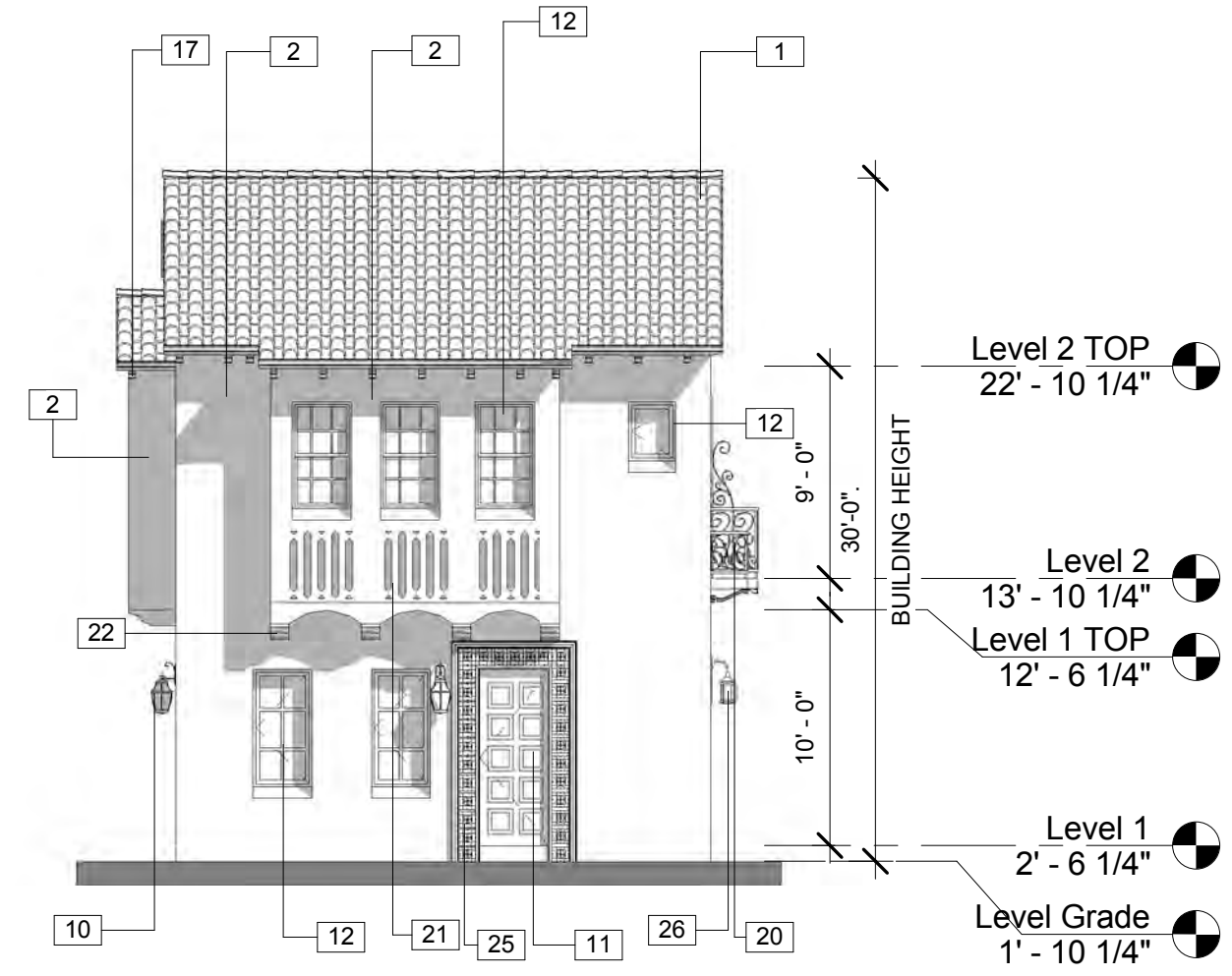
5 LEFT SIDE ELEVATION - UNIT C6
1/8" = 1'-0"



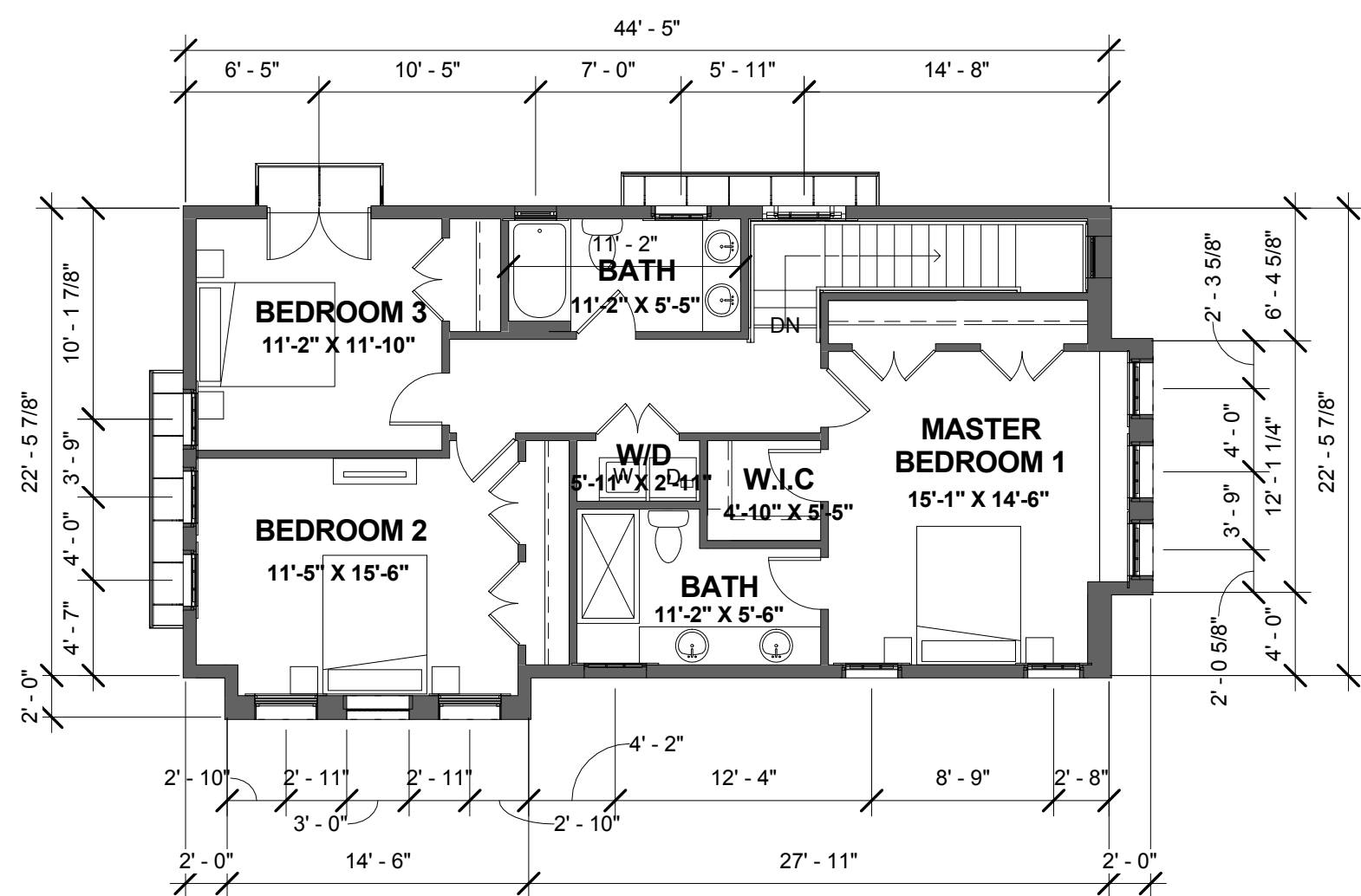
6 RIGHT SIDE ELEVATION - UNIT C6
1/8" = 1'-0"



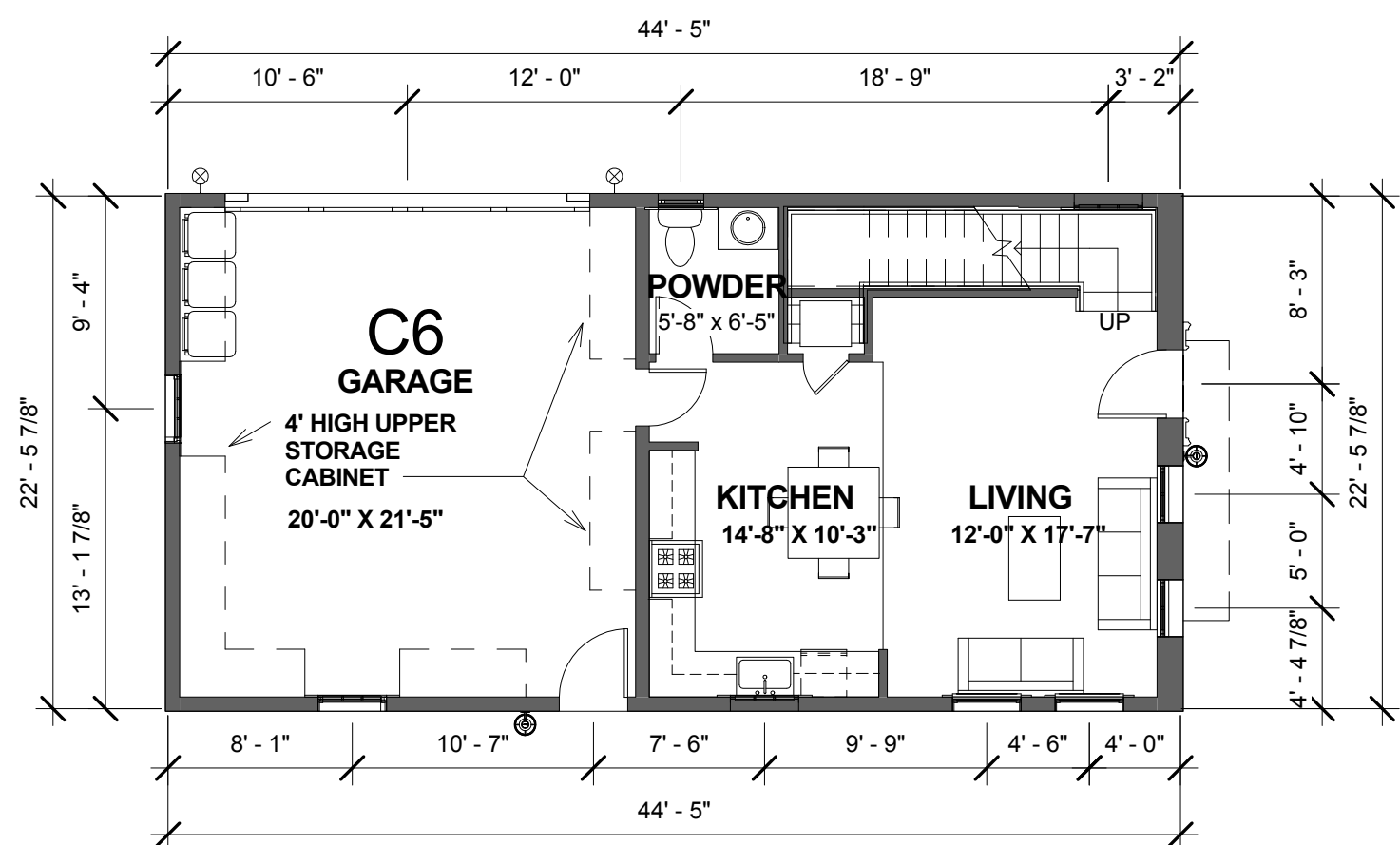
④ REAR ELEVATION - UNIT C6
1/8" = 1'-0"



3 FRONT ELEVATION - UNIT C6
1/8" = 1'-0"



2 LEVEL 2 FLOOR PLAN - UNIT C6
1/8" = 1'-0"



1 LEVEL 1 FLOOR PLAN - UNIT C6
1/8" = 1'-0"



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JANUARY 27, 2017**

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UNIT C6 FLOOR PLANS & ELEVATIONS

Project number: 15002	Date: 01/27/17
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Drawing No. **A 107**

A107

Scale: $1/8" = 1'-0"$



ARCHITECTURAL REVIEW BOARD SUBMISSION JANUARY 27, 2017

[illegible]

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3RD & OAK, DUARTE, CA

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ELEVATIONS

Project number: 15002	Date: 01/27/17
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Drawing No.

A201

Scale:

Photo Survey
1101 Oak Avenue & 1634 Third Street



Photo Survey
1101 Oak Avenue & 1634 Third Street



Photo Survey
1101 Oak Avenue & 1634 Third Street



Photo Survey
1101 Oak Avenue & 1634 Third Street



**Engineering and Traffic Study
Multi-Way Stop Application
For**

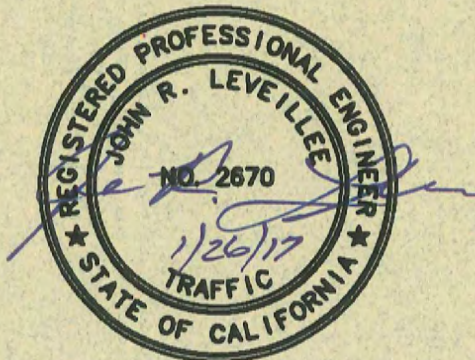
**Oak Avenue
and
Third Street**

January 26, 2017

Submitted to:

**City of Duarte
1600 Huntington Drive
Duarte, CA 91010**

Prepared by:



**398 Lemon Creek Drive, Suite E
Walnut, CA 91789
(909) 594-9702**

Table of Contents

1.	Introduction and Purpose of Study	2
2.	Study Overview	2
3.	Existing Conditions	2
4.	Intersection Safety History	3
5.	Intersection Volume Calculations	4
6.	Roadway Alignment and Other Issues	5
7.	Recommendations	6

Appendix A – Aerial Photograph

Appendix B – Traffic Volume Survey Data

Appendix C – Collision Summary Report

Appendix D – Site Photos

1. INTRODUCTION AND PURPOSE OF STUDY

The intersection of Oak Avenue and Third Street is a 4-way semi-stop controlled (in east/west direction) intersection located one block northwest of the intersection of Huntington Drive (Historic Route 66) with Highland Avenue, in the City of Duarte. The surrounding area is a mix of high density and single family residential to the north, with commercial development to the south. A Los Angeles County Fire Station is just east of the intersection on Highland Avenue. (See aerial photo in Appendix A).

There have been some recent inquiries related to the safety of the intersection and if additional stop signs should be installed to create an All-Way Stop condition. The City has hired RKA Consulting Group to perform an Engineering and Traffic Study to determine if this intersection meets the minimum requirements for a Multi-Way Stop application.

2. STUDY OVERVIEW

The installation and format for all traffic control devices in the State of California is governed by the California Manual of Uniform Traffic Control Devices (CA MUTCD) and the California Vehicle Code (CVC). Those sections in the CVC which relate to signing and striping on California roadways, have been incorporated into the CA MUTCD, so this document is utilized to determine the validity and legality of existing and proposed traffic control devices.

Section 2B.07 of the CA MUTCD provides the guidance to determine if a Multi-Way Stop application is warranted. The first item under this guidance is that: *"The decision to install multi-way stop control should be based on an engineering study"*. This Engineering and Traffic Study (E&TS) examines the safety record of the intersection, traffic volumes through the intersection, and the existing vertical and horizontal alignment of the intersection. The findings of these studies are then compared to the requirements and guidance under Section 2B.07, to determine the legality of the Multi-Way Stop application.

3. EXISTING CONDITIONS

The intersection of Oak Avenue and Third Street is located between a residential area to the north and a commercial node to the south. There is an existing park on Third Street just west of the intersection and a Fire Station just east of the intersection on Third Street as mentioned above. Third Street, the east/west roadway, is currently stop

controlled at the intersection. Oak Avenue, the north/south roadway, currently has no control at the intersection. There is a significant slope along Oak Avenue from the north to the south which carries through the intersection and affects the line of sight for vehicles stopped on Third Street. On-street parking is allowed on both streets, with vehicles parking immediately adjacent to the intersection. This causes significant line of sight issues at the intersection. This impact will be discussed in more detail, later in the report.

Examining the traffic counts for the intersection (see Appendix B), indicates a consistent traffic flow pattern along Third Street throughout the day. Traditional morning and evening peaks occur in the east/west direction, with slightly higher volumes travelling in the eastbound direction.

The traffic patterns are different along Oaks Avenue, with over twice the volume through the intersection occurring in the afternoon period, especially south of Third Avenue. Given the fact that this leg of the intersection is closest to the commercial development in the area, it makes sense motorists would be using Oaks Avenue to frequent the stores during normal business hours. Except for this anomaly, there is nothing unusual with the traffic patterns through the intersection.

4. INTERSECTION SAFETY HISTORY

The first step in determining the relative safety of an intersection is to examine the traffic collision history of the intersection. The repository for traffic collision history in California is the Statewide Integrated Traffic Records System (SWITRS). In order for a Traffic Collision (TC) to be collected in SWITRS, it must be reported to a law enforcement agency and that agency must file a report. Many law enforcement agencies are extremely busy, or under-staffed and cannot respond to every traffic collision. Many minor collisions which result in property damage only, never have a report generated, and thus they never become part of the collision history of that roadway, or intersection.

The Los Angeles County Sherriff's Office was contacted to obtain the traffic collision history at the intersection. They examined the SWITRS report as well as their own records over the last five years for any reported traffic collisions in and around the intersection. There were 5 reported traffic collisions at this intersection over the last 5 years, with one minor injury (complained of pain) and no fatalities (See Appendix C).

In Section 2B.07 of the CA MUTCD, Subsection 04.B states that a history of 5 or more reported crashes in a 12-month period, would be justification for a Multi-Way Stop application. Based on this criteria alone, the intersection would not qualify for an All-Way Stop.

5. INTERSECTION VOLUME CALCULATIONS

National Data and Surveying Services (NDS) was contracted with to perform the 24-hour intersection vehicle counts. The counts were performed over two days, Tuesday, January 10th, and then on Wednesday, January 18, 2017. The counts were performed utilizing automated pneumatic counters at each leg of the intersection for vehicles travelling in both directions. The results of these traffic counts are presented in Appendix B.

Section 2B07 of the CA MUTCD once again defines the limits and guidance for the application of a Multi-Way Stop, based on traffic volumes. The first parameter which is defined in this section is:

“Multi-way Stop control is used where the volume of traffic on the intersecting roads is approximately equal.”

Looking at the Average Daily Traffic (ADT) counts through the intersection, it becomes apparent that the traffic volumes at each leg of the intersection are very similar (excepting the anomaly for the commercial node), and thus the intersection does qualify for consideration based on this over-riding parameter (See Appendix B).

Subsection 04.C then defines the minimum traffic volumes under which the intersection should be considered for a Multi-Way Stop application. The major street approach (Oak Avenue in this case) needs to have an average of 300 vehicles per hour for an 8 hour period going through the intersection. In addition, the minor street (Third Street in this case) must have 200 vehicles per hour entering the intersection during this same 8 hour period.

Reviewing the traffic counts provided by NDS, the highest 8 hour volume period through the intersection occurs between 12 noon and 8:00 pm. The combined vehicle count on Oak Avenue entering the intersection is 38 vehicles per hour during this period, and the vehicles entering from Second Street average 23 vehicles per hour. These numbers are well below the minimum volumes required under Subsection 04.C, therefore the intersection would not qualify for a Multi-way Stop application based on this criteria.

Subsection 04.C.3 allows for a 30% reduction in the minimum required volumes based on higher approach speeds (above 40 mph), however the intersection volumes still would not meet the minimum requirement even at this lower threshold. There are no posted speed limits in the vicinity of the intersection, however Oak Avenue qualifies as a residential district (25 mph) north of the intersection, and Third Street qualifies as a residential district west of the intersection.

Lastly, Subsection 04.D allows the engineer to combine the safety and volume-based criteria, and make another finding. If the intersection meets 80% of the combine traffic collision requirement, AND meets 80% of the minimum volume requirement, it can still qualify for the Multi-way Stop application. Since there were only 4 reported collisions at the intersection, and the average traffic volumes are insignificant over the highest 8 hour period, the intersection would still not qualify.

6. ROADWAY ALIGNMENT AND OTHER ISSUES

There are situations where an existing intersection does not meet the requirements for a Multi-way Stop application based on traffic collisions, nor on minimum volumes through the intersection. However, this does not mean that an All-Way Stop isn't justified based on other criteria. Section 2B.07, Subsection 05., gives the engineer other parameters to examine, most notably Subsection 05.C, which covers the line of sight of the motorists travelling through the intersection.

The vertical and horizontal alignment of the intersection and the approaching streets has more of an impact on the motorists' line of sight than any variable at the intersection. Changes in grade, and on-street parking on the approach streets can limit the distance that a motorist can see approaching vehicles. This limited sight distance affects the timing of the vehicle executing their turn from the stop, and can lead to collisions.

The intersection at Oak Avenue and Third Street has a unique configuration. The approach along Oak Avenue from the north and through the intersection has a constant down-grade. This would result in an increase in the stopping distance should a vehicle pull out of Third Avenue unexpectedly.

The issue which has the greatest impact to line of sight at the intersection is the ability for motorists to park on the street along all approaches to the intersection. If a motorist stops at the stop bar on Third Street and there are vehicles parked along Oak Avenue, it is virtually impossible for the stopped motorist to see approaching vehicles on Oak Avenue without "creeping" well past the stop bar and into the intersection. The photos attached as Appendix D clearly show this condition.

There is another issue to consider at this intersection. Since Oak Avenue has a constant down-grade for nearly a quarter mile, it conveys a significant amount of storm water during rain events. In order to handle this storm water run-off, the curbs and longitudinal gutters along the roadway are deeper than standard. The gutters which

bisect Third Avenue through the intersection are significantly deeper than most, and impede the motorist who is trying to cross the intersection in an east/west direction. Once the motorist stops at the stop bar along Third Avenue, they must slowly negotiate the deep gutters, which diminishes their ability to accelerate through the intersection.

In the Caltrans Design Manual, the recommended sight distance for stopping at 25 mph is 150 feet. The distance increases to 430 feet at 50 mph. This distance is also based on the approaches to the intersection being level, or nearly level. The slope of Oak Avenue as it approaches the intersection from the north would greatly increase this recommended stopping site distance. In order to provide sufficient stopping distance line of sight, parking would have to be eliminated along Oak Avenue a minimum distance of 200 feet north of the intersection, and 150 feet south of the intersection.

7. RECOMMENDATIONS

There are several concerns at this intersection which when taken individually would not justify installing an All-Way Stop control. Installing too many stop controls along a roadway impedes motorists and leads to driver frustration. The end result is oftentimes the motorist will ignore the proliferation of stop signs and "roll through" them, or completely ignore them. This can lead to increased collision history, and an increase in the severity of these collisions. It is therefore very important to install All-Way Stop applications only where they will significantly benefit the safety on the motoring public.

The line of sight issue at this intersection could be resolved by eliminating parking along all the approaches to the intersection. While this would certainly benefit the intersection, a parking restriction in this area would have a significant impact on the neighborhood. Most of the lots in this area have been developed to fully utilize all available space on the lot, leaving little to no room for parking. In addition, the multi-family units near the intersection do not appear to have sufficient on-site parking, thus necessitating the on-street parking.

The grade of Oak Avenue through the intersection is a product of the existing topography in the area. Perhaps this could have been designed better when the road was first built, but since the area is completely developed, it would be economically infeasible to remedy this situation now. The same can be said of the deep gutters which impede east/west movement through the intersection. Wider and shallower gutters could be constructed, which would benefit movement across the intersection, however this would require a significant reconstruction of the intersection at a considerable expense.

This intersection does not meet the requirements for a Multi-way Stop application per the Guidance (previously known as "warrants") component of Section 2B.07. However under the Option component of Section 2B.07, a criteria which may be considered in an engineering study is:

Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop.

The on-street parking issue, the grade of Oak Avenue, and the deep gutters are all issues which would not justify a Multi-Way Stop control when taken individually. However, when their impacts are combined at the intersection, it becomes readily apparent that they meet the criteria above. Since it is also apparent that it is not economically feasible to mitigate these issues, the best alternative is to install a Multi-Way Stop application and require the traffic on Oak Avenue to stop.

It is therefore the opinion of this engineer that the intersection of Oak Avenue and Third Street qualifies for a Multi-way Stop application under Section 2B.07, Subsection 05.C. of the 2014 California MUTCD, and an All-Way Stop configuration is recommended for this intersection. It is further recommended that a No Parking application be initiated along all approaches and departures to and from the intersection for a minimum of 50 feet from each curb return.

Appendix A
Aerial Photograph



Appendix B
Traffic Volume Survey Data

Prepared by NDS/ATD
VOLUME
Oak Ave S/O 3rd St

Day: Wednesday
Date: 1/18/2017

City: Duarte
Project #: CA17_5019_002

DAILY TOTALS					NB	SB	EB		WB		Total
					323	259	0		0		582
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	0	0			0	12:00	9	3			12
00:15	0	0			0	12:15	8	8			16
00:30	1	0			1	12:30	8	2			10
00:45	0	1	0		0	12:45	3	28	5	18	46
01:00	0	0			0	13:00	2	7			9
01:15	0	0			0	13:15	6	5			11
01:30	0	0			0	13:30	8	3			11
01:45	1	1	1	1	2	13:45	7	23	3	18	41
02:00	0	1			1	14:00	7	6			13
02:15	1	0			1	14:15	8	5			13
02:30	1	0			1	14:30	2	6			8
02:45	0	2	0	1	0	14:45	6	23	3	20	43
03:00	0	1			1	15:00	6	6			12
03:15	0	2			2	15:15	3	3			6
03:30	2	0			2	15:30	8	3			11
03:45	0	2	0	3	0	15:45	6	23	3	15	38
04:00	0	0			0	16:00	5	5			10
04:15	0	1			1	16:15	10	8			18
04:30	0	0			0	16:30	9	9			18
04:45	0	0	1		0	16:45	9	33	7	29	62
05:00	0	1			1	17:00	6	8			14
05:15	0	1			1	17:15	8	7			15
05:30	1	1			2	17:30	7	3			10
05:45	0	1	2	5	2	17:45	4	25	2	20	45
06:00	2	2			4	18:00	9	2			11
06:15	2	1			3	18:15	8	5			13
06:30	3	3			6	18:30	5	6			11
06:45	1	8	5	11	6	18:45	5	27	3	16	43
07:00	3	1			4	19:00	5	2			7
07:15	3	5			8	19:15	3	0			3
07:30	5	6			11	19:30	6	2			8
07:45	3	14	5	17	8	19:45	5	19	8	12	31
08:00	4	5			9	20:00	3	2			5
08:15	3	8			11	20:15	5	2			7
08:30	2	0			2	20:30	6	5			11
08:45	2	11	8	21	10	20:45	3	17	1	10	27
09:00	3	2			5	21:00	3	0			3
09:15	6	0			6	21:15	3	0			3
09:30	2	1			3	21:30	4	1			5
09:45	3	14	6	9	9	21:45	4	14	1	2	16
10:00	5	2			7	22:00	3	3			6
10:15	5	2			7	22:15	1	2			3
10:30	3	3			6	22:30	1	1			2
10:45	3	16	1	8	4	22:45	1	6	1	7	13
11:00	3	3			6	23:00	1	0			1
11:15	4	2			6	23:15	1	0			1
11:30	3	5			8	23:30	0	0			0
11:45	3	13	5	15	8	23:45	0	2	0		2
TOTALS	83	92			175	TOTALS	240	167			407
SPLIT %	47.4%	52.6%			30.1%	SPLIT %	59.0%	41.0%			69.9%

DAILY TOTALS					NB	SB	EB	WB	Total
					323	259	0	0	582
AM Peak Hour	11:45	07:30			11:45	PM Peak Hour	16:15	16:15	16:15
AM Pk Volume	28	24			46	PM Pk Volume	34	32	66
Pk Hr Factor	0.778	0.750			0.719	Pk Hr Factor	0.850	0.889	0.917
7 - 9 Volume	25	38			63	4 - 6 Volume	58	49	107
7 - 9 Peak Hour	07:15	07:30			07:30	4 - 6 Peak Hour	16:15	16:15	16:15
7 - 9 Pk Volume	15	24			39	4 - 6 Pk Volume	34	32	66
Pk Hr Factor	0.750	0.750			0.886	Pk Hr Factor	0.850	0.889	0.917

Prepared by NDS/ATD
VOLUME
Oak Ave N/O 3rd St

Day: Tuesday
Date: 1/10/2017

City: Duarte
Project #: CA17_5019_001

DAILY TOTALS					NB	SB	EB				WB	Total
					172	165	0				0	337
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL	
00:00	0	0			0	12:00	4	4			8	
00:15	0	0			0	12:15	4	4			8	
00:30	1	0			1	12:30	3	2			5	
00:45	0	1	0		0	12:45	1	12	4	14	26	
01:00	0	0			0	13:00	1	1			2	
01:15	0	0			0	13:15	2	2			4	
01:30	0	0			0	13:30	4	1			5	
01:45	0	0			0	13:45	5	12	2	6	18	
02:00	1	0			1	14:00	6	3			9	
02:15	1	0			1	14:15	5	2			7	
02:30	0	1			1	14:30	6	3			9	
02:45	0	2	0	1	0	14:45	4	21	3	11	32	
03:00	0	1			1	15:00	2	7			9	
03:15	0	0			0	15:15	2	1			3	
03:30	0	0			0	15:30	6	3			9	
03:45	0	0	1		0	15:45	1	11	4	15	26	
04:00	0	0			0	16:00	4	2			6	
04:15	0	0			0	16:15	5	5			10	
04:30	0	2			2	16:30	7	11			18	
04:45	0	0	2		0	16:45	4	20	3	21	41	
05:00	0	0			0	17:00	5	7			12	
05:15	0	3			3	17:15	3	3			6	
05:30	0	1			1	17:30	1	4			5	
05:45	0	3	7		3	17:45	3	12	2	16	28	
06:00	1	0			1	18:00	3	2			5	
06:15	0	1			1	18:15	2	2			4	
06:30	2	1			3	18:30	3	1			4	
06:45	0	3	0	2	0	18:45	3	11	2	7	18	
07:00	2	0			2	19:00	3	4			7	
07:15	5	0			5	19:15	3	2			5	
07:30	6	3			9	19:30	1	2			3	
07:45	5	18	2	5	7	19:45	1	8	2	10	18	
08:00	2	0			2	20:00	1	1			2	
08:15	2	2			4	20:15	2	1			3	
08:30	2	4			6	20:30	0	1			1	
08:45	2	8	2	8	4	20:45	2	5	1	4	9	
09:00	3	0			3	21:00	0	3			3	
09:15	1	2			3	21:15	1	4			5	
09:30	2	1			3	21:30	1	0			1	
09:45	2	8	1	4	3	21:45	2	4	1	8	12	
10:00	2	2			4	22:00	0	0			0	
10:15	3	1			4	22:15	0	2			2	
10:30	1	0			1	22:30	0	1			1	
10:45	3	9	3	6	6	22:45	0	2	5		5	
11:00	3	2			5	23:00	0	2			2	
11:15	0	1			1	23:15	0	0			0	
11:30	2	4			6	23:30	0	0			0	
11:45	2	7	1	8	3	23:45	0	2	4		4	
TOTALS	56	44			100	TOTALS	116	121			237	
SPLIT %	56.0%	44.0%			29.7%	SPLIT %	48.9%	51.1%			70.3%	

DAILY TOTALS					NB	SB	EB	WB	Total
					172	165	0	0	337
AM Peak Hour	07:00	11:30			11:30	PM Peak Hour	13:45	16:15	16:15
AM Pk Volume	18	13			25	PM Pk Volume	22	26	47
Pk Hr Factor	0.750	0.813			0.781	Pk Hr Factor	0.917	0.591	0.653
7 - 9 Volume	26	13			39	4 - 6 Volume	32	37	69
7 - 9 Peak Hour	07:00	07:45			07:00	4 - 6 Peak Hour	16:15	16:15	16:15
7 - 9 Pk Volume	18	8			23	4 - 6 Pk Volume	21	26	47
Pk Hr Factor	0.750	0.500			0.639	Pk Hr Factor	0.750	0.591	0.653

Prepared by NDS/ATD

VOLUME

3rd St E/O Oak Ave

Day: Tuesday
Date: 1/10/2017City: Duarte
Project #: CA17_5019_003

DAILY TOTALS					NB	SB	EB		WB		Total
					0	0	211		148		359
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00			0	0	0	12:00			1	1	2
00:15			1	0	1	12:15			2	0	2
00:30			0	0	0	12:30			2	0	2
00:45			2	3	2	12:45			2	7	3
01:00			0	1	1	13:00			2	1	3
01:15			1	0	1	13:15			1	2	3
01:30			2	0	2	13:30			2	0	2
01:45			2	5	2	13:45			1	6	3
02:00			1	0	1	14:00			1	0	1
02:15			0	0	0	14:15			2	3	5
02:30			0	1	1	14:30			4	1	5
02:45			1	2	1	14:45			4	11	9
03:00			0	0	0	15:00			3	3	6
03:15			0	0	0	15:15			3	2	5
03:30			0	0	0	15:30			2	4	6
03:45			0	1	1	15:45			5	13	10
04:00			0	0	0	16:00			3	1	4
04:15			0	0	0	16:15			5	5	10
04:30			0	0	0	16:30			2	1	3
04:45			1	1	1	16:45			3	13	6
05:00			1	0	1	17:00			7	2	9
05:15			2	1	3	17:15			4	5	9
05:30			0	0	0	17:30			8	6	14
05:45			3	6	3	17:45			5	24	10
06:00			1	0	1	18:00			3	7	10
06:15			3	0	3	18:15			3	1	4
06:30			6	2	8	18:30			0	0	0
06:45			7	17	10	18:45			0	6	3
07:00			3	3	6	19:00			2	1	3
07:15			9	2	11	19:15			2	0	2
07:30			6	2	8	19:30			3	3	6
07:45			4	22	9	19:45			4	11	4
08:00			3	5	8	20:00			5	3	8
08:15			4	1	5	20:15			1	0	1
08:30			1	3	4	20:30			2	3	5
08:45			3	11	6	20:45			1	9	2
09:00			4	2	6	21:00			0	2	2
09:15			5	2	7	21:15			0	0	0
09:30			1	3	4	21:30			1	0	1
09:45			3	13	4	21:45			1	2	1
10:00			2	1	3	22:00			0	0	0
10:15			2	3	5	22:15			1	1	2
10:30			5	2	7	22:30			1	3	4
10:45			3	12	5	22:45			0	2	0
11:00			2	3	5	23:00			1	0	1
11:15			3	5	8	23:15			0	1	1
11:30			3	2	5	23:30			0	0	0
11:45			6	14	8	23:45			0	1	0
TOTALS			106	61	167	TOTALS			105	87	192
SPLIT %			63.5%	36.5%	46.5%	SPLIT %			54.7%	45.3%	53.5%

DAILY TOTALS					NB	SB	EB	WB	Total
					0	0	211	148	359
AM Peak Hour	06:30	07:15	07:15	PM Peak Hour	17:00	17:15	17:15		
AM Pk Volume	25	14	36	PM Pk Volume	24	23	43		
Pk Hr Factor	0.694	0.700	0.818	Pk Hr Factor	0.750	0.821	0.768		
7 - 9 Volume	33	24	57	4 - 6 Volume	37	28	65		
7 - 9 Peak Hour	07:00	07:15	07:15	4 - 6 Peak Hour	17:00	17:00	17:00		
7 - 9 Pk Volume	22	14	36	4 - 6 Pk Volume	24	18	42		
Pk Hr Factor	0.611	0.700	0.818	Pk Hr Factor	0.750	0.750	0.750		

Prepared by NDS/ATD

VOLUME

3rd St W/O Oak Ave

Day: Wednesday
Date: 1/18/2017City: Duarte
Project #: CA17_5019_004

DAILY TOTALS					NB	SB	EB				WB	Total
					0	0	214				157	371
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL	
00:00			0	0	0	12:00			7	2	9	
00:15			0	0	0	12:15			2	3	5	
00:30			0	0	0	12:30			5	3	8	
00:45			0	0	0	12:45			4	18	22	
01:00			0	0	0	13:00			2	2	4	
01:15			0	0	0	13:15			3	1	4	
01:30			0	0	0	13:30			3	1	4	
01:45			1	1	2	13:45			3	11	14	
02:00			2	0	2	14:00			2	3	5	
02:15			0	1	1	14:15			2	4	6	
02:30			0	0	0	14:30			5	1	6	
02:45			0	2	2	14:45			2	11	13	
03:00			1	0	1	15:00			1	2	3	
03:15			0	0	0	15:15			2	3	5	
03:30			0	0	0	15:30			8	2	10	
03:45			0	1	1	15:45			2	13	15	
04:00			0	0	0	16:00			2	6	8	
04:15			0	0	0	16:15			4	2	6	
04:30			0	0	0	16:30			5	7	12	
04:45			2	2	4	16:45			3	14	17	
05:00			0	0	0	17:00			9	2	11	
05:15			2	1	3	17:15			7	3	10	
05:30			1	0	1	17:30			3	4	7	
05:45			6	9	15	17:45			3	22	25	
06:00			1	0	1	18:00			4	6	10	
06:15			2	0	2	18:15			3	3	6	
06:30			4	0	4	18:30			2	2	4	
06:45			8	15	23	18:45			3	12	15	
07:00			4	0	4	19:00			4	1	5	
07:15			7	1	8	19:15			1	0	1	
07:30			7	2	9	19:30			0	1	1	
07:45			5	23	28	19:45			6	11	17	
08:00			4	2	6	20:00			0	2	2	
08:15			2	3	5	20:15			4	4	8	
08:30			2	3	5	20:30			0	0	0	
08:45			5	13	18	20:45			0	4	4	
09:00			2	5	7	21:00			1	2	3	
09:15			0	1	1	21:15			0	4	4	
09:30			2	2	4	21:30			2	3	5	
09:45			2	6	8	21:45			0	3	3	
10:00			3	1	4	22:00			1	0	1	
10:15			2	1	3	22:15			0	0	0	
10:30			2	2	4	22:30			0	2	2	
10:45			3	10	13	22:45			0	1	1	
11:00			5	2	7	23:00			0	0	0	
11:15			3	1	4	23:15			0	1	1	
11:30			3	3	6	23:30			0	0	0	
11:45			1	12	13	23:45			0	1	1	
TOTALS	94				51	TOTALS	120				106	226
SPLIT %	64.8%				35.2%	SPLIT %	53.1%				46.9%	60.9%

DAILY TOTALS					NB	SB	EB	WB	Total
					0	0	214	157	371
AM Peak Hour		06:45	08:15	07:15	PM Peak Hour		16:30	15:45	16:30
AM Pk Volume		26	14	33	PM Pk Volume		24	21	39
Pk Hr Factor		0.813	0.700	0.825	Pk Hr Factor		0.667	0.750	0.813
7 - 9 Volume		36	19	55	4 - 6 Volume		36	30	66
7 - 9 Peak Hour		07:00	07:45	07:15	4 - 6 Peak Hour		16:30	16:00	16:30
7 - 9 Pk Volume		23	13	33	4 - 6 Pk Volume		24	18	39
Pk Hr Factor		0.821	0.650	0.825	Pk Hr Factor		0.667	0.643	0.813

Appendix C
Collision Summary Report

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT TEMPLE STATION

From 1/1/2012 to 1/11/2017

Total Collisions: 4

Injury Collisions: 0

Fatal Collisions: 0

Collision Summary Report

1/12/17

3RD ST from HIGHLAND AV to COTTER AV

Page 1 of 2

912-01094-0541-472	1/30/2012	11:30	Monday	3RD ST OAK AV	Other Motor Vehicle	Unsafe Starting or Backing	22106	g'	Direction: West	Daylight	Clear	Pty at Fault:1
Party 1	Driver				East			Male	Age: 41			# Inj: 0
Veh Type:					Sobriety:	Assoc Factor:						# Killed: 0
Party 2	Driver				East			Female	Age: 19			
Veh Type:					Sobriety:	Assoc Factor:						
912-02056-0541-472	2/23/2012	13:35	Thursday	3RD ST OAK AV	Other Motor Vehicle	Unsafe Starting or Backing	22106	327'	Direction: West	Daylight	Clear	Pty at Fault:1
Party 1	Driver				East			Female	Age: 40			# Inj: 0
Veh Type:					Sobriety:	Assoc Factor:						# Killed: 0
Party 2	Driver				East			Male	Age: 20			
Veh Type:					Sobriety:	Assoc Factor:						
Party 3	Parked Vehicle				East							
Veh Type:					Sobriety:	Assoc Factor:						
913-07795-0541-250	8/16/2013	23:59	Friday	3RD ST OAK AV				345'	Direction: West			Pty at Fault:
Party 1	Driver				East							# Inj: 0
Veh Type:					Sobriety:	Assoc Factor:						# Killed: 0
Party 2	Parked Vehicle				East			Male	Age:			
Veh Type:					Sobriety:	Assoc Factor:						
Party 3	Parked Vehicle				East			Male	Age:			
Veh Type:					Sobriety:	Assoc Factor:						
916-10114-0541-472	9/4/2016	13:15	Sunday	3RD ST OAK AV	Parked Motor Vehicle	Improper Turning	22107	162'	Direction: East	Daylight	Clear	Pty at Fault:1
Party 1	Driver				East			Male	Age: 28			# Inj: 0
Veh Type:					Sobriety:	Assoc Factor:						# Killed: 0
Party 2	Parked Vehicle				East							
Veh Type:					Sobriety:	Assoc Factor:						

Segment Length: 0.38 miles (1,995')

Settings for Query:

Street: 3RD ST between HIGHLAND AV and COTTER AV
Include Intersection Related: True
Sorted By: Date and Time

Appendix D

Site Photos



Eastbound approach to the intersection on 3rd St, looking north on Oak Ave from Stop bar.



Eastbound approach to the intersection on 3rd St, looking south on Oak Ave from Stop bar.



After "creeping" past Stop Bar on 3rd Street, looking south on Oak Avenue.



After "creeping" past Stop Bar on 3rd Street, looking north on Oak Avenue.



Westbound approach to the intersection on 3rd St; looking south on Oak Ave from Stop bar.



Westbound approach to the intersection on 3rd St, looking north on Oak Ave from Stop bar.



Northbound on Oak Avenue, looking west on 3rd Street.



Northbound on Oak Avenue, looking east on 3rd Street.



Southbound on Oak Avenue, looking west on 3rd Street.

RESOLUTION NO. PC 17-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF DUARTE CERTIFY THE MITIGATED NEGATIVE DECLARATION AND ADOPT A MITIGATION MONITORING PROGRAM TO REDUCE IDENTIFIED “POTENTIALLY SIGNIFICANT” IMPACTS TO A LEVEL OF “LESS THAN SIGNIFICANT” FOR THE PROJECT GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the Planning Commission of the City of Duarte (“Planning Commission”) has considered the Mitigated Negative Declaration (“MND”) and Mitigation and Monitoring Program (“MMP”) for the development of 18 owner-occupied, two-story townhome development and relocation of Third Street Park, on six parcels generally located at the southwest corner of Oak Avenue and Third Street (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905); and

WHEREAS, the MND for the proposed 18-unit development and relocation of Third Street Park provides an assessment of the environmental impacts, alternatives, and mitigation measures associated with the project, provided in “Exhibit A”, attached to this Resolution, and has been prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines); and

WHEREAS, on February 21, 2017 the Planning Commission held a duly noticed public hearing on the proposed 18 owner-occupied, two-story townhome development and relocation of Third Street Park, whereupon the Planning Commission received public testimony; and

WHEREAS, the Planning Commission received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, written comments on the MND and MMP were received from the public and other public agencies during the 21-day public review period, which began on December 1, 2016 and ended on January 3, 2017; and

WHEREAS, such comments and testimony have been responded to through a Comments and Responses as part of the MND process for the Project; and,

WHEREAS, notice of public hearing before the Planning Commission concerning the adequacy and completeness of the MND and MMP was given in accordance with the laws and policies of the City of Duarte (City); and

WHEREAS, the MND and MMP have been independently reviewed by the Planning Commission and reflects the independent judgment of the Planning Commission; and

WHEREAS, the Planning Commission has reviewed all documentation comprising the MND, and has found that the MND addresses all environmental effects of the proposed project, with mitigation measures, and that the MND and MMP fully comply with all requirements of CEQA and the CEQA Guidelines relating thereto.

NOW, THEREFORE, the Planning Commission of the City of Duarte hereby resolves as follows:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2: The Planning Commission finds that the MND and MMP fully complies with the requirements of CEQA and the CEQA Guidelines relating thereto,

SECTION 3. The Planning Commission has considered the potential environmental effects as shown in the MND and, on the basis of the whole record, finds that there is no substantial evidence that the project will have a significant effect on the environment, with the implementation of the MMP. The foregoing determination, which reflects the independent analysis and independent judgment of the Planning Commission, is based on the information in the record.

SECTION 4. The Planning Commission recommends to the City Council of the City of Duarte that the MND and MMP be approved and adopted, in accordance with Exhibit "A" attached hereto and made a part of this Resolution; and that the MND and MMP, including all elements listed above, be certified by the City, as lead agency for the proposed project.

APPROVED AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.

Paula Watson, Chairperson,
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

CITY OF DUARTE
COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a special meeting of the Planning Commission of the City of Duarte held on February 21, 2017, and carried by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

Exhibit “A”

Mitigated Negative Declaration and Mitigation Monitoring Program attached hereto

3RD & OAK RESIDENTIAL PROJECT
INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION



Lead Agency::



Prepared by:

Morse Planning Group

**Draft Initial Study/
Mitigated Negative Declaration**

3rd & Oak Residential Project

LEAD AGENCY:

City of Duarte
1600 Huntington Drive
Duarte, CA 91010
Contact: Ms. Kristen Johnston

PREPARED BY:

Morse Planning Group

December 1, 2016

Table of Contents

1.	Introduction	1-1
1.1.	Statutory Authority and Requirements.....	1-1
1.2.	Purpose	1-2
1.3.	Consultation	1-3
1.4.	Incorporation by Reference	1-4
2.	Project Description	2-1
2.1.	Project Location	2-1
2.2.	Environmental Setting	2-1
2.3.	Existing Zoning and General Plan	2-2
2.4.	Project Characteristics.....	2-2
2.5.	Permits and Approvals.....	2-4
3.	Initial Study Checklist	3-1
3.1.	Background	3-1
3.2.	Environmental Factors Potentially Affected.....	3-2
3.3.	Evaluation of Environmental Impacts.....	3-2
4.	Environmental Analysis	4-1
4.1.	Aesthetics.....	4-1
4.2.	Agriculture and Forestry Resources	4-5
4.3.	Air Quality.....	4-9
4.4.	Biological Resources.....	4-19
4.5.	Cultural Resources	4-23
4.6.	Geology and Soils.....	4-37
4.7.	Greenhouse Gases	4-43
4.8.	Hazards and Hazardous Materials.....	4-53
4.9.	Hydrology and Water Quality	4-59
4.10.	Land Use and Planning	4-75
4.11.	Mineral Resources	4-79
4.12.	Noise	4-81
4.13.	Population and Housing	4-93
4.14.	Public Services	4-95
4.15.	Recreation.....	4-99
4.16.	Transportation/Traffic.....	4-101
4.17.	Utilities and Service Systems	4-109
4.18.	Mandatory Findings of Significance.....	4-117
4.19.	References.....	4-119
4.20.	Report Preparation Personnel.....	4-120

5.	Consultant Recommendation	5-1
6.	Lead Agency Determination	6-1
7.	Mitigation Monitoring and Reporting Program	7-1
8.	Comments and Responses	8-1

Appendices

Provided on CD at end of Table of Contents

A	Air Quality Modeling Data
B	Cultural Resources Assessment
C	Preliminary Geotechnical Evaluation
D	Greenhouse Gas Modeling Data
E	Preliminary Drainage Study
F	Noise Modeling Data
G	Trip Generation Analysis

List of Exhibits

Exhibit 2-1	Regional Location.....	2-5
Exhibit 2-2	Local Vicinity	2-6
Exhibit 2-3	Vesting Tentative Tract Map.....	2-7
Exhibit 2-4	Site Plan	2-8
Exhibit 2-5	Landscape Plan.....	2-8
Exhibit 4.9-1	Existing Site Drainage Map.....	4-73
Exhibit 4.9-2	Proposed Project Drainage Map.....	4-74

List of Tables

Table 2-1	Existing and Proposed Uses	2-3
Table 4.3-1	SCAQMD Thresholds of Significance	4-11
Table 4.3-2	Estimated Peak Daily Construction Emissions.....	4-13
Table 4.3-3	Existing Daily Operational Emissions	4-14
Table 4.3-4	Estimated Daily Operational Emissions	4-14
Table 4.3-5	Localized On-Site Peak Daily Construction Emissions	4-17
Table 4.5-1	Cultural Resources within One-Half-Mile of the Project Site.....	4-30
Table 4.5-2	Previous Cultural Resource Studies within One-Half-Mile of the Project Site	4-31
Table 4.7-1	Project Construction-Related GHG Emissions	4-48
Table 4.7-2	Existing Greenhouse Gas Emissions	4-49
Table 4.7-3	Project Operational GHG Emissions.....	4-50
Table 4.9-1	Existing and Proposed Pervious and Impervious Site Conditions.....	4-62
Table 4.9-2	Existing Conditions Hydrology	4-65
Table 4.9-3	Proposed Conditions Hydrology	4-67
Table 4.10-1	Development Standards	4-77
Table 4.12-1	Ambient Base Noise Levels	4-82
Table 4.12-2	Measured Ambient Daytime Noise Levels	4-83
Table 4.12-3	Noise Range of Typical Construction Equipment.....	4-84
Table 4.12-4	Typical Outdoor Construction Noise Levels	4-84
Table 4.12-5	Vibration Source Levels for Construction Equipment.....	4-88
Table 4.16-1	Existing Site Trip Generation	4-103
Table 4.16-2	Proposed Project Trip Generation	4-103
Table 4.17-1	Existing and Estimated Project Wastewater Generation.....	4-111
Table 4.17-2	Existing and Estimated Project Water Demand	4-113
Table 4.17-3	Existing and Estimated Project Solid Waste Generation.....	4-115

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Initial Study/Mitigated Negative Declaration and Technical Appendices on CD

1.0 INTRODUCTION

The 3rd & Oak Residential Project (herein referenced as the “project” or the “proposed project”) involves the demolition of all on-site buildings and the development of 18 residential units and the relocation of Third Street Park. Following a preliminary review of the proposed project, the City of Duarte has determined that the proposed project is subject to the guidelines and regulations of the *California Environmental Quality Act (CEQA)*. This Initial Study addresses the direct, indirect, and cumulative environmental effects of the project, as proposed.

1.1. STATUTORY AUTHORITY AND REQUIREMENTS

This environmental document has been prepared in conformance with *CEQA (California Public Resources Code [PRC] Section 21000 et seq.)*; *CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.)*; and the rules, regulations, and procedures for implementation of *CEQA*, as adopted by the City of Duarte.

In accordance with the *CEQA Guidelines* Sections 15051 and 15367, the City of Duarte (City) is identified as the Lead Agency for the proposed project. Under *CEQA* Sections 21000-21177 and pursuant to *CEQA Guidelines* Section 15063, the City is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that any aspect of the project may cause a significant environmental effect, the Lead Agency shall further find that an Environmental Impact Report (EIR) is warranted to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration. Such determination can be made only if “there is no substantial evidence in light of the whole record before the Lead Agency” that such impacts may occur (*CEQA* Section 21080(c)).

The environmental documentation, which is ultimately selected by the City in accordance with *CEQA*, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions relevant to the project. The resulting documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.

The environmental documentation and supporting analysis are subject to a public review period. During this review, agency and public comments on the document relative to environmental issues should be addressed to the City. Following review of any comments received, the City will consider these comments as a part of the project’s environmental review and include them with the Initial Study documentation for consideration by the City.

1.2. PURPOSE

The purposes of an Initial Study are to:

1. Identify environmental impacts;
2. Provide the lead agency with information to use as the basis for deciding whether to prepare an EIR or a negative declaration;
3. Enable an applicant or lead agency to modify a project, mitigating adverse impacts before an EIR is required to be prepared;
4. Facilitate environmental assessment early in the design of the project;
5. Document the factual basis of the finding in a negative declaration that a project would not have a significant environmental effect;
6. Eliminate needless EIRs;
7. Determine whether a previously prepared EIR could be used for the project; and
8. Assist in the preparation of an EIR, if required, by focusing the EIR on the effects determined to be significant, identifying the effects determined not to be significant, and explaining the reasons for determining that potentially significant effects would not be significant.

CEQA Guidelines Section 15063 identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include:

- A description of the project, including the location of the project
- Identification of the environmental setting
- Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries
- Discussion of ways to mitigate significant effects identified, if any
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study

1.3. RESPONSIBLE AND TRUSTEE AGENCIES

Certain projects or actions undertaken by a Lead Agency require subsequent oversight, approvals, or permits from other public agencies in order to be implemented. Such other agencies are referred to as Responsible Agencies and Trustee Agencies. Pursuant to *CEQA Guidelines* Sections 15381 and 15386, as amended, Responsible Agencies and Trustee Agencies are respectively defined as follows:

“Responsible Agency” means a public agency, which proposes to carry out or approve a project, for which [a] Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term “responsible agency” includes all public agencies other than the Lead Agency, which have discretionary approval power over the project. (Section 15381)

“Trustee Agency” means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. Trustee Agencies include; The California Department of Fish and Wildlife, The State Lands Commission; The State Department of Parks and Recreation and The University of California with regard to sites within the Natural Land and Water Reserves System. (Section 15386)

For this project, the City of Duarte is the Lead Agency and has the principal responsibility of processing and approving the project.

Responsible and Trustee Agencies and other entities that may use this Initial Study in their decision-making process or for informational purposes include, but may not be limited to, the following:

- Los Angeles Regional Water Quality Control Board
- Los Angeles County Fire Department
- Los Angeles County Sheriff Department

1.4. CONSULTATION

As soon as the Lead Agency has determined that an Initial Study would be required for a project, the Lead Agency is directed to consult informally with all Responsible Agencies and Trustee Agencies that are responsible for resources affected by the project, in order to obtain the recommendations of those agencies as to whether an EIR or a Negative Declaration should be prepared for the project. Following receipt of any written comments from those agencies, the Lead Agency considers any recommendations of those agencies in the formulation of the preliminary findings. Following completion of this Initial Study, the Lead Agency initiates formal consultation with these and other governmental agencies as required under *CEQA* and its implementing guidelines.

1.5. INCORPORATION BY REFERENCE

Pertinent documents relating to this Initial Study have been cited in accordance with *CEQA Guidelines* Section 15150, which encourages incorporation by reference as a means of reducing redundancy and length of environmental reports. The following documents are hereby incorporated by reference into this EIR. Information contained within these documents has been utilized for this Initial Study. These documents are available for review at the City of Duarte Community Development Department, located at 1600 Huntington Drive, Duarte, California 91010.

City of Duarte Comprehensive General Plan 2005-2020 (General Plan), August 14, 2007, February 11, 2014

The Duarte General Plan assesses and plans future uses for all property within the planning area. The General Plan establishes what the residents and businesses of Duarte want to preserve and achieve. The General Plan includes the following elements:

- Safety
- Open Space and Conservation
- Noise
- Land Use
- Housing¹
- Historic Preservation
- Economic Development
- Circulation

Duarte General Plan Update Environmental Impact Report (General Plan EIR), August 14, 2007

The General Plan EIR analyzed potential environmental impacts associated with buildout of the City in accordance with the General Plan. The General Plan EIR assumes growth in residential, retail, office, and research and development uses over 2005/2006 conditions, as follows:

- 726 residential dwelling units
- 248,744 square feet of retail uses
- 50,000 square feet of office uses

¹ The City of Duarte 2014-2021 *Housing Element* was adopted on February 11, 2014

- 360,000 square feet of research and development uses

The General Plan EIR concluded that the following impacts could not be feasibly mitigated and would result in a significant unavoidable impact associated with implementation of the General Plan Update:

Air Quality

- Mobile and Stationary Source Emissions (Reactive Organic Gases)
- Short-Term Cumulative Impacts
- General Plan Buildout Cumulative Impacts

Water Supply

- Insufficient water supply to meet growth associated with proposed General Plan Update in 2020.

The City Council adopted a Statement of Overriding Considerations for these impacts on August 14, 2007. Both the Statement of Overriding Considerations and the Statement of Facts and Findings are referenced in Resolution No. 07-22.

City of Duarte Municipal Code (Code of Ordinances Codified through Ordinance No. 860, passed October 13, 2015; Development Code Codified through Ordinance No. 857, adopted April 28, 2015) (Municipal Code)

The Municipal Code consists of regulatory, penal, and administrative ordinances of the City. It is the method the City uses to implement control of land uses, in accordance with General Plan goals and policies. The Development Code (Title 19 of the Municipal Code) identifies land uses permitted and prohibited according to the zoning category of particular parcels and establishes the development standards and regulations for each zone. The Building Laws (Title 16 of the Municipal Code) specify rules and regulations for construction, alteration, and building for uses of human habitation.

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2.0 PROJECT DESCRIPTION

2.1. PROJECT LOCATION

Regionally, the project site is located in the City of Duarte. The City of Duarte is located in the north-central portion of the San Gabriel Valley, approximately 21 miles northeast of the City of Los Angeles in the County of Los Angeles. The City of Duarte is situated at the base of the San Gabriel Mountains and is bordered by the City of Irwindale to the south, the City of Monrovia to the west, the City of Bradbury and the Angeles National Forest to the north, and the City of Azusa to the east; refer to *Exhibit 2-1, Regional Location*.

Locally, the project site is generally located at the southwest corner of 3rd Street and Oak Avenue; refer to *Exhibit 2-2, Local Vicinity*.

2.2. ENVIRONMENTAL SETTING

2.2.1 EXISTING LAND USES

The 1.647-acre project site is owned by the City of Duarte. The site is developed with two buildings at 1101-1105 Oak Avenue and 1634-1640 Third Street, and Third Street Park. The buildings and park are located on the south side of Third Street.

The 1101-1105 Oak Avenue building is 3,740 square feet. The current tenant is the City of Duarte Field Services Department.

The 1634-1640 Third Street building is 9,050 square feet. The current tenants are the Duarte Montessori School and Duarte Chamber of Commerce, which occupy approximately 5,575 square feet. The remainder of the building is vacant.

A total of six street trees (Crape Myrtle) are located along the south side of 3rd Street and one street tree (Chinese Elm) is located along Oak Avenue. Six additional trees (Chinese Elm, Evergreen Pear, Crape Myrtle, Mulberry [2], Victorian Box) are located within the Montessori School outdoor area.

The City's Third Street Park located at 1626 Third Street is 0.29 acres in size and includes a picnic and barbecue area, and playground equipment. The park includes mature trees and landscaping, including eight trees (Mulberry, Carrot Wood, Chinese Elm [3], Victorian Box, Coast Live Oak, Redwood), and shrubs along the southern park boundary/chain-link fencing.

2.2.2 SURROUNDING LAND USES

The project site is surrounded by the following uses:

North: Single-family homes are located north of the project site on the north side of 3rd Street.

West: Single-family homes are located to the immediate west of the project site on the south side of 3rd Street.

South: Single-family and multi-family residential uses are located to the immediate south of the project site. The multi-family residential uses include the Huntington Oaks Village Apartments and Huntington Villas complexes.

East: The Los Angeles County Fire Department Station 44 is located immediately east of the project site.

2.3. EXISTING ZONING AND GENERAL PLAN

Project Site

The *Duarte General Plan* Land Use Diagram designates the project site as School; Public/Quasi Public; Utility and Open Space; Park. The Zoning Map designates the project site as Public Facility and Open Space.

Surrounding Uses

The *Duarte General Plan* Land Use Diagram designates uses north of the site as Low and Medium Density Residential; uses south of the site as High Density Residential and Specific Plan; uses east of the site as School; Public/Quasi Public; Utility and Medium Density Residential; and uses west of the site as Low Density Residential.

The Duarte Zoning Map designates uses north of the site as RA-1 Single-Family Residential and R-2 Two-Family Residential; uses south of the site as R-4 Multiple Family Residential High Density and Specific Plan 15; uses east of the site as Public Facility and R-3 Multiple Family Residential Medium Density; and uses west of the site as RA-1 Single-Family Residential.

2.4. PROJECT CHARACTERISTICS

2.4.1 DESCRIPTION OF PROJECT

The Applicant, Tipping Development, Inc., proposes to demolish all on-site buildings, remove all on-site landscaping and trees, and relocate the existing Third Street Park from its current location to the northeast corner of the site at 3rd Street and Oak Avenue, and construct 18 residential units on the 1.647-acre (71,730 square feet) project site. The large oak tree located near the southeast corner of

Third Street Park will be removed and replaced with a new oak tree in the relocated park. Refer to *Exhibit 2-3, Vesting Tentative Tract Map*; *Exhibit 2-4, Site Plan*; and *Table 2-1, Existing and Proposed Uses*.

The Duarte Montessori School is closing or relocating, and the Duarte Field Services operations and staff will relocate to another City facility.

As shown in *Exhibit 2-4*, Third Street Park will be relocated to the easterly most portion of the property and 16 two-story duplex units and two two-story detached units, all with attached garages, will be constructed on the remainder of the site. Each residential unit will be approximately 1,600 square feet in size.

Vehicular access to all proposed units will be provided via five driveways off 3rd Street.

TABLE 2-1 EXISTING AND PROPOSED USES

Existing Use	SF	Acres	Proposed Use	SF	DU	Acres
Third Street Park		0.29	Third Street Park			0.21
Montessori School and Duarte Chamber of Commerce	5,575	1.357	Single-Family Duplex Units		16	1.437
Office (City Field Services)	3,740		Single-Family Detached Units		2	
Vacant Office	3,475					
Existing Total	12,790	1.647	Proposed Total		18	1.647

Parking

A total of two garage parking spaces will be provided for each residential unit for a total of 36 parking spaces. In addition, 14 on-site parking spaces will be provided for a total of 50 parking spaces for the residential development.

Parking for the park will be provided on-street similar to the existing condition.

Landscaping

On-site trees and landscaping will be removed and replaced with new trees and landscaping (refer to *Exhibit 2-5, Landscape Plan*).

Site Grading

The site has previously been graded to support the on-site buildings and parking areas, and Third Street Park. Remedial on-site grading is needed to accommodate the proposed development. The remedial grading is needed to remove unsuitable soil, which results in 5,760 cubic yards of cut and 4,675 cubic yards of fill. The remaining 1,085 cubic yards of fill will be exported off-site.

Infrastructure

The proposed project will remove unnecessary on-site water and wastewater infrastructure, and replace and/or upgrade the on-site water and wastewater infrastructure to serve the proposed on-site residential and recreational uses. In addition, 3rd Street will be repaved the entire length of the project site.

Traffic Controls

Currently, the intersection of 3rd Street and Oak Avenue is a two-way stop controlled intersection with stop signs on the eastbound and westbound corners of 3rd Street at Oak Avenue. Oak Avenue is the through road with the traffic right of way. Two options are being considered for future operations: 1) maintain the current two-way stop controlled intersection on Third Street at Oak Avenue, and 2) install a four-way stop controlled intersection at Third Street and Oak Avenue.

2.4.2 PROJECT PHASING AND CONSTRUCTION

The proposed project will be constructed in three phases: 1) demolition of existing uses, 2) grading and foundation preparation, and 3) building construction. Demolition would occur for approximately two weeks. Grading and foundation preparation would occur for approximately one month (22 construction days). Building construction would occur for approximately 13 months for a total of 14 months.

2.5. PERMITS AND APPROVALS

The City (Lead Agency under *CEQA*) will use this IS/MND in making decisions with regard to the approval of a General Plan Amendment, Zone Change, Tract Map, and Planned Development Permit and the subsequent construction and development of the proposed project.

Various permits, approvals, and actions by the City and other agencies may be required in order to excute and implement the proposed project.

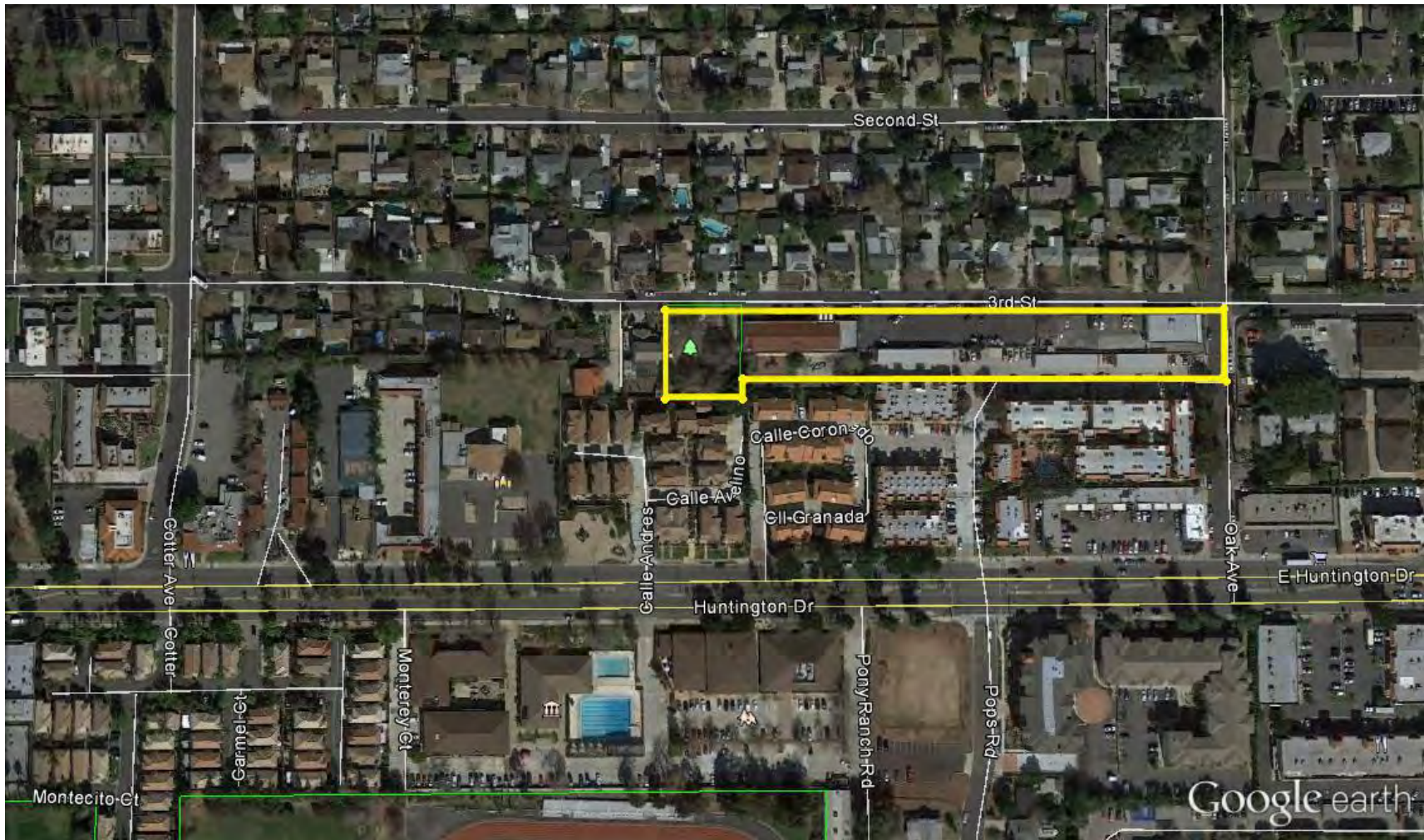
- General Plan Amendment to Medium Density Residential and Open Space; Park
- Zone Change to R-3 Multiple-Family Residential (Medium Density) and Open Space
- Tentative Tract Map
- Planned Development Permit
- Los Angeles County Fire Department approval of proposed site improvement

Exhibit 2-1 Regional Location



Source: Michael Baker International

Exhibit 2-2 Local Vicinity

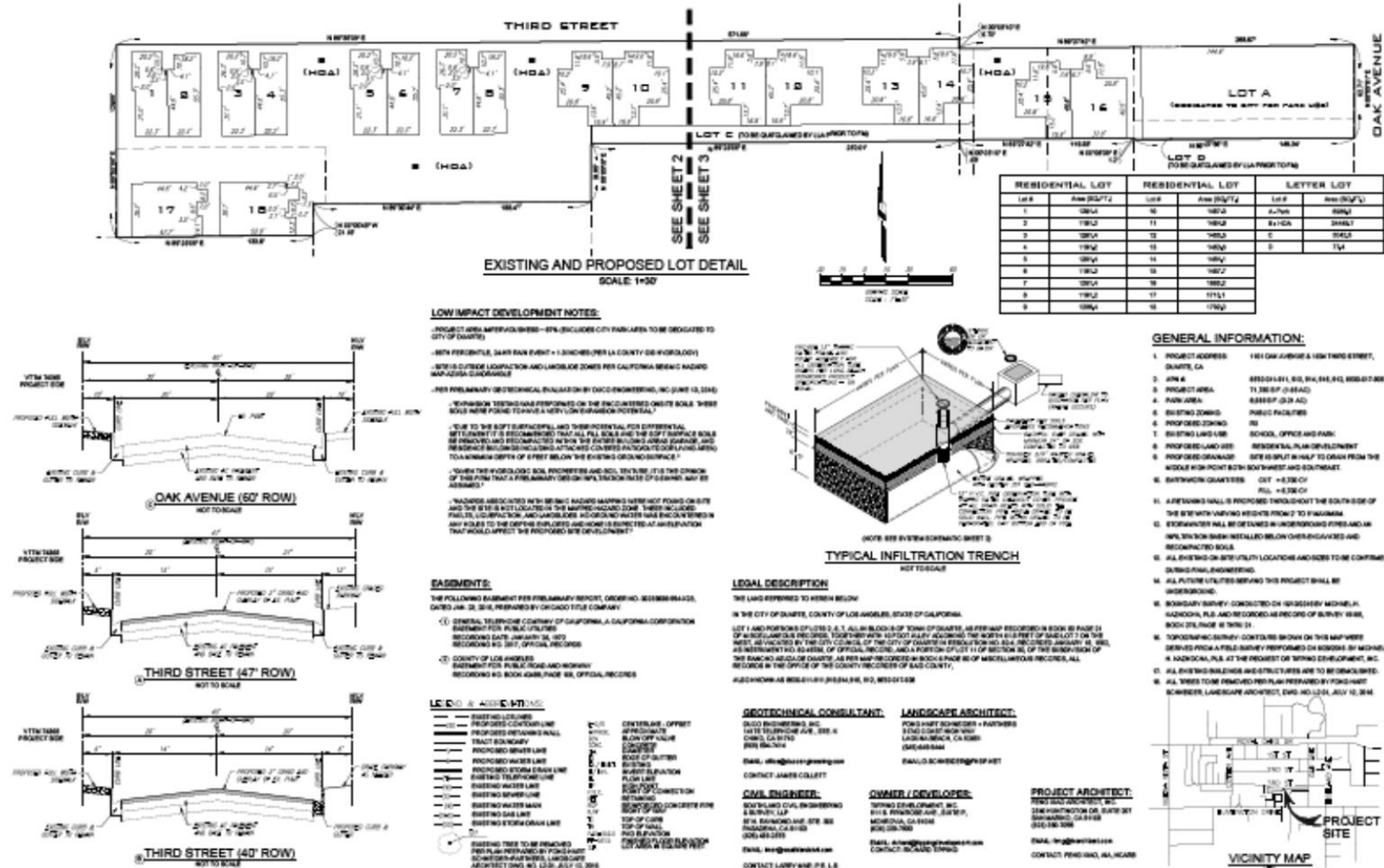


Project Site



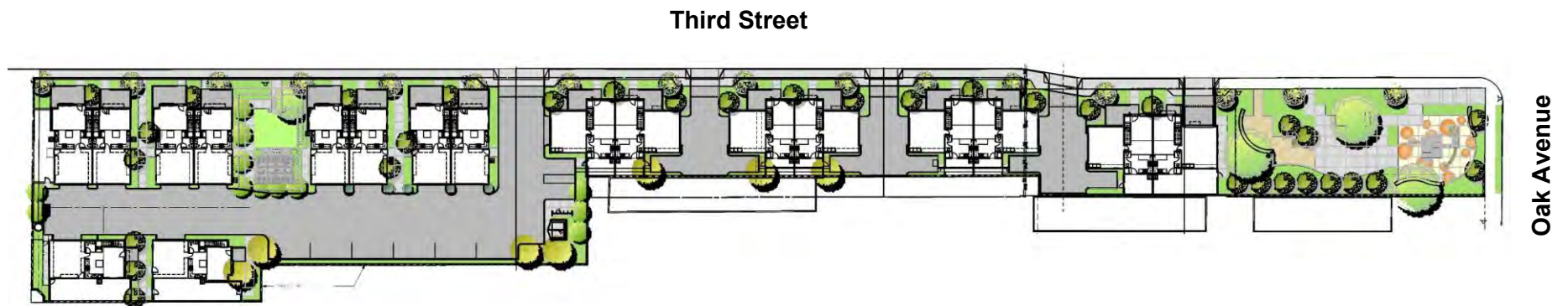
Source: GoogleEarth (2016)

Exhibit 2-3 Vesting Tentative Tract Map



Source: Southland Civil Engineering & Survey, LLP (October 2016)

Exhibit 2-5 Landscape Plan



Source: Fong Hart Schneider + Partners (October 2016)

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3.0 INITIAL STUDY CHECKLIST

3.1. BACKGROUND

1.	Project Title: 3 rd & Oak Residential Project
2.	Lead Agency Name and Address: City of Duarte 1600 Huntington Drive Duarte, CA 91010
3.	Contact Person and Phone Number: Kristen Johnston, 626.357.7931, Ext. 238
4.	Project Location: The project site is generally located at the southwest corner of 3 rd Street and Oak Avenue.
5.	Project Sponsor's Name and Address: Tipping Development, Inc. 911 S. Primrose Avenue, Suite P Monrovia, CA 91016
6.	General Plan Designation: School; Public/Quasi Public; Utility and Open Space; Park
7.	Zoning: Public Facility and Open Space
8.	Description of the Project: The Applicant proposes to demolish all on-site buildings, relocate the existing Third Street Park from its current location to the northeast corner of the site at 3 rd Street and Oak Avenue, and construct 18 residential units on the 1.647-acre (71,730 square feet) project site. Additional details regarding the proposed project are provided in <u>Section 2.4, Project Characteristics</u> .
9.	Surrounding Land Uses and Setting: Single-family homes are located north and west of the project site Single-family and multi-family residential uses are located to the immediate south of the project site. The Los Angeles County Fire Department Station 44 is located immediately east of the project site. For additional details refer to <u>Section 2.2.2</u> , Surrounding Land Uses <u>Surrounding Land Uses</u> .
10.	Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement). Refer to <u>Section 2.5, Permits and Approvals</u> .

3.2. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is “Less Than Significant Impact with Mitigation Incorporated,” as indicated by the Initial Study Checklist questions in Section 4.1 through Section 4.18.

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

3.3. EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts associated with the proposed project. The issue areas evaluated in this Initial Study include:

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

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the *CEQA Guidelines* and used by the City of Duarte (City) in its environmental review process. For the preliminary environmental assessment undertaken as part of this Initial Study’s preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the development’s impacts and to identify mitigation.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the development. To each question, there are four possible responses:

- **No Impact.** The development will not have any measurable environmental impact on the environment.
- **Less Than Significant Impact.** The development will have the potential for impacting the environment, although this impact will be below established thresholds that are considered to be significant.
- **Less Than Significant Impact With Mitigation Incorporated.** The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the development's physical or operational characteristics can reduce these impacts to levels that are less than significant.
- **Potentially Significant Impact.** The development will have impacts, which are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

Where potential impacts are anticipated to be significant, mitigation measures would be required, so that impacts may be avoided or reduced to a less than significant level.

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4.0 ENVIRONMENTAL ANALYSIS

The following sections include a discussion of potential project impacts as identified in the Initial Study Checklist. Explanations are provided for each item. At the beginning of each section is a “Sources Cited,” which identifies the sources utilized in that particular section.

4.1. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	

Sources Cited in Section 4.1

City of Duarte, *Duarte General Plan*, August 2007

City of Duarte, *Duarte Municipal Code*, Section 9.68.120

City of Duarte, *Duarte Municipal Code*, Section 19.50.070

A. WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?

LESS THAN SIGNIFICANT IMPACT

The proposed project involves the redevelopment of a previously developed site in an urbanized area of the City that is located south of the San Gabriel Mountains and north of the Foothill Freeway (Interstate 210). The *Duarte General Plan* identifies the San Gabriel Mountains as a prominent natural feature and open space area. Construction of the proposed project would change the existing visual character of the site by removing existing public facility and open space (Third Street Park) uses and redeveloping the site with 18 residential units, along with relocating Third Street Park.

Views from the project site of adjacent urbanized uses include residential uses to the north, west, and south; and the Los Angeles County Fire Department Station 44 to the east. While there is the potential that future development on the site would result in taller buildings than what currently exist, limited views of the San Gabriel Mountains would still be available from

on-site and surrounding uses. Therefore, the proposed project would have a less than significant impact on a scenic vista.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS WITHIN A STATE SCENIC HIGHWAY?

NO IMPACT

No officially designated or eligible State scenic routes or highways occur on or near the project site. The project proposes redevelopment of the site from public facility and open space uses to 18 residential units and relocation of Third Street Park, which would not damage scenic resources within a State scenic highway. Thus, the proposed project would have no impact in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS?

LESS THAN SIGNIFICANT IMPACT

Construction of the proposed project may create temporary aesthetic nuisances associated with construction activities. Exposed surfaces, construction debris, equipment, and truck traffic may temporarily impact views across the site. These short-term impacts would cease upon project completion, and therefore would be considered less than significant.

The project site and its surroundings are urbanized and contain mainly residential uses with some open space and public facility uses. The project site currently contains the buildings and facilities of the City of Duarte Field Services Department at 1101-1105 Oak Avenue, Duarte Montessori School and Duarte Chamber of Commerce at 1634-1640 Third Street, and Third Street Park at 1626 Third Street.

Demolition of the existing buildings and parking lots and construction of 18 residential units and relocation of Third Street Park to the eastern portion of the site is not anticipated to result in significant negative effects. The proposed residential use would be compatible with the existing single- and multi- family residential uses located to the west, north, and south of the project site.

The proposed project would include a decorative masonry screen wall along the western and southern perimeter of the project site, with wall heights ranging from 1.5 to 9 feet, depending on the specific location and site topography. This wall would separate on-site residential and adjacent residential uses and limit views across the site. In addition, garages, private yards, walkways, and landscaping would separate the most northeasterly residential unit from the immediately adjacent relocated Third Street Park. Implementation of the proposed project would alter views onto the site; however, the change in visual character is not anticipated to be significant given that the site is presently developed. No additional impacts to the visual character of the site or the surrounding area are anticipated given the built out nature of the surrounding area. Therefore, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE WHICH WOULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA?

LESS THAN SIGNIFICANT IMPACT

The project site and its surroundings contain both open space and urbanized uses. There are presently various forms of on- and off-site lighting, including light emanating from building interiors that pass through windows and light from exterior sources (e.g., street lighting, parking lot lighting, building illumination, security lighting, and landscape lighting). Depending upon the location of the light source and its proximity to adjacent light sensitive uses, light introduction can be a nuisance, affecting adjacent areas and diminishing the view of the clear night sky. Light spillage is typically defined as unwanted illumination from light fixtures on adjacent properties. Perceived glare is the unwanted and potentially objectionable result from looking directly into a light source of a luminary. Sensitive uses (e.g., residential uses) could be impacted by the light and glare from the proposed project.

Currently, the project site contains the buildings and facilities of the City of Duarte Field Services Department at 1101-1105 Oak Avenue, Duarte Montessori School and Duarte Chamber of Commerce at 1634-1640 Third Street, and Third Street Park at 1626 Third Street. These existing on-site uses create the following light sources: exterior and interior lighting, security lighting, and parking lot lighting. The proposed project would demolish the on-site buildings and parking lots and construct 18 residential units and relocate Third Street Park to the eastern portion of the 1.647-acre project site.

Construction of the proposed project would not be allowed except between the hours of 7:00 AM and 7:00 PM, Monday through Sunday, and on Federal holidays. Thus, the proposed project would not result in nighttime construction activities requiring nighttime lighting. Therefore, less than significant impacts would result in this regard.

The area surrounding the project site is currently urbanized and contains various forms of on- and off-site lighting typical of residential, public facilities, and commercial development. The 18 residential units may increase the amount of light and glare, but this would be consistent with other multi- and single-family residential development in the City, and impacts would be considered less than significant. The lighting for the relocated Third Street Park would be comparable to existing conditions. In addition, any new lighting would be designed and installed in accordance with *Duarte Municipal Code* Section 19.50.070, Outdoor Lighting, which requires that any on-site security lighting be arranged so that direct rays do not shine or produce glare for adjacent street traffic or surrounding residential uses. Further, the proposed project would install perimeter walls along the western and southern boundaries, reducing the visibility of new interior lighting from adjoining residential uses. Thus, potential operational light and glare impacts would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

4.2. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 by 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?				✓

Sources Cited in Section 4.2

City of Duarte, *Duarte Zoning Map*, July 2016

State of California, California Natural Resources Agency, Department of Conservation, California Important Farmland Finder, <http://maps.conservation.ca.gov/ciff/ciff.html>, Los Angeles County, accessed August 29, 2016

A. WOULD THE PROJECT 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?

NO IMPACT

The project site does not contain any land that is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the California Important Farmland Finder and Los Angeles County Important Farmland Maps published by the California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program. Thus, project implementation would not result in the conversion of important farmland to non-agricultural uses. No impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT CONFLICT WITH EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?

NO IMPACT

The project site and surrounding area are developed and urbanized. No agricultural land exists within the site vicinity, and the project site does not include any land under a Williamson contract. The project site is currently zoned Public Facility and Open Space and the proposed project would rezone the site to R-3 Multiple Family Residential and Open Space. Thus, the proposed project would not affect any land zoned for agricultural uses and would not conflict with a Williamson Act Contract. No impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT CONFLICT WITH EXISTING ZONING FOR, OR CAUSE REZONING OF, FOREST LAND (AS DEFINED IN PUBLIC RESOURCES CODE SECTION 12220(G)), TIMBERLAND (AS DEFINED BY PUBLIC RESOURCES CODE SECTION 4526), OR TIMBERLAND ZONED TIMBERLAND PRODUCTION (AS DEFINED BY GOVERNMENT CODE SECTION 51104(G))?

NO IMPACT

Forestry operations do not occur on or within the vicinity of the project site. Also, the project site does not support any trees that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Project implementation would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production. No impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT RESULT IN THE LOSS OF FOREST LAND OR CONVERSION OF FOREST LAND TO NON-FOREST USE?

NO IMPACT

Refer to Response 4.2.C.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT 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?

NO IMPACT

The project site does not contain any forest land, nor is the site zoned for agriculture. Thus, implementation of the proposed project would not result in changes to the environment that would result in the conversion of farmland to a non-agricultural use or forest land to a non-forest use. Thus, there would be no potential for the conversion of these resources and no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.3. 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:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	
d. Expose sensitive receptors to substantial pollutant concentrations?			✓	
e. Create objectionable odors affecting a substantial number of people?			✓	

Sources Cited in Section 4.3

Pomeroy Environmental Services, *Air Quality Analysis*, October 10, 2016 (modeling results contained in Appendix A)

South Coast Air Quality Management District, *Final 2012 Air Quality Management Plan*, December 7, 2012

South Coast Air Quality Management District, *CEQA Air Quality Handbook*, revised November 1993

South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology*, revised October 21, 2009

A. WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE APPLICABLE AIR QUALITY PLAN?

LESS THAN SIGNIFICANT IMPACT

A significant air quality impact may occur if a project is not consistent with the applicable Air Quality Management Plan (AQMP), or would in some way represent a substantial hindrance to employing the policies, or obtaining the goals, of that plan.

The South Coast Air Quality Management District (SCAQMD) is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources to meet federal and State ambient air quality standards. It has responded to this requirement by preparing a series of Air Quality Management Plans (AQMPs). The most recent of these was

adopted by the Governing Board of the SCAQMD on December 7, 2012.² This AQMP, referred to as the *2012 AQMP*, was prepared to comply with the Federal and State Clean Air Acts and amendments, to accommodate growth, to reduce the high levels of pollutants in the Basin, to meet Federal and State air quality standards, and to minimize the fiscal impact that pollution control measures have on the local economy. The *2012 AQMP* identifies the control measures that will be implemented over a 20-year horizon to reduce major sources of pollutants. Implementation of control measures established in the previous AQMPs has substantially decreased the population's exposure to unhealthful levels of pollutants, even while substantial population growth has occurred within the Basin. The future air quality levels projected in the *2012 AQMP* are based on several assumptions. The SCAQMD assumes that general new development within the Basin will occur in accordance with population growth and transportation projections identified by the Southern California Association of Governments (SCAG) in its *Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*. The *2012 AQMP* also assumes that general development projects will include strategies (mitigation measures) to reduce emissions generated during construction and operation in accordance with SCAQMD and local jurisdiction regulations which are designed to address air quality impacts and pollution control measures.

For general development projects, the SCAQMD recommends that consistency with the current AQMP be determined by comparing the population generated by the project to the population projections used in the development of the AQMP. Projects that are consistent with SCAG's applicable growth projections would not interfere with air quality attainment because this growth is included in the projections utilized in the formulation of the *2012 AQMP*. As such, projects, uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP. It is assumed that the proposed project would comply with all SCAQMD rules and regulations that are in effect at the time of development and that are applicable; the project applicant is not requesting any exemptions from the currently adopted or proposed rules.

The 1.647-acre site currently consists of the City of Duarte Field Services Department, Montessorri School, Duarte Chamber of Commerce, and Third Street Park. The proposed project would relocate the existing park to the easterly most portion of the property (Oak Avenue and 3rd Street), demolish the existing buildings, and construct 18 residential units. As discussed in Response 4.13.A, while the proposed project would increase population and housing totals, the proposed project would not conflict with the regional growth projections for the region. In addition, and further discussed herein, the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Thus, the proposed project would not impair implementation of the current AQMP, and less than significant impacts would occur in this regard.

² The *Draft 2016 AQMP* was published on June 30, 2016 and public hearings are scheduled for November 2016.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT VIOLATE ANY AIR QUALITY STANDARD OR CONTRIBUTE SUBSTANTIALLY TO AN EXISTING OR PROJECTED AIR QUALITY VIOLATION?

LESS THAN SIGNIFICANT IMPACT

A project may have a significant impact if project-related emissions exceed Federal, State, or regional standards or thresholds, or if project-related emissions would substantially contribute to an existing or projected air quality violation. The project site is located in the South Coast Air Basin (Basin). The SCAQMD is the air pollution control agency for the Basin. To address potential impacts from construction and operational activities, the SCAQMD currently recommends that impacts from projects with mass daily emissions that exceed any of the thresholds outlined in *Table 4.3-1, SCAQMD Thresholds of Significance* be considered significant. The City of Duarte defers to these thresholds for the evaluation of construction and operational air quality impacts.

TABLE 4.3-1 SCAQMD THRESHOLDS OF SIGNIFICANCE

Pollutant	Construction Thresholds (lbs/day)	Operational Thresholds (lbs/day)
Volatile Organic Compounds (VOC)	75	55
Nitrogen Oxides (NO _x)	100	55
Carbon Monoxide (CO)	550	550
Sulfur Oxides (SO _x)	150	150
Particulate Matter (PM ₁₀)	150	150
Fine Particulate Matter (PM _{2.5})	55	55
Source: SCAQMD CEQA Handbook (SCAQMD, 1993), SCAQMD Air Quality Significance Thresholds, website: http://aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2 ; accessed October 2016.		
Note: lbs = pounds.		

Regional Construction Emissions

For purposes of analyzing impacts associated with air quality, this analysis assumes a construction schedule of approximately 14 to 15 months. This assumption is conservative and yields the maximum daily impacts. Construction activities associated with the proposed project would be undertaken in three main steps: 1) demolition of existing uses, 2) grading and foundation preparation, and 3) building construction.

Demolition would occur for approximately three weeks and would require the demolition of 12,790 gross square feet of existing uses. Grading and foundation preparation would occur for approximately one month and would require the export of approximately 1,085 cubic yards of

soil. Building construction would occur for approximately 13 months and would include the construction of the proposed structures, connection of utilities, laying irrigation for landscaping, architectural coatings, paving and landscaping the project site.

These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Construction activities involving grading and site preparation would primarily generate PM_{2.5} and PM₁₀ emissions. Mobile sources, such as diesel-fueled equipment on-site and traveling to and from the project site, would primarily generate NO_x emissions. The application of architectural coatings would primarily result in the release of ROG emissions. The amount of emissions generated on a daily basis would vary, depending on the amount and types of construction activities occurring at the same time.

The analysis of daily construction emissions has been prepared utilizing the California Emissions Estimator Model (CalEEMod 2013.2.2) recommended by the SCAQMD. Due to the construction time frame and the normal day-to-day variability in construction activities, it is difficult to precisely quantify the daily emissions associated with each phase of the proposed construction activities. *Table 4.3-2, Estimated Peak Daily Construction Emissions* identifies daily emissions that are estimated to occur on peak construction days for each construction phase.

These calculations assume that appropriate dust control measures would be implemented as part of the project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes (at least two times per day), applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas. As shown in *Table 4.3-2*, construction-related daily emissions associated with the proposed project would not exceed any regional SCAQMD significance thresholds for criteria pollutants during the construction phases. Therefore, regional construction impacts are considered to be less than significant.

Regional Operational Emissions

EXISTING CONDITIONS

The project site is currently developed with the City of Duarte Field Services Department offices, Montesorri School, Duarte Chamber of Commerce, and Third Street Park. As such, air pollutant emissions are currently generated at the project site by area sources, energy demand, and mobile sources such as motor vehicle traffic traveling to and from the project site. The average daily emissions generated by the existing uses at the project site have been estimated utilizing CalEEMod 2013.2.2 recommended by the SCAQMD. As shown in *Table 4.3-3, Existing Daily Operational Emissions*, motor vehicles are the primary source of air pollutant emissions associated with existing uses at the project site.

TABLE 4.3-2 ESTIMATED PEAK DAILY CONSTRUCTION EMISSIONS

Emissions Source	Emissions in Pounds per Day					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Demolition Phase						
Fugitive Dust	--	--	--	--	0.38	0.06
Off-Road Diesel Equipment	2.72	26.59	20.87	0.02	1.61	1.50
On-Road Diesel (Hauling)	0.07	1.03	0.86	0.01	0.08	0.03
Worker Trips	0.05	0.07	0.76	0.01	0.04	0.04
Total Emissions	2.84	27.69	22.49	0.04	2.11	1.63
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
Grading/Foundation Preparation Phase						
Fugitive Dust	--	--	--	--	2.07	1.12
Off-Road Diesel Equipment	2.16	22.45	15.27	0.02	1.27	1.17
On-Road Diesel (Hauling)	0.11	1.65	1.38	0.01	0.13	0.05
Worker Trips	0.04	0.06	0.59	0.01	0.11	0.03
Total Emissions	2.31	24.16	17.24	0.04	3.58	2.37
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
Building Construction Phase						
Building Construction Off-Road Diesel Equipment	2.95	19.11	14.31	0.02	1.23	1.18
Building Construction Vendor Trips	0.06	0.57	0.82	0.01	0.05	0.02
Building Construction Worker Trips	0.10	0.14	1.47	0.01	0.28	0.08
Architectural Coatings	5.51	--	--	--	--	--
Architectural Coating Off-Road Diesel Equipment	0.30	2.01	1.85	0.01	0.15	0.13
Architectural Coatings Worker Trips	0.02	0.03	0.27	0.01	0.06	0.02
Paving Off-Road Diesel Equipment	1.01	10.31	8.87	0.01	0.60	0.56
Paving – Off Gas	0.04	--	--	--	--	--
Paving Worker Trips	0.04	0.05	0.53	0.01	0.11	0.03
Total Emissions	10.03	32.22	28.12	0.08	2.48	2.02
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
Source: Pomeroy Environmental Services (October 2016)						
Note: Calculations assume compliance with SCAQMD Rule 403 – Fugitive Dust. Calculation sheets are provided in Appendix A.						

TABLE 4.3-3 EXISTING DAILY OPERATIONAL EMISSIONS

Emissions Source	Emissions in Pounds per Day					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	0.66	<0.01	<0.01	0.00	0.00	0.00
Energy Demand	<0.01	0.04	0.03	<0.01	<0.01	<0.01
Mobile (Motor Vehicles)	1.32	3.78	14.76	0.03	2.31	0.65
Total Existing Emissions	1.99	3.82	14.80	0.03	2.32	0.66
Source: Pomeroy Environmental Services (October 2016)						
Notes: Calculation data provided in Appendix A. Column totals may not add due to rounding from the model results.						

PROPOSED PROJECT

The proposed project would relocate the existing park to the easterly most portion of the property (Oak Avenue and 3rd Street), demolish the existing buildings, and construct 18 residential units. As such, air pollutant emissions would be generated at the project site by area sources, energy demand, and mobile sources such as motor vehicle traffic traveling to and from the project site.

The analysis of daily operational emissions associated with the proposed project has been prepared utilizing CalEEMod 2013.2.2 recommended by the SCAQMD. The results of these calculations are presented in *Table 4.3-4, Estimated Daily Operational Emissions*. As shown in *Table 4.3-4*, the proposed project would result in a net decrease of operational emissions and therefore would not exceed the regional thresholds of significance set by the SCAQMD. As such, impacts associated with regional operational emissions from the proposed project would be less than significant.

TABLE 4.3-4 ESTIMATED DAILY OPERATIONAL EMISSIONS

Emissions Source	Emissions in Pounds per Day					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	1.06	0.02	1.50	<0.01	0.03	0.03
Energy Demand	<0.01	0.05	0.02	<0.01	<0.01	<0.01
Mobile (Motor Vehicles)	0.37	1.11	4.21	0.01	0.78	0.22
Total Project Emissions	1.44	1.18	5.74	0.01	0.82	0.25
Less Existing Site Emissions	1.99	3.82	14.80	0.03	2.32	0.66
Net Increase Project Emissions	(0.55)	(2.64)	(9.06)	(0.02)	(1.50)	(0.41)
SCAQMD Thresholds	55.00	55.00	550.00	150.00	150.00	55.00
Potentially Significant Impact?	No	No	No	No	No	No
Source: Pomeroy Environmental Services (October 2016)						
Notes: Calculation data provided in Appendix A. Column totals may not add due to rounding from the model results.						

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT 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)?

LESS THAN SIGNIFICANT IMPACT

A significant impact may occur if a project would add a considerable cumulative contribution to a Federal or State non-attainment pollutant. Because the Basin is currently in nonattainment for ozone, NO₂, PM₁₀ and PM_{2.5}, related projects may likely exceed an air quality standard or contribute to an existing or projected air quality exceedance. With respect to determining the significance of the proposed project's contribution, SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple development projects nor provides methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, SCAQMD recommends that a project's potential contribution to cumulative impacts be assessed utilizing the same significance criteria as those for project specific impacts. Furthermore, SCAQMD states that if an individual development project generates less-than-significant construction or operational emissions impacts, then the development project would not contribute to a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment.

As discussed in Response 4.3.B, the proposed project would not exceed any of the SCAQMD's recommended mass daily thresholds of significance for construction or operation. Also as discussed in Response 4.3.D, localized emissions generated by the proposed project would not exceed the SCAQMD's Localized Significance Thresholds (LSTs). Therefore, the proposed project would not contribute to a cumulatively considerable increase in emissions for the pollutants for which the Basin is in nonattainment. Thus, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?

LESS THAN SIGNIFICANT IMPACT

A significant impact may occur if a project were to generate pollutant concentrations to a degree that would significantly affect sensitive receptors. Land uses that are considered more sensitive to changes in air quality than others are referred to as sensitive receptors. Land uses such as primary and secondary schools, hospitals, and convalescent homes are considered to be sensitive to poor air quality because the very young, the old, and the infirm are more susceptible to respiratory infections and other air quality-related health problems than the general public. Residential uses are considered sensitive because people in residential areas are often at home for extended periods of time, so they could be exposed to pollutants for extended periods. Recreational areas are considered moderately sensitive to poor air quality because vigorous exercise associated with recreation places a high demand on the human respiratory function. The nearest off-site air quality sensitive receptors are immediately adjacent residential uses to the west and south. Additionally, residential uses are located to the north across 3rd Street and to the east across Oak Avenue.

Localized Construction Emissions

Emissions from construction activities have the potential to generate localized emissions that may expose sensitive receptors to harmful pollutant concentrations. The SCAQMD has developed localized significance threshold (LST) look-up tables for project sites that are one, two, and five acres in size to simplify the evaluation of localized emissions at small sites. LSTs are provided for each Source Receptor Area (SRA) and various distances from the source of emissions. In the case of this analysis, the project site is located within SRA 9 covering the East San Gabriel Valley area.

As described above, the nearest sensitive receptors are residential uses located immediately adjacent to the site. The closest receptor distance in the SCAQMD's mass rate look-up tables is 25 meters. Projects that are located closer than 25 meters to the nearest receptor are directed to use the LSTs for receptors located within 25 meters. The project site is approximately 1.647 acres. Consistent with SCAQMD recommendations, the localized thresholds for a 1.647-acre site with a receptor distance of 25 meters (82 feet) in SCAQMD's SRA 9 have been used to address the potential localized NO_x, CO, PM₁₀, and PM_{2.5} impacts to the area surrounding the project site.

As shown in *Table 4.3-5, Localized On-Site Peak Daily Construction Emissions*, peak daily emissions generated within the project site during construction activities for each phase would not exceed the applicable construction LSTs for a 1.647-acre site in SRA 9. Therefore, localized air quality impacts from construction activities to off-site sensitive receptors would be less than significant.

With regard to localized emissions from motor vehicle travel, traffic congested roadways and intersections have the potential to generate localized high levels of carbon monoxide (CO). The SCAQMD suggests conducting a CO hotspots analysis for any intersection where a project would worsen the Level of Service (LOS) from A through C to any level below C, and for any intersection rated D or worse where the project would increase the V/C ratio by two percent or more. Based on a review of the traffic generation analysis, the proposed project would result in a net decrease of daily and peak hour vehicle trips. Therefore, the proposed project would not have the potential to cause or contribute to an exceedance of the California one-hour or eight-hour CO standards of 20 or 9.0 ppm, respectively; or generate an incremental increase equal to or greater than 1.0 ppm for the California one-hour CO standard, or 0.45 ppm for the eight-hour CO standard at any local intersection. Thus, impacts with respect to localized CO concentrations would be less than significant.

TABLE 4.3-5 LOCALIZED ON-SITE PEAK DAILY CONSTRUCTION EMISSIONS

Construction Phase ¹	Total On-Site Emissions (Pounds per Day)			
	NO _x ²	CO	PM ₁₀	PM _{2.5}
Demolition Emissions	26.59	20.87	1.99	1.56
<i>SCAQMD Localized Thresholds</i>	<i>111.85</i>	<i>824.98</i>	<i>6.36</i>	<i>4.12</i>
Potentially Significant Impact?	No	No	No	No
Grading/Foundation Emissions	22.45	15.27	3.34	2.29
<i>SCAQMD Localized Thresholds</i>	<i>111.85</i>	<i>824.98</i>	<i>6.36</i>	<i>4.12</i>
Potentially Significant Impact?	No	No	No	No
Building Construction Emissions	31.43	25.03	1.98	1.87
<i>SCAQMD Localized Thresholds</i>	<i>111.85</i>	<i>824.98</i>	<i>6.36</i>	<i>4.12</i>
Potentially Significant Impact?	No	No	No	No
Source: Pomeroy Environmental Services (October 2016)				
Notes: Calculations assume compliance with SCAQMD Rule 403 – Fugitive Dust. Building construction emissions include architectural coatings and paving.				
1. The project site is 1.65 acres. Consistent with SCAQMD recommendations, the localized thresholds for all phases are based on a 1.65-acre site with a receptor distance of 25 meters (82 feet) in SCAQMD's SRA 9. Thresholds were calculated per SCAQMD Linear Regression Methodology.				
2. The localized thresholds listed for NO _x in this table takes into consideration the gradual conversion of NO _x to NO ₂ , and are provided in the mass rate look-up tables in the "Final Localized Significance Threshold Methodology" document prepared by the SCAQMD. As discussed previously, the analysis of localized air quality impacts associated with NO _x emissions is focused on NO ₂ levels as they are associated with adverse health effects.				
Calculation sheets are provided in Appendix A.				

Toxic Air Contaminants

As the proposed project consists of residential and park uses, the proposed project would not include any land uses that would involve the use, storage, or processing of carcinogenic or non-carcinogenic toxic air contaminants and no toxic airborne emissions would typically result from project implementation. In addition, construction activities associated with the proposed project would be typical of other development projects in the City, and would be subject to the regulations and laws relating to toxic air pollutants at the regional, State, and Federal level that

would protect sensitive receptors from substantial concentrations of these emissions. Therefore, impacts associated with the release of toxic air contaminants would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT CREATE OBJECTIONABLE ODORS AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE?

LESS THAN SIGNIFICANT IMPACT

A project-related significant adverse effect could occur if construction or operation of the proposed project would result in generation of odors that would be perceptible in adjacent sensitive areas.

According to the SCAQMD *CEQA Air Quality Handbook*, land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies and fiberglass molding. The proposed project involves the construction and operation of residential and park uses, which are not typically associated with odor complaints. As the proposed project involves no elements related to industrial projects, no objectionable odors are anticipated. Therefore, the potential impacts associated with objectionable odors would be less than significant.

Potential sources that may emit odors during construction activities include equipment exhaust. Odors from these sources would be localized and generally confined to the immediate area surrounding the proposed project. The proposed project would use typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. Therefore, impacts related to odors from construction of the proposed project would be less than significant.

As discussed in Response 4.3.C, the mass daily construction and operational emissions generated by the proposed project would not exceed any of thresholds of significance recommended by the SCAQMD. Also, localized emissions generated by the project would not exceed the SCAQMD's Localized Significance Thresholds (LSTs). Therefore, the proposed project would not contribute a cumulatively considerable increase in emissions for the pollutants which the Basin is in nonattainment. Thus, cumulative air quality impacts associated with the proposed project would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

4.4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓

Sources Cited in Section 4.4

City of Duarte, *Duarte General Plan Update Final Environmental Impact Report*, August 2007

A. WOULD THE PROJECT 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?

NO IMPACT

The project site is located within an urbanized area. The project site is currently developed with the City of Duarte Field Services Department offices, Montesorri School, Duarte Chamber of Commerce, and Third Street Park. As such, the project site does not contain habitat supportive of special status plant or wildlife species. Project implementation would not result in a substantial adverse effect, either directly or through habitat modifications, on any sensitive species. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT 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?

NO IMPACT

As stated in Response 4.4.A, the project site is developed and disturbed. Additionally, the *General Plan EIR* does not identify that riparian habitat or sensitive communities are located on the project site. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT 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?

NO IMPACT

Refer to Responses 4.4.A and 4.4.B. There are no Federally protected wetlands present within or adjacent to the project site. The project site has been previously disturbed and is void of water features, including wetlands. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

D. WOULD THE PROJECT 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?

NO IMPACT

The project site is currently developed and is located within an urbanized portion of the City. Due to the lack of quality biological habitat within and immediately surrounding the site, the proposed project would not interfere with the movement of fish or wildlife or impact wildlife

corridors. The project site and surrounding properties include ornamental landscaping for residential, recreation, and public services development, which does not provide opportunities for the movement of wildlife. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE?

NO IMPACT

Public trees exist within the public parkway or right-of-way in front of the project site, as well as within Third Street Park. The proposed project would be required to comply with *Municipal Code* Title 13 - Trees and Vegetation, Chapter 13.08 – Street Trees to address the removal of existing street trees and the installation of new street trees along 3rd Street and Oak Avenue. In addition, new trees would be installed in the relocated park. The City has no other policies or ordinances addressing tree preservation. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

F. WOULD THE PROJECT CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN?

NO IMPACT

The project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?				✓
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d. Disturb any human remains, including those interred outside of formal cemeteries?				✓

Sources Cited in Section 4.5

Duke Cultural Resources Management, *Cultural Resources Assessment, Duarte 3rd and Oak Residential Project, City of Duarte, Los Angeles County, California*, October 12, 2016 (refer to Appendix B)

Cultural Setting

Of the many chronological sequences proposed for southern California, two primary regional syntheses are commonly used in the archaeological literature. The first, advanced by Wallace (1955), defines four cultural horizons for the southern California coastal province, each with characteristic local variations:

- I. Early Man (~9000–8500 B.P.)
- II. Milling Stone (8500–4000 B.P.)
- III. Intermediate (4000–1500 B.P.)
- IV. Late Prehistoric (1500~200 B.P.)

Warren and Crabtree employ a more ecological approach to the deserts of southern California, defining five periods in prehistory (1986):

- I. Lake Mojave (12000–7000 B.P.)
- II. Pinto (7000–4000 B.P.)
- III. Gypsum (4000–1500 B.P.)
- IV. Saratoga Springs (1500–800 B.P.)
- V. Shoshonean (800~200 B.P.)

Warren and Crabtree (1986) viewed cultural continuity and change in terms of various significant environmental shifts, defining the cultural ecological approach for archaeological research of the California deserts. Many changes in settlement pattern and subsistence focus are viewed as cultural adaptations to a changing environment, beginning with the gradual environmental warming in the late Pleistocene, the desiccation of the desert lakes during the early Holocene, the short return to pluvial conditions during the middle Holocene, and the general warming and drying trend, with periodic reversals, that continues to this day.

ETHNOGRAPHY

The project site is located within the traditional boundaries of the Gabrielino or Tongva Indians. Historically, tribal boundaries were not established definitively and were considered to be fluid, due to either sociopolitical features or a lack of reliable data (Bean and Smith 1978). Although the project site falls within the Gabrielino/Tongva tribal boundaries delineated by Bean and Smith (1978), the Serrano are known to have occupied territories just to the east of the Gabrielino/Tongva. These territories encompassed the San Bernardino Mountains east of the Cajon pass, along the base of the mountains to the east and to the north, east across the desert to Twentynine Palms, and south into the Yucaipa Valley (Bean and Smith 1978). There is documented interaction between the two tribal groups in the form of social relationships (in this case intermarriage between the different groups) and trade (Bean and Smith 1978). The Gabrielino include the Fernandeano who were associated with the *Mission San Fernando Rey de España*. The Gabrielino (Fernandeano) are one of the least known Native American groups in California. Generally, their territory included all of the Los Angeles Basin, parts of the Santa Ana and Santa Monica Mountains, along the coast from Aliso Creek in the south, to Topanga Canyon in the north, and San Clemente, San Nicolas, and Santa Catalina Islands.

The Gabrielino spoke a dialect of the Cupan group of the Takic language family. This language was part of the larger Uto-Aztecan language stock which migrated west from the Great Basin. The Gabrielino shared this language with their neighbors to the south and east (Bean and Smith 1978, Shipley 1978). Groups of Gabrielino lived in villages that were autonomous from other villages. Each village had access to hunting, collecting, and fishing areas (Bean and Smith 1978). Villages were typically located in protected coves or canyons near water. Acorns were the most important food for the Gabrielino, although the types and quantity of different foods varied by season and locale. Other important sources of food were grass and many other seed types, deer, rabbit, jackrabbit, woodrat, mice, ground squirrels, quail, doves, ducks and other fowl, fish, shellfish, and marine mammals.

Typically women gathered and men hunted, although work tasks often overlapped. Each village had a chief who controlled religious, economic, and warfare authorities. The chief had an assistant and an advisory council who assisted in important decisions and rituals. Each of these positions was hereditary being passed down from generation to generation (Bean and Smith 1978).

History

The first Europeans to explore what would become the state of California belonged to the 1542 expedition of Juan Rodriguez Cabrillo, who sailed along and occasionally landed on the coast. Europeans are thought to have first visited portions of the interior in 1769, when Gaspar de Portola (Brown 2001) led a 62-person overland expedition from San Diego to Monterey (Cramer 1988). Two later expeditions, led by Juan Bautista de Anza in 1774 and 1775 from Sonora through southwestern Arizona and southern California, crossed the Santa Ana River at Anza Narrows in today's Santa Ana River Regional Park.

The Spanish government subsequently established missions and military outposts in San Diego in 1769 to facilitate colonization of the area and to keep rival European nations out of the area. After Mexico won independence from Spain in 1822, colonization efforts in Alta California decreased. The Spanish mission system was largely abandoned and the Mexican government bestowed land grants or ranchos to those loyal to the Mexican government including some Anglo settlers. The Mexican period (1822-1848) is largely identified with the ranchos acquired by individuals through the land grant system as well as the secularization of the missions. Mission secularization began on July 25, 1826 with a decree by Governor Jose Maria Echeandfa and was completed by 1836 after an additional decree in 1831 (Engstrand and Ward 1995).

The end of the Mexican period in California began on June 14, 1846 when a band of American settlers supported by the American explorer John C. Fremont and his team captured Mexican General Mariano Guadalupe Vallejo in a dawn raid in Sonoma (Ide 1980, Rolle 2003). The Americans raised a flag for the "California Republic" and their actions became known as the "Bear Flag Revolt." The so-called California Republic was short-lived however, as on July 7, 1846, U.S.

Navy forces captured Monterey, California, where the United States (U.S.) flag was raised (Rolle 2003). On February 2, 1848, the war between the U.S. and Mexico ended with the signing of the Treaty of Guadalupe Hidalgo, which greatly expanded U.S. territory (including California) and resulted in Mexico being paid \$15 million for the land (Rolle 2003).

Although gold had been found prior to this in various parts of California, the well-publicized discovery of gold near Sutter's fort in 1848 dramatically increased the Anglo settlement of California. Despite property rights of rancho owners being secured by provisions in the Treaty of Guadalupe Hidalgo, California in the early American period experienced the transfer and subdivision of many of the ranchos as well as a shift from ranching to agriculture as the primary means of subsistence.

The City of Duarte is located in Los Angeles County, about 21 miles northeast of downtown Los Angeles in the western portion of the San Gabriel Valley. The community was named after Andres Duarte, who was born at Mission San Juan Capistrano in Alta California in November 1805. At age 16, he followed his father's career and joined the Mexican army. He was assigned to Mission San Gabriel. Gradually he assumed more responsibility and was finally the major

domo, responsible for monitoring the outer lands of the Mission. Transferred to the Mission San Gabriel garrison in his early thirties, he was assigned to protect the Mission property from San Gabriel to San Bernardino.

On retirement from military service after 20 years, he petitioned Governor Juan Alvarado for a grant of land that was a vacant portion of the Rancho Azusa. Within two weeks he was granted what was later surveyed to be 6,595 acres known as Rancho Azusa de Duarte. As a condition of the land grant, similar to the provisions of the later Homestead Act, Andres Duarte built an adobe for himself and his family and settled on the land. With the help of local Indians, Duarte planted crops and watched as his flocks and herds multiply. He and his wife, Gertrudes, and their son, Santiago, lived in a small adobe called "The Homestead" located on what is now Tocino Drive, just east of Royal Oaks Park. The Rancho Azusa de Duarte passed through several hands and was subdivided into 40-acre parcels in the early 1870s (Duarte Historical Society Website 2016).

The history of the Duarte Water Companies dates back to the time that Andrew Duarte appropriated one-half of the San Gabriel River water when he took possession of his grant. Dr. Beardslee secured one-half of this half when he bought his 225-acre tract, and Alexander Weil got the rest of the water when he bought the remaining land and sold water rights when he conveyed the land to settlers. The Beardslee Water Ditch Company was organized in 1876 with N. Beardslee, president, and Charles Soward, secretary; stockholders, I. C. Ingraham, A. J. Horn, W. H. Bowman, J. O. Matthewson, D. C. Hayward, Parson Shrode and W. R. Beardslee. This company was incorporated in August 1881, with the following directors: D. S. Shrode, president; A. T. Taylor, secretary; H. S. Daniels, J. O. Matthewson, N. Beardslee, E. T. Hargrave, and Thomas Wardall. When first organized there were 225 shares in the company, one share to the acre. In 1884, the number of shares was increased to correspond to the 1,260 shares of the Duarte Mutual shares (Davis 1938:107-109).

The records of the Beardslee Ditch show that in 1876-1877 water was turned down to the south from 5:00 to 7:00 AM and to the west from 7:00 to 9:00 AM in order that the users might fill their barrels and horse troughs. In 1884 the Beardslee Company laid a 12-inch pipe from the division box to the east, which was extended in 1887 on to the corner of Mountain Avenue and Duarte Road, and later on completed to the end of the lines. In 1898, a large reservoir was constructed about a quarter of a mile west of the former Duarte-Monrovia Citrus Association packing house, which was located near the corner of 3rd Street and Oak Avenue. This reservoir stored the water so that night irrigation was not necessary any more. In 1918, a well was put down on Mountain Avenue and a fourteen-inch steel pipe laid from the well to the reservoir. In 1928, another reservoir was built for domestic purposes (Davis 1938:107-109).

The Duarte Mutual Irrigation and Canal Company was incorporated in 1882 with the following directors: E. M. Wardall, president; T. A. Caldwell, L. Barnes, J. F. Banning, and A. Body. In 1884, this company laid a 22-inch concrete pipe to the McAllister vineyard, on what is now known as Las Lomas Avenue. In 1887, they continued this line to the west end of the Fowler place. Since then, at various times, pipe has been laid until now the company has over 12 miles

of irrigation pipe. To augment the water supply during dry seasons, the company put down the Las Lomas well in 1898, the Fish Canyon well in 1920, and the Santa Fe well in 1929.

In 1902, the company built a large reservoir at the head of Buena Vista Avenue to store night water. In 1928, bonds were voted, stock increased from 1,260 to 6,300 shares, and a domestic system of nearly ten miles of pipe was completed by 1929 (Davis 1938:107-109). In 1881 the two companies decided to build a rock ditch from the Azusa division box near the mouth of the canyon to the east bank of the river. The Beardslee Company determined that they could not pay half the cost, so they voted to let the Duarte Mutual have one-third of their water and the rock ditch was constructed and paid for on a pro-rata-per-acre basis. The Duarte Mutual thereafter had two-thirds of the water. In 1883 a twenty-inch steel pipe was laid under the river from the mouth of the rock ditch. In the flood of 1884 this was washed out. In 1884 a brick arch was built from the west side of the bank of the river towards the Duarte division box. Twelve hundred feet of this arch was still in use in the late- 1930s. The brick of this ditch were made on the lower part of the old Ellis place. Captain Fowler paid part of the expenses to make these bricks and thus secured brick to build a house in 1884, the first brick house in Duarte (Davis 1938:107-109).

Among the early fights over water was the notable one when in 1882, a Covina company known as The Azusa Water Development and Irrigation Company, led by J. S. Phillips, began to run tunnels and to build cement ditches in the canyon and filed on 5,000 inches of water above the Azusa and Duarte claims. A protest was filed, but the Phillips ditch kept getting more and more of the water, until Duarte residents, as well as Azusa residents, became so incensed that some of them went up with guns to protest. At last, in 1889, the famous "Compromise Agreement" was signed by all the Azusa Water Companies, J. S. Phillips' Company, and the two Duarte Water Companies, Thomas Wardall, president, and A. T. Taylor, secretary, for the Beardslee Company, and John Scott, president, and William Chippendale, secretary, for the Duarte Mutual (Davis 1938:107-109).

This agreement gave all the Azusa Companies together, 432/720, the Phillips interests, 72/720, or one-tenth, and Duarte, 216/720. A "Committee of Nine" was appointed to regulate and control all the San Gabriel rights. The first Duarte members of this committee were John Scott for Duarte Mutual, and Thomas Wardall for the Beardslee Company. This "Committee of Nine" was still functioning in the late-1930s, with R. T. Radford representing Duarte Mutual, and W. P. Elliot from the Beardslee Company. In 1890, a contract was made between all San Gabriel Water Companies and the San Gabriel Power Company, whereby the power company was to convey water from six or seven miles up the canyon by ditch and tunnels to a point on the hillside near the mouth of the canyon. When this was done, the water companies had quite an increase in the water supply. The power company was allowed ten percent of all water over 200 inches, which was sold to Covina (Davis 1938:107-109). The consolidation of water companies continued into the 20th century and by the late 20th century, the water company was consumed by the California American Water Company, which serves Duarte and neighboring communities in the Los Angeles Basin today.

Duarte remained primarily an agricultural area until after World War II, when it was largely converted into a residential community. Several cities have been established on lands originally granted to Andres Duarte. The City of Duarte itself was incorporated in 1957. Other cities on the Rancho are Monrovia, Azusa, Irwindale, Baldwin Park, Arcadia, and Bradbury. To this day, many of the original boundary lines of the Rancho are traceable as city limits, major streets, and the boundaries of hundreds of real estate lots subdivided from larger parcels that were defined by the Rancho boundaries that were formally surveyed in 1858 (Duarte Historical Society Website 2016).

The subject property reflects the expansive post-World War II development of Duarte as a suburb of Los Angeles. Between 1940 and 1950, the population of Duarte more than quadrupled, reflective of a commercial and residential housing boom.

The theme of transportation played an important role in the history of Duarte since the famous. Route 66 passed through the foothill community in route to Santa Monica. The annual Duarte Salute to Route 66 is held each September in the City. One of the most famous citizens of Duarte was the prestigious band leader Glenn Miller. During World War II, Miller built a home on Berryhill Road and planned to return to his home following the war. Unfortunately, Miller's career abruptly ended when his plane crashed. During the 1950s, the community transitioned from citrus growing to suburban housing development, in part a response to the construction of the Foothill Freeway in 1968 (present-day Route 210). Between 1975 and 1985, approximately 2,000 new homes were built in Duarte. The old Pacific Electric Railroad tracks that bisected the city were removed (along Oak Avenue), and a 1.6-mile landscaped recreational hiking trail took its place. By 1976, the City's population had grown to 10,000 and in the 1980s the new Duarte Civic Center Complex was built. Duarte has 13 parks and sports fields, a one million-dollar senior center, a 500-seat performing arts center, and a fitness center (Davis and Davis 1957).

Based upon historic maps, including those published by the Sanborn Fire Insurance Company and city directories, the subject building, enumerated as 1101 Oak Avenue, was built in 1948 and first occupied in 1949 based on city directories (Polk 1952: 662; Sanborn Fire Insurance Maps, Duarte, California 1908-1929). Based upon city directories, by 1950, the subject property was occupied by the Duarte Domestic Water Company. In 1950, J.S. Blain was the manager of the water company (Polk 1950: 548). In 1948, when the building was being constructed the water company was still located at 1748 E. Foothill Boulevard before moving to its new location at 1101 Oak Avenue. (Polk 1948).

Methods

RESEARCH

A records search was conducted on September 8, 2016 at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton by Matthew Stever of Duke Cultural Resources Management (DUKE CRM). The records search centered on a ½-mile radius around the project area and also included areas up to a one-mile radius. In addition, the California State Historic Property Data File (HPDF) was examined which includes the following:

- National Register of Historic Places
- California Register of Historical Resources (California Register)
- California Historical Landmarks (CHL)
- California Points of Historical Interest (CPHI)

Research materials, including historic maps, previous surveys, planning documents, ordinances, and published local and regional historical accounts were collected and reviewed. Property ownership and construction history was also researched through building permits, plans and case files. Based on these efforts, a focused historic context was developed. The Los Angeles County Historical Register was consulted as was HistoricAerials.com, the USGS Historical Map Database, the BLM GLO system, Newspapers.com, Findagrave.com and other online resources.

In addition, previous studies were obtained. These studies had nearly exhausted research efforts and offered a comprehensive context of the subject property within the history and development of the surrounding area. Additional research for this study was limited to a review of associated project and planning documents, permits, and local ordinances as well as Sanborn maps and historic aerial photographs.

FIELD SURVEY

The goal of the intensive pedestrian survey was to identify and record all historic built environment resources, and prehistoric/ historic period archaeological resources within the project boundaries. Pedestrian survey transects were impractical over the entire project site due to the nature of the built environment. Special attention was given to patches of open soil. Photographs were taken. The entire property was walked in order to relocate known resources and identify any previously unrecorded resources. Buildings, features, and contextual and detail views within the project boundaries were digitally photographed.

The Old City Hall Building (The Montessori School and offices) located at 1628, 1634 and 1640 3rd Street, and City of Duarte North Yard Building located at 1101 Oak Avenue were recorded on California Department of Parks and Recreation (DPR) 523 forms per California Office of

Historic Preservation (OHP) Instructions for Recording Historical Resources in the field using detailed note taking to describe each potential cultural resource for entry on DPR Forms (refer to Cultural Resources Assessment Appendix B). In addition, a cursory look at the surrounding area was completed to note changes since the completion of previous studies of the area.

A. WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN CEQA GUIDELINES §15064.5?

LESS THAN SIGNIFICANT IMPACT

The results of the SCCIC record search indicated that there are four cultural resources within ½-mile, and two are within the project site. These resources, along with type, description and distance from the project site are summarized in *Table 4.5-1, Cultural Resources within One-Half-Mile of the Project Site*. No archaeological resources were recorded in the ½ mile radius of the project site.

The old Duarte City Hall at 1634 (1628) 3rd Street, Duarte was recorded in 2003 by Kunsma as potentially eligible. The site record was not available at the SCCIC, but was provided by the City. This property was formally evaluated as part of this study.

TABLE 4.5-1 CULTURAL RESOURCES WITHIN ONE-HALF-MILE OF THE PROJECT SITE

Resource No.	Resource Type	Description	CRHR/NRHP Eligibility	Distance
No Primary Assigned	Historic	Morris Place 1090 E. Huntington Avenue Duarte	Not Eligible, 6Y	½-mile west
No Primary Assigned	Historic	1090 E. Huntington Avenue Duarte	Not Eligible, 6Y	½-mile west
No Primary Assigned	Historic	903 Oak Avenue Duarte	Not Eligible, 6Y	500-feet north
No Primary Assigned	Historic	Old City Hall Building 1628 3 rd Street Duarte	Not Eligible	Within project boundary
Sources: Duke Cultural Resources Management (October 2016) South Central Coastal Information Center, Records Search (September 2016)				

There have been five cultural resource studies previously conducted within ½-mile of the project site. Of these, none cover the specific project location. The five studies are summarized in *Table 4.5-2, Previous Cultural Resource Studies within One-Half-Mile of the Project Site*.

TABLE 4.5-2 PREVIOUS CULTURAL RESOURCE STUDIES WITHIN ONE-HALF-MILE OF THE PROJECT SITE

Report No.	Year	Report Title	Authors
LA-06695	2001	A Phase I Archaeological Study for a Proposed Senior Housing Project Located at 1716-1721 Huntington Dr. (APN#8530-023-909 and #8530- 023-910) City of Duarte, Los Angeles County, California	Robert J. Wlodarski
LA-08678	2007	Cultural Resources Record Search and Site Visit Results for T-Mobile Candidate le24108c (Montgomery Field), 1565 Central Ave, Duarte, Los Angeles County, California	Wayne H. Bonner
LA-09387	2007	SHPO Cover Letter FCC Form 620 (Section 106) Submittal EarthTouch Inc. (Consultants on Behalf of Royal Street Communications, LLC) Duarte High School/ Los Angeles County, California	Lorna Billat
LA-10896	2004	Historic Properties Survey and Effects Report for the Gold Line Phase II Project (Pasadena to Montclair) Los Angeles and San Bernardino Counties, CA	David Greenwood
LA-11131	2011	Historical/ Archaeological Resources Survey Report- Metro Gold Line Foothill Extension Phase 2A Supplemental EIR No. 2 for Additional Project Refinements in the Cities of Arcadia, Azusa, Duarte, Monrovia and Pasadena, Los Angeles County, California	Bai Tang and Michael Hogan
Sources: Duke Cultural Resources Management (October 2016) South Central Coastal Information Center, Records Search (September 2016)			

Field Survey

On August 20, 2016, an intensive level pedestrian survey was conducted by Dana Supernowicz, project historian/architectural historian. The property is largely disturbed from prior construction of the buildings and other types of urban construction, such as roads and landscaping, related to the continuing development of the City of Duarte. Field examination assisted in the confirmation of known and estimated dates of construction and alteration history as well as the identification of properties that appeared related by architectural style, period of construction, property type, use, or proximity. Integrity was closely examined in the field for comparison with physical descriptions documented in previous studies.

Historic Evaluation

CEQA (Public Resources Code [PRC] Chapter 2.6, Section 21083.2 and California Code of Regulations [CCR] Title 145, Chapter 3, Article 5, Section 15064.5) calls for the inventory and evaluation of historic and archaeological resources. The criteria for determining the significance of impacts to cultural resources are based on CEQA Guidelines Section 15064.5 and Guidelines for the Nomination of Properties to the California Register of Historical Resources (CRHR). Properties

eligible for listing in the California Register of Historical Resources and subject to review under CEQA are those meeting the criteria for listing in the California Register, National Register of Historic Places or designation under a local ordinance.

The California Register criteria are based on National Register criteria. For a property to be eligible for inclusion on the California Register, one of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. It is associated with the lives of persons important to local, California, or national history;
3. It embodies the distinctive characteristics of a type, period, region, or method or construction, or represents the work of a master, or possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "*obtain a scholarly perspective on the events or individuals associated with the resource.*" Fifty years is used as a general estimate of time needed to develop the perspective to understand the resource's significance (CCR 4852 [d][2]).

The California Register also requires that a resource possess integrity. In general, properties eligible for listing in the California Register will meet the same criteria for listing in the National Register, but may have a lower level of integrity.

Significance/Eligibility Determination

The historic resources survey conducted by Dana Supernowicz located two potential historic resources within the project site: 1628 3rd Street and 1101 Oak Avenue. The property at 1628 3rd Street was originally recorded in 2003 and was reevaluated in the course of this study. Refer to Cultural Resources Assessment Appendix B for DPR 523 forms.

Old City Hall, 1628, 1634, 1640 3rd Street, Duarte

The subject property was previously evaluated in 2003 and given a National Register Status Code 4S1 (May become eligible for National Register as separate property when it becomes old enough) under Criterion A. This finding and any associated documentation was not on file at the SCCIC; it was provided by the City of Duarte.

Duke Cultural Resources Management's significance and eligibility evaluation is provided below.

Architecturally, the Old City Hall might not be considered as significant due to its rather plain façade. Historically, the building is important, where it plays a major role in the creation of Duarte in 1957. Prior to the City's acquisition of the building, it was used as a stove works operation and rabbitry (major industries in the 1920s). Secondly, the property has passed the 50 years mark to be considered for eligibility according to the California Register criteria.

The subject property once included a much smaller building referred to on Sanborn Fire Insurance Maps as the Western Electric Novelty Company. It is conceivable that the property was acquired with the building and later 3rd Street was expanded to the west and the railroad tracks were pulled.

In either case, the subject property is much larger than the older Western Electric building. No evidence has been found to suggest the property was ever used as a rabbitry or stove works, as suggested by Kusuma. City directories and personal communication with the Duarte Historical Museum seem to verify that the building was constructed in the early 1950s. The subject property was once located in an industrial zone of Duarte highlighted by the railroad right-of-way and warehouse style buildings associated with Duarte's citrus industry, which included the Western Electric Novelty Company building and a large citrus warehouse to the east. The destruction of the railroad coincided with the demise of the area's citrus industry shortly after World War II.

The subject building was constructed as a community center with the City's Chamber of Commerce occupying a part of the building and later the City Hall occupying 1628 3rd Street, being part of the same building. In 1982, the new Duarte Civic Center Complex was built and city hall was moved from 1634 3rd Street to the new Civic Center complex. As such, the building was not originally constructed as the Duarte City Hall, but rather later adopted as the city hall until such a time a new building or complex was built.

From an architectural standpoint, the subject property appears to retain only fair integrity of design, materials, workmanship, and association. The windows appear to have been replaced with aluminum sliders, perhaps in the 1970s, along with doors. The building has been re-stuccoed, using a more contemporary method of application. The overall setting and feeling of the property is fair, with later infill and remodeling of adjacent buildings, although much of what lies around the property dates from after 1950, with the exception of the 3rd Street Park to the west. The summary statement for the "Old City Hall" at 1628 3rd Street is somewhat inaccurate since the building was not intended as a "city hall" but rather a community center and chamber office. A portion of the building did serve as the city hall for Duarte from 1957-1958 through 1982 (refer to Photograph Log in Appendix B).

Therefore, in regards to National Register Criterion A and California Register Criterion 1, to date no documentation has been found to suggest that the subject property is associated with an event or events of significance since its construction in the early 1950s. This finding is based upon the premise that the property was not built or designed as a city hall building, but a portion of it was adopted about six or seven years after it was built as the Duarte City Hall,

following incorporation in 1957. All city halls play an important function in governing the city in which they represent, but that does not always signify that the buildings they occupy are themselves significant. Certainly buildings constructed as city halls have a higher potential of significance versus portions of building that were later adopted as city halls.

Similarly, under National Register Criterion B and California Register Criterion 2, no documentation has been found to link the subject property to a person or persons of significance in the history of Duarte. Under National Register Criterion C and California Register Criterion 3, the subject property is not an important example of Modernist eclectic government or commercial architecture, and as previously described by Kusuma, the property does not bear any strong resemblance to Mission Revival style architecture. Furthermore, the property has no scientific data potential under National Register Criterion D or California Register Criterion 4.

Therefore, the property is not eligible for the California Register and is not considered a historical resource for the purposes of CEQA.

1101 Oak Avenue, Duarte

Based upon information obtained from the SCCIC, the subject property is not listed in the historic property database, is not a Los Angeles County Cultural Monument, and is not listed on the National Register or the California Register. The property does not appear to have undergone any historical assessment at the local level. The subject property served as the office for the Duarte Water Company for many years; however, it was not the first water company office. The property was built in 1948-1949 and reflects the post-World War II popularity of concrete or cinder block construction. Cinder block gained popularity during the war because it was affordable and easy to erect. Its use spread from wartime projects during the 1940s to commercial construction during the 1950s and 1960s.

In regards to integrity, 1101 Oak Avenue has diminished integrity of design, materials, workmanship, association, and feeling to its main or front façade facing Oak Avenue. Because the building was generally quite utilitarian in design, any modest changes had the potential to impact or degrade its historic appearance, as is the case with the façade change to the front. Other modifications are quite minor, but the building still retains integrity of location and setting (refer to Photograph Log in Appendix B).

In regards to National Register Criterion A and CRHR Criterion 1, to date no documentation has been found to suggest that the subject property is associated with an event or events of significance since its construction in 1948-1949. The Duarte Mutual Water Company owned other properties and buildings long before it constructed the subject property. Similarly, under NRHP Criterion B and CRHR Criterion 2, no documentation has been found to link the subject property to a person or persons of significance in the history of Duarte. Under NRHP Criterion C and CRHR Criterion 3, the subject property is not an important example of Modernist

commercial architecture and has diminished integrity. Furthermore, the property has no scientific data potential under National Register Criterion D or California Register Criterion 4.

Therefore, the property is not eligible for the California Register and is not considered a historical resource for the purposes of *CEQA*.

Impact Conclusion

DUKE CRM conducted a records search and a pedestrian field survey of the project site. Additionally, they evaluated 1101 Oak Avenue and 1628 3rd Street, for the California Register. Both properties were determined to be not eligible for the California Register and as such are not considered historical resources under *CEQA*. Due to prior construction and ground disturbing activity related to the development of the City of Duarte the sensitivity for historical resources is low.

DUKE CRM's efforts did not identify any archaeological resources within the project location. Based on the lack of evidence of any archaeological resources the project area has a low sensitivity for archaeological resources.

Therefore, implementation of the proposed project would have no impact to historical resources or unique archaeological resources.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO CEQA GUIDELINES §15064.5?

NO IMPACT

The project area is predominately urbanized and built out with land area having been previously disturbed. The results of the SCCIC record search concluded no archaeological resources were recorded in the ½-mile radius of the project site. Should evidence of archaeological resources occur during the grading and construction, operations would be required to cease and the City is required to be contracted and standard protocol and procedures would be implemented. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?

NO IMPACT

No paleontological resources are known to be on or adjacent to the project site. It is assumed that if these resources were located in these areas, they would have been discovered during original or subsequent ground disturbing activities in this urbanized area. Nonetheless, should evidence of paleontological resources be encountered during grading and construction, operations would be required to cease and a qualified paleontologist would be contacted to determine the appropriate course of action and implementation. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES?

NO IMPACT

No formal cemeteries or known human remains occur on-site or in the vicinity of the project site. Due to the level of past disturbance, it is not anticipated that human remains exist within these areas. In the event human remains are encountered during earth removal or disturbance activities, all activities would cease immediately and a qualified archaeologist and Native American monitor would be immediately contacted. The Coroner would be contacted pursuant to *Public Resources Code* Sections 5097.98 and 5097.99 relative to Native American remains. Should the Coroner determine the human remains to be Native American, the Native American Heritage Commission would be contacted pursuant to *Public Resources Code* Section 5097.98. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

4.6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) 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.				✓
2) Strong seismic ground shaking?		✓		
3) Seismic-related ground failure, including liquefaction?			✓	
4) Landslides?		✓		
b. Result in substantial soil erosion or the loss of topsoil?			✓	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		✓		
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), 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?				✓

Sources Cited in Section 4.6

City of Duarte, *Duarte General Plan Update Final Environmental Impact Report*, August 2007

Duco Engineering, Inc., *Report of Preliminary Geotechnical Evaluation, Proposed Residential Development, SWC Corner Oak and Third Streets, Duarte, CA*, June 10, 2016 (refer to Appendix C)

State of California, *Seismic Hazard Zones, Duarte Quadrangle, Official Map*, Released March 25, 1999

Table 4. Cities and Counties Affected by Alquist-Priolo Earthquake Fault Zones as of January 2010. This is an updated version of Table 4 from the 2007 edition of Special Publication 42 (Fault-Rupture Hazard Zones in California, by William A. Bryant and Earl W. Hart)*. California Department of Conservation website
<http://www.conservation.ca.gov/cgs/rghm/ap/Pages/affected.aspx>

- A. WOULD THE PROJECT EXPOSE PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY, OR DEATH INVOLVING:**
- 1. 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.**

NO IMPACT

Southern California, including the project area, is subject to the effects of seismic activity due to the active faults that traverse the area. Active faults are defined as those that have experienced surface displacement within Holocene time (approximately the last 11,000 years) and/or are in a State-designated Alquist-Priolo Earthquake Fault Zone. No Alquist-Priolo Earthquake Fault zones exist within the City of Duarte. According to Table 4 of Special Publication 42 and the Seismic Hazard Zones Map, the project site is not located within an Alquist-Priolo Special Studies Zone (within the Duarte Quadrangle, dated 1999). Therefore, no impacts would result from the potential for fault rupture of a known earthquake fault.

MITIGATION MEASURES

No mitigation measures are required.

- 2. STRONG SEISMIC GROUND SHAKING?**

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Southern California is considered a tectonically active area. Since the project site is located in a seismically active region, numerous faults capable of generating moderate to large earthquakes exist within the project vicinity. Active faults and historically destructive earthquakes generally characterize southern California.

The City of Duarte is traversed by fault section "D" (Duarte extension) of the Sierra Madre Fault Zone in the northern portion of the City, north of the project site. Other faults in proximity to the project site are the Raymond Hill and San Andreas Fault zones. The Raymond Fault is the closest active fault to the project site, and located approximately ten miles northwest in Monrovia north of Foothill Boulevard. The Raymond Hill Fault is linked to the Sierra Madre Fault system. The San Andreas Fault is located approximately 30 miles northeast of the project site.

During the life of the future residential and park uses, the project site would likely experience moderate to high ground shaking from these fault zones, as well as some background shaking from other seismically active areas of the Southern California region. The proposed project would be required to incorporate necessary design and structural elements to resist strong ground motion in compliance with the *California Building Code*.

Although some structural damage is typically not avoidable during a large earthquake, the proposed project would be constructed to meet existing construction ordinances and the *California Building Code* in order to protect against building collapse and major injury during a seismic event. The *California Building Code* includes specific design measures, which are based on the determination of Site Classification and Seismic Design Categories specific to the project site. These design measures are intended to maximize structural stability in the event of an earthquake. Thus, adherence to the *California Building Code* requirements, as well as Mitigation Measure GEO-1, would reduce the risks related to strong seismic shaking to a less than significant level.

MITIGATION MEASURES

GEO-1 Prior to the issuance of grading and/or building permits, the recommendations in Preliminary Geotechnical Evaluation Sections 3.0 through 11.0 shall be confirmed or modified by a geotechnical engineer to ensure compliance with the California Building Code. The recommendations of the geotechnical engineer shall be implemented during site grading and construction.

3. SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTION?

LESS THAN SIGNIFICANT IMPACT

Liquefaction occurs when dynamic loading of a saturated sand or silt causes pore-water pressures to increase to levels where grain-to-grain contact is lost and material temporarily behaves as a fluid. Liquefaction can cause settlement of the ground surface, settlement and tilting of engineered structures, flotation of buoyant buried structures, and cracking of the ground surface. A common manifestation of liquefaction is the formation of sand boils, which are short-lived fountains of soil and water that emerge from fissures or vents and leave freshly deposited mounds of sand or silt on the ground surface.

The *Preliminary Geotechnical Evaluation* for the proposed project concludes that the potential for on-site liquefaction impacts is less than significant due to presence of sedimentary and igneous bedrock and the lack of shallow groundwater in mapped soil areas. Therefore, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

4. LANDSLIDES?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The geologic and topographic characteristics of an area often determine its potential for landslides. Steep slopes, the extent of erosion, and the rock composition of a hillside all contribute to the potential slope failure and landslide events.

The project site is located in the alluvial fan deposits, Quaternary fan of the San Gabriel Mountains. No landslides were encountered during the site evaluation for *the Preliminary Geotechnical Evaluation*. No groundwater was encountered in any of the boring holes to the depths explored and none is expected at an elevation that would impact the proposed project.

General Plan EIR Exhibit 4.7-2, Areas of Potential Landslides and Liquefaction, identifies potential liquefaction and landslide areas within the City of Duarte as well as surrounding areas, including the eastern portion of the City of Monrovia. According to Exhibit 4.7-2, the project site is not located within a potential landslide or liquefaction area. Therefore, impacts as a result of seismic-related ground failure, including liquefaction would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?

LESS THAN SIGNIFICANT IMPACT

Fill soils were encountered during the *Preliminary Geotechnical Evaluation*. The fill soils appeared to be disturbed up to a depth of approximately 2.5 to 5 feet, and as such, are classified as uncertified fill soils. All fill and soft natural soil would be removed and recompacted to accommodate the proposed residential development and relocated park.

The on-site grading and earthwork activities to create the proposed project would result in ground surface disruption that could create the potential for short-term erosion by wind and water to occur.

All demolition and construction activities on-site would be subject to compliance with the *California Building Code*. Further, the proposed project would be subject to compliance with the requirements set forth in the National Pollutant Discharge Elimination System (NPDES) Storm Water General Construction Permit for construction activities; refer to Response 4.9.A. The NPDES Storm Water General Construction Permit requires preparation of a Storm Water Pollution Prevention Plan, which would identify specific erosion and sediment control Best Management Practices that would be implemented to protect storm water runoff during

construction activities. Compliance with the *California Building Code* and NPDES would minimize effects from erosion and ensure consistency with the Los Angeles Regional Water Quality Control Board Water Quality Control Plan.

Once construction is complete, disturbed surfaces would be stabilized through vegetation or pavement. Therefore, substantial soil erosion or loss of topsoil is not expected to occur during long-term operations.

Following compliance with NPDES requirements, project implementation would result in less than significant impacts regarding soil erosion.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT 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 AN ON-SITE OR OFF-SITE LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION OR COLLAPSE?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Fill soils were encountered during the *Preliminary Geotechnical Evaluation*, and consisted of tan brown, soft and porous silty sand and gravel, likely sourced from the area. These soils are not suitable for the support of foundations or additional fill soils. Minor solid fill was noted and is probably due to past grading of the site. Localized fills may be deeper and associated with past grading and unforeseen subsurface structures. The *Preliminary Geotechnical Evaluation* anticipates that fill soils may be deeper and associated with the adjacent retaining wall backfill.

Existing fill soils are not suitable for the support of structural fill or foundations for the proposed project. All such fill soils would be removed, cleaned of all trash and debris, and recompacted prior to placing any structural fill soils and beneath future proposed structures, including patios/porches, driveways, hardscape, and all associated footings. Any imported soils to be used for fill would be evaluated prior to placement on-site.

In order to ensure that the proposed project is not susceptible to damage as a result of on-site soils and geological conditions, the *Preliminary Geotechnical Evaluation* has included specific recommendations to reduce this risk to less than significant levels, which are to be reviewed and revised as necessary as part of Mitigation Measure GEO-1.

MITIGATION MEASURES

Refer to Mitigation Measure GEO-1. No additional mitigation measures are required.

D. WOULD THE PROJECT BE LOCATED ON EXPANSIVE SOIL, AS DEFINED IN TABLE 18-1-B OF THE UNIFORM BUILDING CODE (1994), CREATING SUBSTANTIAL RISKS TO LIFE OR PROPERTY?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Expansive soils can be a problem, as variation in moisture content will cause a volume change in the soil. Expansive soils heave when moisture is introduced and contract as they dry. During inclement weather and/or excessive landscape watering, moisture infiltrates the soil and causes the soil to heave (expansion). When drying occurs the soils will shrink (contraction). Repeated cycles of expansion and contraction of soils can cause pavement, concrete slabs on grade and foundations to crack. This movement can also result in misalignment of doors and windows.

Expansion testing was performed for the on-site soils, and the soils were concluded to have a very low expansion potential (refer to testing results in Appendix C). However, in order to ensure that the proposed project is not susceptible to damage as a result of on-site soils and geological conditions, the *Preliminary Geotechnical Evaluation* has included specific recommendations to reduce this risk to less than significant levels, which are to be reviewed and revised as necessary as part of Mitigation Measure GEO-1.

MITIGATION MEASURES

Refer to Mitigation Measure GEO-1. No additional mitigation measures are required.

E. WOULD THE PROJECT 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?

NO IMPACT

Sewers are currently available for the on-site disposal of wastewater; therefore, it would not be necessary to install septic tanks or alternative wastewater disposal systems. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

4.7. GREENHOUSE GASES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

Sources Cited in Section 4.7

California Air Resources Board, *First Update to the Climate Change Scoping Plan: Building on the Framework*, May 2014

City of Duarte, *Municipal Code* Chapter 19.52, Sustainable Development Practices

City of Duarte, *Energy Action Plan*, November 13, 2012

Pomeroy Environmental Services, Greenhouse Gas Analysis, October 2016 (modeling data contained in Appendix D)

Regulatory Framework

Gases that trap heat in the atmosphere are called greenhouse gases (GHGs), since they have effects that are analogous to the way in which a greenhouse retains heat. Greenhouse gases are emitted by both natural processes and human activities. The accumulation of greenhouse gases in the atmosphere regulates the earth's temperature. The State of California has undertaken initiatives designed to address the effects of greenhouse gas emissions, and to establish targets and emission reduction strategies for greenhouse gas emissions in California.

The principal GHGs are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e).

California has enacted several pieces of legislation that relate to GHG emissions and climate change, much of which sets aggressive goals for GHG reductions within the state. Per Senate Bill 97, the California Natural Resources Agency adopted amendments to the *California Environmental Quality Act (CEQA) Guidelines*, which address the specific obligations of public agencies when analyzing GHG emissions under CEQA to determine a project's effects on the environment. However, neither a threshold of significance nor any specific mitigation measures are included or provided in these CEQA Guidelines amendments.

Assembly Bill 32 (Statewide GHG Reductions)

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires the California Air Resources Board (CARB) to develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed to set a statewide GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner. The heart of the bill is the requirement that statewide GHG emissions be reduced to 1990 levels by 2020.

The CARB *AB 32 Scoping Plan (Scoping Plan)* contains the main strategies to achieve the 2020 emissions cap. The *Scoping Plan* was developed by CARB with input from the Climate Action Team (CAT) and proposes a comprehensive set of actions designed to reduce overall carbon emissions in California, improve the environment, reduce oil dependency, diversify energy sources, and enhance public health while creating new jobs and improving the State economy. The GHG reduction strategies contained in the *Scoping Plan* include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

CARB has adopted the *First Update to the Climate Change Scoping Plan*.³ This update identifies the next steps for California's leadership on climate change. The first update to the initial AB 32 *Scoping Plan* describes progress made to meet the near-term objectives of AB 32 and defines California's climate change priorities and activities for the next several years. It also frames activities and issues facing the State as it develops an integrated framework for achieving both air quality and climate goals in California beyond 2020.

In the original *Scoping Plan*, CARB approved a total statewide GHG 1990 emissions level and 2020 emissions limit of 427 million metric tons of CO₂e. As part of the update, CARB revised the 2020 Statewide limit to 431 million metric tons of CO₂e, an approximately 1 percent increase from the original estimate. The 2020 business-as-usual (BAU) forecast in the update is 509 million metric tons of CO₂e. The State would need to reduce those emissions by 15.3 percent to meet the 431 million metric tons of CO₂e 2020 limit.

California Senate Bills 1078, 107, and 2; Renewables Portfolio Standard

Established in 2002 under California Senate Bill 1078 and accelerated in 2006 under California Senate Bill 107, California's Renewables Portfolio Standard (RPS) requires retail suppliers of electric services to increase procurement from eligible renewable energy resources by at least 1 percent of their retail sales annually, until they reach 20 percent by 2010.

³ CARB, *First Update to the Climate Change Scoping Plan: Building on the Framework*, May 2014.

On April 2, 2011, Governor Jerry Brown signed California Senate Bill 2 to increase California's RPS to 33 percent by 2020. This new standard also requires regulated sellers of electricity to procure 25 percent of their energy supply from certified renewable resources by 2016.

Low Carbon Fuel Standard

California Executive Order S-01-07 (January 18, 2007) requires a 10 percent or greater reduction in the average carbon intensity for transportation fuels in California regulated by CARB. CARB identified the LCFS as a Discrete Early Action item under AB 32, and the final resolution (09-31) was issued on April 23, 2009.

Sustainable Communities and Climate Protection Act (SB 375)

California's Sustainable Communities and Climate Protection Act, also referred to as Senate Bill (SB) 375, became effective January 1, 2009. The goal of SB 375 is to help achieve AB 32's GHG emissions reduction goals by aligning the planning processes for regional transportation, housing, and land use. SB 375 requires CARB to develop regional reduction targets for GHGs, and prompts the creation of regional plans to reduce emissions from vehicle use throughout the State. California's 18 Metropolitan Planning Organizations (MPOs) have been tasked with creating Sustainable Community Strategies (SCS) in an effort to reduce the region's vehicle miles traveled (VMT) in order to help meet AB 32 targets through integrated transportation, land use, housing and environmental planning. Pursuant to SB 375, CARB set per-capita GHG emissions reduction targets from passenger vehicles for each of the State's 18 MPOs. On September 23, 2010, CARB issued a regional eight (8) percent per capita reduction target for the planning year 2020, and a conditional target of 13 percent for 2035.

California Green Building Standards (CALGreen) Code

Although not originally intended to reduce greenhouse gases, *California Code of Regulations (CCR) Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings*, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. Since then, *Title 24* has been amended with recognition that energy-efficient buildings that require less electricity and reduce fuel consumption, which in turn decreases GHG emissions. The current 2013 *Title 24* standards (effective as of January 1, 2014) were revised and adopted in part to respond to the requirements of AB 32. Specifically, new development projects constructed within California after January 1, 2014 are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the *California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11)*. As noted on page 37 in the *First Update to the Scoping Plan* (May 2014), building efficiency standards were updated in 2013 and are now 25 percent more efficient for residential construction and 30 percent more efficient for non-residential construction.⁴

⁴ Computed from California Energy Demand, 2012–2022 Final Forecast, June 2012, Form 2.2 on Committed Energy Impacts.

Local Policies and Regulations

The City of Duarte does not have any plans, policies, regulations, significance thresholds, or laws addressing climate change at this time. The Duarte *Municipal Code* Chapter 19.52 (Sustainable Development Practices) promotes natural resources conservation, increased energy efficiency, and use of sustainable practices in the development process and the implementation of State laws involving reducing greenhouse gas emissions, water conservation and other resource conservation directives for all new construction in the City.

On November 13, 2012, the City adopted an *Energy Action Plan*, created in partnership with the San Gabriel Valley Council of Governments (SGVCOG) and Southern California Edison (SCE). The Plan provides the City guidance in following the California's Long Term Energy Efficiency Strategic Plan (CEESP) by ascertaining existing and future energy use and develops an energy efficiency strategy to meet future energy reduction goals. As the Plan is a part of a unified regional framework, it also assists in identifying a clear path to successfully implementing actions, policies, and goals that will achieve the City's reduction targets. Additionally, the City promotes utility company incentive programs to retrofit existing development with energy efficient lighting, air conditioning and heating systems to reduce energy consumption.

GHG Significance Threshold

The City, the SCAQMD, and the *CEQA Guidelines* do not provide adopted quantitative thresholds of significance for addressing a residential project's GHG emissions. *CEQA Guidelines* Section 15064.4 serves to assist lead agencies in determining the significance of the impacts of GHGs. As required in *CEQA Guidelines* Section 15064.4, this analysis includes an impact determination based on the following: 1) an estimate of the amount of greenhouse gas emissions resulting from the project; 2) a qualitative analysis or performance based standards; 3) a quantification of the extent to which the project increases greenhouse gas emissions as compared to the existing environmental setting; and 4) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

In December 2008, the SCAQMD adopted an interim 10,000 metric tons CO₂e (MTCO₂e) per year screening level threshold for stationary source/industrial projects for which the SCAQMD is the lead agency. The SCAQMD continues to consider adoption of significance thresholds for non-industrial development projects. The most recent proposal issued in September 2010 uses the following tiered approach to evaluate potential GHG impacts from various uses:

- Tier 1: Determine if CEQA categorical exemptions are applicable. If not, move to Tier 2.
- Tier 2: Consider whether or not the proposed project is consistent with a locally adopted GHG reduction plan that has gone through public hearings and CEQA review, that has an approved inventory, includes monitoring, etc. If not, move to Tier 3.
- Tier 3: Consider whether the project generates GHG emissions in excess of screening thresholds for individual land uses. The 10,000 MTCO₂e/year threshold for industrial uses would be recommended for use by all lead agencies. Under option 1, separate screening thresholds are proposed for residential projects (3,500 MTCO₂e/year), commercial projects (1,400 MTCO₂e/year), and mixed-use projects (3,000 MTCO₂e/year). Under option 2 a single numerical screening threshold of 3,000 MTCO₂e/year would be used for all non-industrial projects. If the project generates emissions in excess of the applicable screening threshold, move to Tier 4.
- Tier 4: Consider whether the project generates GHG emissions in excess of applicable performance standards for the project service population (population plus employment). The efficiency targets were established based on the goal of AB 32 to reduce statewide GHG emissions to 1990 levels by 2020. The 2020 efficiency targets are 4.8 MTCO₂e per service population for project level analyses and 6.6 MTCO₂e per service population for plan level analyses. If the project generates emissions in excess of the applicable efficiency targets, move to Tier 5.
- Tier 5: Consider the implementation of CEQA mitigation (including the purchase of GHG offsets) to reduce the project efficiency target to Tier 4 levels.

The thresholds identified above are not adopted by the SCAQMD or distributed for widespread public review and comment, and the working group tasked with developing the thresholds has not met since September 2010. The future schedule and likelihood of threshold adoption is uncertain. However, for the purpose of evaluating the GHG impacts associated with the proposed project, this analysis utilizes the proposed Tier 3 threshold which identifies a screening threshold of 3,500 MTCO₂e/year for residential projects. This threshold has been utilized on other recent development projects in the Basin.

In addition, and separate from the above quantitative threshold, if a project can demonstrate qualitative consistency with applicable plans, policies and regulations adopted for the purpose of reducing the emissions of GHGs, then impacts associated with GHG emissions would be less than significant.

A. WOULD THE PROJECT GENERATE GREENHOUSE GAS EMISSIONS, EITHER DIRECTLY OR INDIRECTLY, THAT MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Construction GHG Emissions

Construction emissions represent an episodic, temporary source of GHG emissions. Emissions are generally associated with the operation of construction equipment and the disposal of construction waste. To be consistent with the guidance from the SCAQMD for calculating criteria pollutants from construction activities, only GHG emissions from on-site construction activities and off-site hauling and construction worker commuting are considered as project-generated. As explained by California Air Pollution Controls Officers Association (CAPCOA) in its 2008 white paper, the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. CEQA does not require an evaluation of speculative impacts (CEQA Guidelines Section 15145). Therefore, the construction analysis does not consider such GHG emissions, but does consider non-speculative on-site construction activities and off-site hauling and construction worker trips. All GHG emissions are reported on an annual basis.

Emissions of GHGs were calculated using CalEEMod 2013.2.2 for each year of construction of the proposed project and the results of this analysis are presented in *Table 4.7-1, Project Construction-Related GHG Emissions*. As shown in *Table 4.7-1*, the greatest annual increase in GHG emissions from project construction activities would be 197.85 metric tons in 2017, and total construction GHG emissions would be 378.69 metric tons. Consistent with SCAQMD recommendations and to ensure construction emissions are assessed in a quantitative sense, construction GHG emissions have been amortized over a 30-year period and have been added to the annual operational GHG emissions of the proposed project identified in *Table 4.7-3*.

TABLE 4.7-1 PROJECT CONSTRUCTION-RELATED GHG EMISSIONS

Year	CO ₂ e Emissions (Metric Tons per Year)
2017	197.85
2018	180.84
Total Construction GHG Emissions	378.69
Source: Pomeroy Environmental Services (October 2016)	
Calculation data and results are provided in Appendix D.	

Operational GHG Emissions

EXISTING CONDITIONS

The project site is currently developed with the City of Duarte Field Services Department offices, Montessorri School, Duarte Chamber of Commerce, and Third Street Park. As such, GHG emissions are currently generated by the use of on-road motor vehicles, energy (electricity and natural gas), water, and generation of solid waste and wastewater. The GHG emissions generated by the existing uses at the project site have been estimated utilizing CalEEMod 2013.2.2 recommended by the SCAQMD and are shown in Table 4.7-2, Existing Greenhouse Gas Emissions. As shown in Table 4.7-2, GHG emissions generated by existing conditions at the project site are approximately 457.99 CO₂e MTY.

TABLE 4.7-2 EXISTING GREENHOUSE GAS EMISSIONS

Emissions Source	Estimated Project CO₂e Emissions (Metric Tons per Year)
Energy (Electricity & Natural Gas)	40.52
Mobile (Motor Vehicles)	401.35
Solid Waste Generation	6.95
Water Demand	9.17
Existing Project Site Total	457.99
Source: Pomeroy Environmental Services (October 2016)	
Calculation data and results provided in Appendix D.	

PROPOSED PROJECT

The proposed project would relocate the existing park to the easterly most portion of the property, demolish the existing buildings, and construct 18 residential units. The operations of the proposed project would generate GHG emissions from the usage of on-road motor vehicles, electricity, natural gas, water, and generation of solid waste and wastewater. The proposed project's GHG emissions were estimated with the incorporation of the following GHG reduction measures:

- Project compliance with current 2013 *CALGreen Code* would result in 25 percent energy savings
- The use of energy efficient appliances such as clothe-washer machines, refrigerators, fans, dish-washers, etc.
- The proposed project would reduce water demand by at least 20 percent due to low-flow and/or high efficiency water fixtures such as low-flow toilets, urinals, showerheads, faucets, and high-efficiency clothes-washers and dishwashers

Emissions of operational GHGs are shown in *Table 4.7-3, Project Operational GHG Emissions*. As shown, the proposed project would result in a net decrease of 237.46 CO₂e MTY and therefore would not have the potential to exceed the 3,500 MTCO₂e per year threshold for residential projects.

TABLE 4.7-3 PROJECT OPERATIONAL GHG EMISSIONS

Emissions Source	Estimated Project CO ₂ e Emissions (Metric Tons per Year)
Area Sources	4.22
Energy (Electricity & Natural Gas)	37.85
Mobile (Motor Vehicles)	154.95
Solid Waste Generation	3.78
Water Demand	7.11
Construction Emissions ¹	12.62
Project Total	220.53
Less Existing Project Site Total	457.99
Total Project Net Increase	(237.46)
Source: Pomeroy Environmental Services (October 2016)	
Notes: 1. Consistent with SCAQMD recommendations, the total construction GHG emissions were amortized over 30 years and added to the operation of the proposed project. Calculation data and results provided in Appendix D.	

GHG EMISSIONS ASSOCIATED WITH MOTOR VEHICLES

Motor vehicle related GHG emissions are regulated at the Federal, State and local levels. As discussed in the *CARB Scoping Plan*, the transportation sector – largely the cars and trucks that move goods and people – is the largest contributor with 38 percent of the State’s total GHG emissions. Many of the transportation-related reduction measures identified in the Scoping Plan are focused on improving motor vehicle efficiencies through more restrictive statewide laws and regulations. Some of these measures include Pavley I & II Standards for light-duty vehicles, Low Carbon Fuel Standards (LCFS), aerodynamic improvements for heavy-duty vehicles, and medium- and heavy-duty vehicle hybridizations. Together, these measures are estimated to reduce 2020 forecasted emissions by 52.60 MMTCO₂E. These regulatory measures are aimed at improving efficiencies of the motor vehicle fleet mix across the State, and as such, GHG emissions from future motor vehicles accessing the project would be reduced as a result of these statewide programs. In addition, the proposed project is considered an infill development resulting in a net reduction in vehicle trips. These features would be consistent with SCAG’s SCS/RTP goal to reduce the region’s VMT in order to help meet AB 32 targets through integrated transportation, land use, housing and environmental planning.

Impact Conclusion

Given the proposed project’s compliance with the *CALGreen Code*, urban infill location, and net reduction in GHGs, the proposed project would be consistent with local and statewide goals

and policies aimed at reducing the generation of GHGs, including CARB's *Scoping Plan*. In addition, the proposed project's operational GHG emissions would not have the potential to exceed the 3,500 metric tons of CO₂e per year screening threshold proposed by the SCAQMD for residential projects. Therefore, the proposed project's generation of GHG emissions would not make a cumulatively considerable contribution to GHG emissions and impacts would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT CONFLICT WITH AN APPLICABLE PLAN, POLICY OR REGULATION ADOPTED FOR THE PURPOSE OF REDUCING THE EMISSIONS OF GREENHOUSE GASES?

LESS THAN SIGNIFICANT IMPACT

The proposed project would relocate the existing park to the easterly most portion of the property, demolish the existing buildings, and construct 18 residential units. Also, the proposed project involves the reuse of an existing urban property and infill development, which is seen as an important strategy in reducing regional GHG emissions. Thus, the proposed project would not conflict with adopted initiatives that are designed to control GHG emissions in the coming years. In addition, the proposed project would not involve or require any variance from an adopted plan, policy, or regulation governing GHG emissions passed and/or recommended by the State of California, the United States EPA, the Attorney General, CARB, SCAG, or the SCAQMD. Therefore, implementation of the proposed project would no conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases are anticipated. Thus, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
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?		✓		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
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?				✓
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?				✓
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?				✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
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?			✓	

Sources Cited in Section 4.8

City of Duarte, *Duarte General Plan*, August 2007

City of Duarte, *Local Hazard Mitigation Plan*, 2014

Department of Toxic Substances Control,

<http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm>, accessed on August 31, 2016

A. WOULD THE PROJECT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?

LESS THAN SIGNIFICANT IMPACT

The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project proposes to demolish two existing buildings, construct 18 residential units, and relocate the Third Street Park. Long-term operations associated with the proposed project would not require the transport, use, or disposal of any regulated amounts of hazardous materials.

Development plans for the proposed project would also be reviewed by the Los Angeles County Fire Department for hazardous material use, safe handling, and storage, as appropriate. The Los Angeles County Fire Department would require that conditions of approval be applied for the project applicant to reduce hazardous material impacts, if applicable. Thus, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT 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?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

On-Site Hazardous Material Sources and Releases

One of the means through which human exposure to hazardous substance could occur is through accidental release. Incidents that result in an accidental release of hazardous substance into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes that might be generated. If not cleaned up immediately and completely, the hazardous substances can migrate into the soil or enter a local stream or channel causing contamination of soil and water. Human exposure of contaminated soil or water can have potential health effects on a variety of factors, including the nature of the contaminant and the degree of exposure.

Construction activities associated with the proposed project could release hazardous materials into the environment through reasonably foreseeable upset and accident conditions. There is a possibility of accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluid used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and Federal law.

On-site structures would be demolished and removed as part of the proposed project. Given the age of the existing buildings on-site, it is likely that the buildings contain asbestos-containing materials, as well as lead-based paints and/or other contaminants. As a result, construction workers and the public could be exposed. Further, the potential exists that

construction activities may release potential contaminants that may be present in building materials (e.g., mold, lead, etc.). Federal and State regulations govern the renovation and demolition of structures where asbestos-containing materials and lead-based paints are present. All demolition that could result in the release of asbestos-containing materials or lead-based paints must be conducted according to Federal and State standards. The National Emission Standards for Hazardous Air Pollutants mandates that building owners conduct an asbestos survey to determine the presence of asbestos-containing materials prior to the commencement of any remedial work, including demolition. If ACM material is found, abatement of asbestos would be required prior to any demolition activities. Compliance with the Mitigation Measure HAZ-1 (compliance with South Coast Air Quality Management District Rule 1403) would reduce potential impacts to a less than significant level.

LONG-TERM OPERATIONAL IMPACTS

Due to the nature of the proposed project, which includes residential and park uses, there would be no substantial use of hazardous materials utilized as part of long-term operations. Once constructed, the proposed project would not result in the transport, use, or disposal of hazardous materials. Thus, less than significant impacts would occur in this regard.

MITIGATION MEASURES

HAZ-1 To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.

C. WOULD THE PROJECT EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?

NO IMPACT

The proposed residential and park uses would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste; and therefore, would not impact any existing or proposed schools within one-quarter mile of the project site. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT 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?

NO IMPACT

The project site is not listed in a list of hazardous materials sites compiled pursuant to *Government Code* Section 65962.5.⁵ No impact would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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?

NO IMPACT

The project site is not located within an airport land use plan or within two miles of an airport or a private airstrip. The nearest airport is the El Monte Airport, approximately 4.5 miles southwest of the project site. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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?

NO IMPACT

Refer to Response 4.8.E.

MITIGATION MEASURES

No mitigation measures are required.

⁵ Department of Toxic Substances Control, <http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm>, accessed on August 31, 2016.

G. WOULD THE PROJECT IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?

LESS THAN SIGNIFICANT IMPACT

Emergency vehicles would continue to have access to project-related and surrounding roadways during construction and upon completion of the proposed project. The proposed project would not impact access to emergency response. In addition, the proposed project would not physically interfere with the County's or the City's emergency evacuation routes. Therefore, less than significant impacts would result from the construction and operation of the proposed project in this regard.

MITIGATION MEASURES

No mitigation measures are required.

H. WOULD THE PROJECT 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?

LESS THAN SIGNIFICANT IMPACT

The project site and surrounding areas are predominately built out and no wildlands occur within or adjacent to the project site. According to the *Duarte General Plan*, the risk of wildfire is greatest in the north wilderness area and non-urbanized portion of the City where vegetation, varied topography, and slopes are all present. The southern urbanized area is exposed to the least amount of threat because of minimal exposure to fire prone vegetation, relatively flat topography, and developed character. The urban area is located in close proximity to fire stations and response times would be within the Los Angeles County Fire Department's desired range of five minutes. The proposed project is located within the southern urbanized area. In addition, as shown on *Local Hazard Mitigation Plan* Exhibit 6, Wildfire Hazard Areas, the project site is not located within a Very High Fire Hazard Severity Zone (VHFHSZ). Thus, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?		✓		
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)?			✓	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			✓	
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?		✓		
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?		✓		
f. Otherwise substantially degrade water quality?		✓		
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?				✓
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
j. Inundation by seiche, tsunami, or mudflow?			✓	

Sources Cited in Section 4.9

Federal Emergency Management Agency, Flood Insurance Rate Map Number 06037C1725F, effective date September 26, 2008

Southland Civil Engineering & Survey, LLP, Preliminary Drainage Study, Tentative Tract Map No. 74365, September 29, 2016 (refer to Appendix E)

A. WOULD THE PROJECT VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project site is located in the City of Duarte, which is within the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB).

Urban runoff, both dry and wet weather, discharges into storm drains and, in most cases, flows directly to creeks, rivers, lakes, and the ocean. Polluted runoff can have harmful effects on drinking water, recreational water, and wildlife. Urban runoff pollution includes a wide array of environmental, chemical, and biological compounds from both point and non-point sources. In the urban environment, storm water characteristics depend on site conditions (e.g., land use, impervious cover, pollution prevention, types and amounts of Best Management Practices), rain events (duration, amount of rainfall, intensity, and time between events), soil type and particle sizes, multiple chemical conditions, the amount of vehicular traffic, and atmospheric deposition (United States Environmental Protection Agency 2000). Major pollutants typically found in runoff from urban areas include sediments, nutrients, oxygen-demanding substances, heavy metals, petroleum hydrocarbons, pathogenic, and bacteria.

Urban runoff can be divided into two categories – dry and wet weather urban runoff:

- Dry weather urban runoff occurs when there is no precipitation-generated runoff. Typical sources include landscape irrigation runoff; driveway and sidewalk washing; noncommercial vehicle washing; groundwater seepage; fire flow; potable water line operations and maintenance discharges; and permitted or illegal non storm water discharges.
- Wet weather urban runoff refers collectively to non-point source discharges that result from precipitation events. Wet weather runoff includes storm water runoff. Storm water discharges are generated by runoff from land and impervious areas such as paved streets and parking lots, building rooftops.

Wet- and dry-weather runoff typically contains similar pollutants of concern. However, except for the first flush concentrations following a long period between rainfalls, the concentration levels found in wet weather flows are typically lower than levels found in dry weather flows because the larger wet weather flows dilute the amount of pollution in runoff waters. Most urban storm water discharges are considered non-point sources and are regulated by a National Pollutant Discharge Elimination System Municipal General Permit or Construction General Permit.

The proposed project's water quality impacts would be short-term during the earthwork and construction phase, and following construction, prior to the establishment of ground cover, and long-term following completion.

Short-Term Construction

There are three sources of short-term construction-related storm water pollution associated with the proposed project that could impact the beneficial uses of downstream water bodies:

- Handling, storage, and disposal of construction materials containing pollutants
- Maintenance and operation of construction equipment
- Earthmoving activities

These sources, if not controlled, can generate soil erosion and on- and off-site transport via storm run-off or mechanical equipment. Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze, or other vehicle-related fluids on the project site are also common sources of storm water pollution and soil contamination. Implementation of the proposed project has the potential to produce typical pollutants such as nutrients, heavy metals, pesticides and herbicides, toxic chemicals related to construction and cleaning, waste materials including wash water, paints, wood, paper, concrete, food containers, and sanitary wastes, fuel, and lubricants. Generally, standard safety precautions for handling and storing construction materials can adequately reduce the potential pollution of storm water by these materials. These types of standard procedures can be extended to non-hazardous storm water pollutants such as sawdust, concrete washout, and other wastes.

In addition, grading activities can greatly increase erosion processes, leading to impacts on storm drains and sediment loading to storm runoff flows. Two general strategies are recommended to prevent soil materials from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed, and secondly, the project site should be secured to control off-site transport of pollutants.

In order to reduce the amount of on-site exposed soil, grading would be limited to the extent feasible, and any graded areas would be protected against erosion once they are brought to final grade. Furthermore, development associated with implementation of the proposed project would be required to comply with the Construction General NPDES Permit. Prior to construction, the General Permit requires the following:

- Electronic submittal of the Permit Registration Documents (PRD) to the SWRCB at least 30 days before the start of construction, which includes submittal of a Notice of Intent (NOI), risk assessment, site map, Storm Water Pollution Prevention Plan (SWPPP), annual fee, and a signed certification statement;
- Preparation and implementation of a SWPPP; and
- Electronic submittal of a Notice of Termination (NOT) to the SWRCB upon completion of construction and stabilization of the site.

Construction activities for development associated with implementation of the proposed project would be subject to inspection by the City Public Works/Engineering Department. The General Permit requires that non-storm water discharges from construction sites be eliminated or reduced to the maximum extent practicable, that a SWPPP be developed governing construction activities for the proposed project, and that routine inspections be performed of all storm water pollution prevention measures and control practices being used at the site, including inspections before and after storm events.

Preparation of and compliance with the SWPPP (Mitigation Measure HYD-1) would reduce potential short-term water quality impacts to a less than significant level.

Long-Term Operation

The 1.647-acre project site is developed with two buildings at 1101-1105 Oak Avenue and 1634-1640 Third Street, and Third Street Park, which include accessory structures and landscaped areas. With these existing on-site uses, the site is 38 percent pervious and 62 percent impervious.

Implementation of the proposed project would result in the development of 18 residential units and the relocated Third Street Park. *Table 4.9-1, Existing and Proposed Pervious and Impervious Conditions*, shows that the post-project conditions result in an increase to 50 percent in the amount of pervious area and a decrease to 50 percent in the amount of impervious area.

TABLE 4.9-1 EXISTING AND PROPOSED PERVIOUS AND IMPERVIOUS SITE CONDITIONS

Project Area	Pervious	Impervious
	Percentage	Percentage
Pre-Project Conditions	38%	62%
Post-Project Conditions	50%	50%
Source: Southland Civil Engineering & Survey, LLP (September 2016)		

The long-term operation and maintenance of the proposed project would be a source of pollutants, including suspended solids/sediment, nutrients, heavy metals, pathogens (bacteria/virus), pesticides, oil and grease, toxic organic compounds, trash and debris, and household hazardous wastes. The vegetated areas are likely to produce suspended solids/sediment, nutrients, and pesticides. The beneficial uses of downstream water bodies could be impacted due to development of the proposed project. Therefore, the proposed project would be required to prepare and implement a plan (i.e., SUSMP or functional equivalent document) in accordance with the guidance to be developed by the NPDES Permit permittees, that includes post-construction BMPs (such as LID, if feasible) to reduce pollutant loading. This plan, included as Mitigation Measure HYD-2, would be required prior to issuance of a grading permit.

The proposed project shall provide stormwater quality treatment by means of on-site infiltration as a top priority mitigation measure by the Regional Water Quality Control Board Order No. R4-2012-0175 (MS4 Permit). Design and feasibility screening shall be per methods outlined in the 2014 *Los Angeles County Low Impact Development* (LID) Manual. Preliminary feasibility for on-site infiltration is supported by findings stated in the June 10, 2016 Preliminary Geotechnical Report by Duco Engineering, Inc. This report states the following in support of on-site infiltration:

- Expansion testing was performed on the encountered onsite soils. These soils were found to have a very low expansion potential.
- Hazards associated with Seismic Hazard Mapping were not found on site and the site is not located in the mapped hazard zone. These included faults, liquefaction, and landslides.
- No ground water was encountered in any holes to the depths explored and none is expected at an elevation that would affect the proposed site development.
- Given the hydrologic soil properties and soil texture, it is the opinion of this firm that a preliminary design infiltration rate of 0.5 in/hr. may be assumed.

In conclusion, preparation of and compliance with the SUSMP (Mitigation Measure HYD-2) would reduce potential long-term water quality impacts to a less than significant level.

MITIGATION MEASURES

- HYD-1 Prior to issuance of a grading or building permit, the Applicant shall enroll electronically through the SMARTS program to comply with the State of California General Construction Permit. Proof of enrollment must be submitted to the City of Duarte before issuance of grading or building permits. Also, a Stormwater Pollution Prevention Plan (SWPPP) or functional equivalent required at that time shall be reviewed and approved by the Public Works Manager and the City Engineer for water quality construction activities on-site. A copy of the SWPPP or functional equivalent required at that time shall be available and implemented at the construction site at all times. The SWPPP or functional equivalent required at that time shall outline the source control and/or treatment control Best Management Practices to avoid or mitigate runoff pollutants at the construction site to the “maximum extent practicable.”
- HYD-2 Prior to the issuance of grading permit, the Applicant shall prepare a plan (i.e., Standard Urban Storm Water Management Plan [SUSMP] or functional equivalent document per current State law or other applicable statutes) in accordance with the guidance to be developed by the NPDES Permit permittees, that includes Low Impact Development and other post-construction Best Management Practices to reduce pollutant loading. The plan shall be reviewed and approved by the Public Works Manager and City Engineer. The Applicant shall be responsible for implement the measures identified in the SUSMP or functional equivalent document.

- B. WOULD THE PROJECT 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)?**

LESS THAN SIGNIFICANT IMPACT

The proposed project would continue to be connected to the City's utility lines and is not anticipated to deplete groundwater supplies through the consumption of the water. Refer to Response 4.17.D. Therefore, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

- C. WOULD THE PROJECT SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?**

LESS THAN SIGNIFICANT IMPACT

The proposed project would decrease the percentage of impervious surfaces on-site. In the proposed conditions, the site's drainage pattern would not substantially change from current conditions (refer to Response 4.9.D). Revegetation of currently improved surfaces would reduce the sediment load in storm water runoff, as well as increase the on-site percolation of runoff. While the rate and quantity of runoff from the site would slightly increase as a result of implementing the proposed project, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT 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?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

No natural drainages (i.e., stream or river) exist on-site and existing drainage patterns have been determined by past development on-site and in the surrounding area.

Existing Site Drainage

Exhibit 4.9-1, Existing Site Drainage Map shows the identified drainage subareas, and *Table 4.9-2, Existing Conditions Hydrology* shows the existing hydrology calculations per subarea.

TABLE 4.9-2 EXISTING CONDITIONS HYDROLOGY

Area ID	Area (sf)	Flow Path Length (ft)	Flow Path Slope (vft/hft)	Impervious %	Pervious %	Discharge Point	Q50 (cfs)
E1	10,255	145	0.097	1.0	99.0	A	0.77
E2	3,365	130	0.054	1.0	99.0	B	0.25
E3	12,393	190	0.042	40.6	59.4	B	1.00
E4	6,619	105	0.020	96.6	3.4	D	0.59
E5	28,800	500	0.018	89.4	10.6	C	2.23
E6	1,283	26	0.015	65.3	34.7	D	0.11
E7	2,017	56	0.020	100.0	0.0	D	0.18
E8	3,999	157	0.013	100.0	0.0	E	0.35
TOTAL	68,731						5.48
Source: Southland Civil Engineering & Survey, LLP (September 2016)							
Notes: sf = square feet ft = feet vft = vertical feet hft= horizontal feet Q50 – Peak Flow Rate cfs = cubic feet per second							

A description of the drainage subareas is provided below.

Subarea E1: Approximately 0.235 acres of the existing site (Subarea E1) historically drains southerly to an existing catch basin, stand pipe, and 8-inch outlet drain pipe. These existing facilities are off-site and within the adjacent Tract 62319 (Discharge Point A). Per the Hydrology Study (Preliminary Drainage Study Attachment 3), this 8-inch pipe has been sized to receive 1.21 cubic feet per second (cfs) of runoff generated from the tributary portion of the new TTM 74365 project site. As shown in *Table 4.9-2*, the existing runoff flow from this area is calculated to be 0.77 cfs.

Subareas E2 and E3: Approximately 0.361 acres of the existing site (Subareas E2 and E3) historically drain southerly through an existing wrought-iron fence (W.I.F.) into the adjacent

residential planned development Tract 62319 (Discharge Point B). Per as-built grading plans and the proposed project's hydrology study (Preliminary Drainage Study Attachment 3), subarea E2 drains to into Area "3" of Tract 62319, ultimately carried by a 6-inch pipe. Subarea E3 drains to Area "9" of Tract 62319, ultimately carried by an 8-inch pipe. The Tract 62319 drainage system ultimately discharges to Huntington Drive, south of the site.

Subareas E2 and E3 make up a portion of the Tract 62319 Hydrology Study Areas "3" and "9", respectively. By pro-rating the portion of areas "3" and "9" that are on the project site, the anticipated runoff flows are estimated as follows:

- Subarea E2 / Area "3" x Area "3" Runoff = 3,365 sf / 4,098 sf x 0.48 cfs = 0.39 cfs
- Subarea E3 / Area "9" x Area "9" Runoff = 3,770 sf / 10,705 sf x 1.26 cfs = 0.44 cfs (3,770 sf = the portion of the project site accounted for in the Hydrology Study for Tract 62319.)
- The total design flow per Tract 62319 at Discharge Point B used to size the downstream pipes = 0.83 cfs.

The calculated existing runoff flows from Subareas E2 and E3 are 0.25 cfs and 1.00 cfs, respectively.

Subarea E5: Approximately 0.661 acres of the existing site (Subarea E5) drains southerly through seven existing 0.4-footwide wall drains (Discharge Point C), and into the existing planned residential development to the east of Tract 62319. The estimated existing runoff flow at this point is 2.23 cfs. Weir hydraulic calculations determine this tributary flow from E5 into these drains results in a water surface level approximately 0.355 feet above the drain outlet elevation, keeping the flow within the 0.4 feet containment overflow elevation.

Subareas E4, E6, and E7: Approximately 0.227 acres of the existing site (Subarea E4, E6, and E7) drain in portions northerly to Third Street (Discharge Point D). These subareas together generate an existing runoff flow of 0.88 cfs at this discharge point.

Subarea E8: Approximately 0.092 acres of the existing site (Subarea E8) drains southeasterly to Oak Avenue (Discharge Point E). Subarea E8 generates an existing runoff flow of 0.35 cfs.

Proposed Site Drainage

The proposed project includes the demolition of all on-site structures, construction of 18 residential units on approximately 1.36 acres, and an approximately 0.22-acre park to be dedicated to the City of Duarte. Approximately 0.07 acres of the property shall be quitclaimed to the southerly adjacent owner. This area does not drain with the existing site and has been excluded from the study.

Exhibit 4.9-2, Proposed Project Drainage Map shows the identified drainage subareas, and *Table 4.9-3, Proposed Conditions Hydrology* shows the existing hydrology calculations per subarea. All

runoff from the proposed project would drain into catch basins with fossil filters and ultimately drain into Huntington Drive.

TABLE 4.9-3 PROPOSED CONDITIONS HYDROLOGY

Area ID	Area (sf)	Flow Path Length (ft)	Flow Path Slope (vft/hft)	Impervious %	Pervious %	Discharge Point	Q50 (cfs)
P1	13,918	175	0.019	76.80	23.20	A	1.19
P2	9,885	190	0.016	67.20	32.80	B	0.83
P3	25,866	440	0.018	89.50	10.50	C	2.25
P4-P8	9,411	15	0.020	13.58	86.42	D	0.73
P9	9,651	150	0.027	1.00	99.00	E	0.73
TOTAL	68,731						5.73
Source: Southland Civil Engineering & Survey, LLP (September 2016)							
Notes: sf = square feet ft = feet vft = vertical feet hft= horizontal feet Q50 – Peak Flow Rate cfs = cubic feet per second							

The proposed drainage subareas are described below.

Subarea P1: Approximately 0.320 acres of the proposed project (Subarea P1) would drain southwesterly towards the existing sump with standpipe located in the southwest corner of the site (Discharge Point A) with a Q50 peak runoff flow of 1.19 cfs.

The proposed runoff flow to this discharge point is less than the design flow for the 8-inch pipe for Tract 62319. Therefore, the downstream drainage facility for Tract 62319 has sufficient capacity for this proposed flow. As the point is a sump location, an emergency overflow pump with force main and float system would be installed to discharge flows in excess of Q50 runoff northerly to Third Street.

Subarea P2: Approximately 0.276 acres of the proposed project (Subarea P2) would drain southerly to the existing wrought iron fence into the adjacent southerly property (Discharge Point B) with a Q50 peak runoff flow of 0.83 cfs.

The proposed flow of 0.83 cfs is equal to the design flow tributary flow per the Tract 62319 Hydrology Study. Therefore, no impact is expected downstream of this point. It is recommended a level weir spill-wall be installed along with regular wall openings to control the runoff draining through this point.

Subarea P3: Approximately 0.594 acres of the proposed project (Subarea P3) would drain southerly to the existing seven wall drain openings at Discharge Point C. These calculated runoff flow from this subarea is 2.25 cfs.

The proposed flow of 2.25 cfs at Discharge Point C is essentially equal to the existing calculated flow of 2.23 cfs. Per the Weir hydraulic analyses, there shall be no significant rise in the weir

elevation. The site grading design shall accommodate for this, and would not have an adverse impact on downstream facilities.

Subareas P4 through P8: Approximately 0.216 acres, consisting of the front yard portions of the residential development (Subareas P4-P8), would drain northerly towards Third Street, with a total proposed flow of 0.73 cfs.

The proposed flow of 0.73 cfs draining to Third Street and Discharge Point D is less than the existing tributary flow of 0.88 cfs of Subareas E4, E6, and E7. Therefore, there is no adverse impact to Third Street.

Subarea P9: Approximately 0.222 acres consisting of the dedicated park area (Subarea P9) shall drain southeasterly towards Oak Avenue and Discharge Point E with a proposed runoff flow of 0.73 cfs.

The proposed flow tributary to Discharge Point E is greater than the existing flow by 0.38 cfs. The increase in flow would be directed to a public drainage conveyance and would not exceed the flow capacity within the improved Oak Avenue.

IMPACT CONCLUSION

Implementation of the proposed project would not result in a substantial increase in runoff that could result in flooding on- or off-site. Thus, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT 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?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.9.A and 4.9.D. Thus, with implementation of Mitigation Measures HYD-1 and HYD-2, impacts are reduced to less than significant in this regard.

MITIGATION MEASURES

Refer to Mitigation Measures HYD-1 and HYD-2. No additional mitigation measures are required.

F. WOULD THE PROJECT OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The proposed project is not anticipated to result in water quality impacts other than the potential short-term construction and long-term operational impacts identified above in Responses 4.9.A and 4.9.C. Implementation of Mitigation Measures HYD-1 and HYD-2 would reduce potential impacts to a less than significant level.

MITIGATION MEASURES

Refer to Mitigation Measures HYD-1 and HYD-2. No additional mitigation measures are required.

G. WOULD THE PROJECT 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?

NO IMPACT

Flood zones are geographic areas that the Federal Emergency Management Agency (FEMA) has defined according to a location's varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map. Each zone reflects the severity or type of flooding in the area. The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. Other Flood Areas include Zone X, which includes areas of 0.2% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 1% annual chance flood.

According to the Flood Insurance Rate Map (FIRM), Map Number 065026, Panel Number 1415F, September 26, 2008, published by the Federal Emergency Management Agency (FEMA), the project site is located within Other Areas Zone X. Other Areas Zone X is defined as "Areas determined to be outside the 0.2 percent annual chance floodplain." The proposed project would not place housing within the 100-year floodplain. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

H. WOULD THE PROJECT PLACE WITHIN A 100-YEAR FLOOD HAZARD AREA STRUCTURES WHICH WOULD IMPEDE OR REDIRECT FLOOD FLOWS?

NO IMPACT

As discussed in Response 4.9.G, the project site is located within Other Areas Zone X. The proposed project would not place structures within the 100-year floodplain. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

I. WOULD THE PROJECT 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?

LESS THAN SIGNIFICANT IMPACT

Three major dams in the upper watershed of the San Gabriel River provide flood protection for the City of Duarte. Two of these dams, Cogswell Dam and San Gabriel Dam, were built in the San Gabriel Canyon between 1934 and 1937, respectively. A third dam, known as Morris Dam was constructed in 1934 by the City of Pasadena. Minimal threat of a severe earthquake, which would cause flooding due to the failure of Morris, San Gabriel and/or Cogswell Dams exists. If a dam rupture were to occur, flood waters would reach Duarte in 20 to 40 minutes. It is anticipated flood waters would last approximately one hour before receding. The City's existing protocols to notify constituents regarding a dam failure ensure that future residents and park users would not experience any significant risks relative to flooding. Thus, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

J. WOULD THE PROJECT EXPERIENCE INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW?

LESS THAN SIGNIFICANT IMPACT

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a

sea floor associated with large, shallow earthquakes. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity.

The project site is not located within proximity to any enclosed or semi-enclosed bodies of water and would not be subject to seiche impacts. Additionally, the project site is not located within proximity to the ocean, and therefore would not be subject to tsunami impacts.

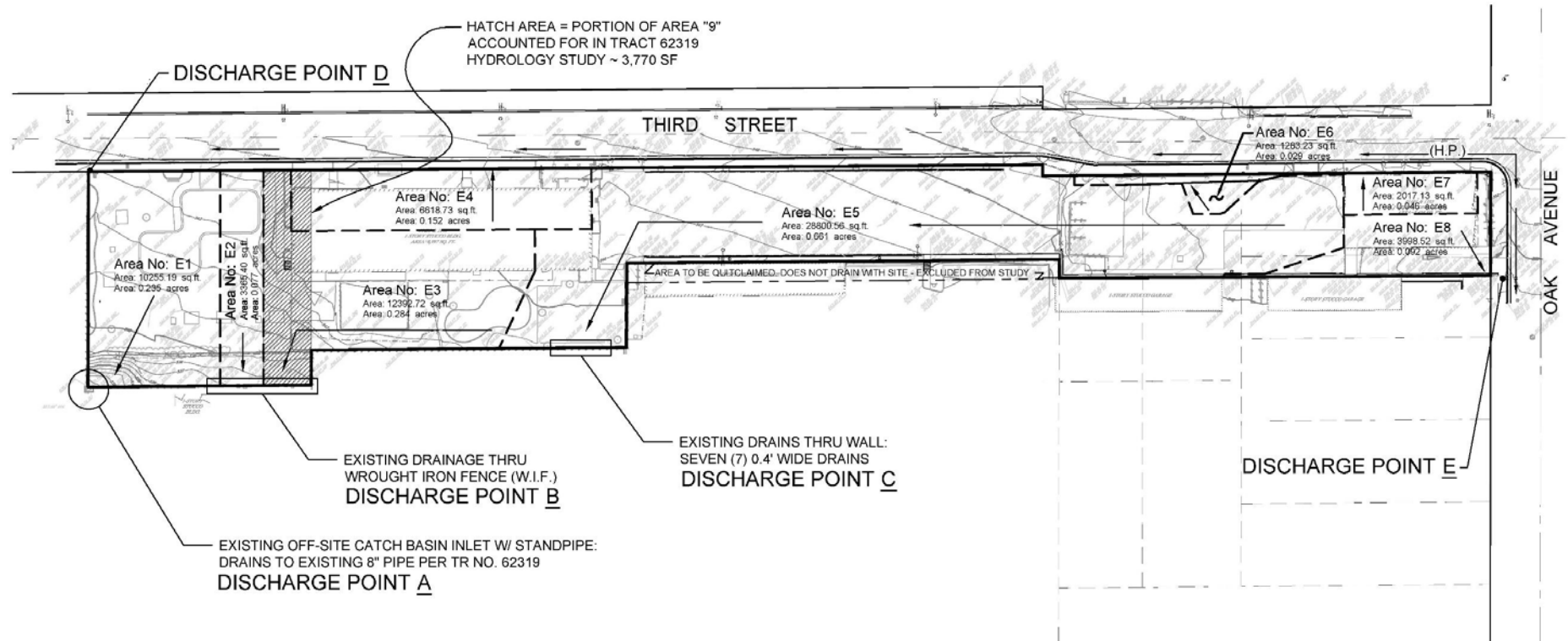
The project site and surrounding area are relatively flat; however, the project site is positioned downslope from an area of potential mudflow, particularly after a wildfire. Mudflows tend to flow in channels, but can spread out over a floodplain, and generally occur in places where they have occurred before. Debris flows could originate off-site and pass through the project site. The project site has not been subject to mudflows in the recent past, and the construction of residential and park uses on-site would not result in a change in the potential for mudflow impacts over existing conditions. Thus, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

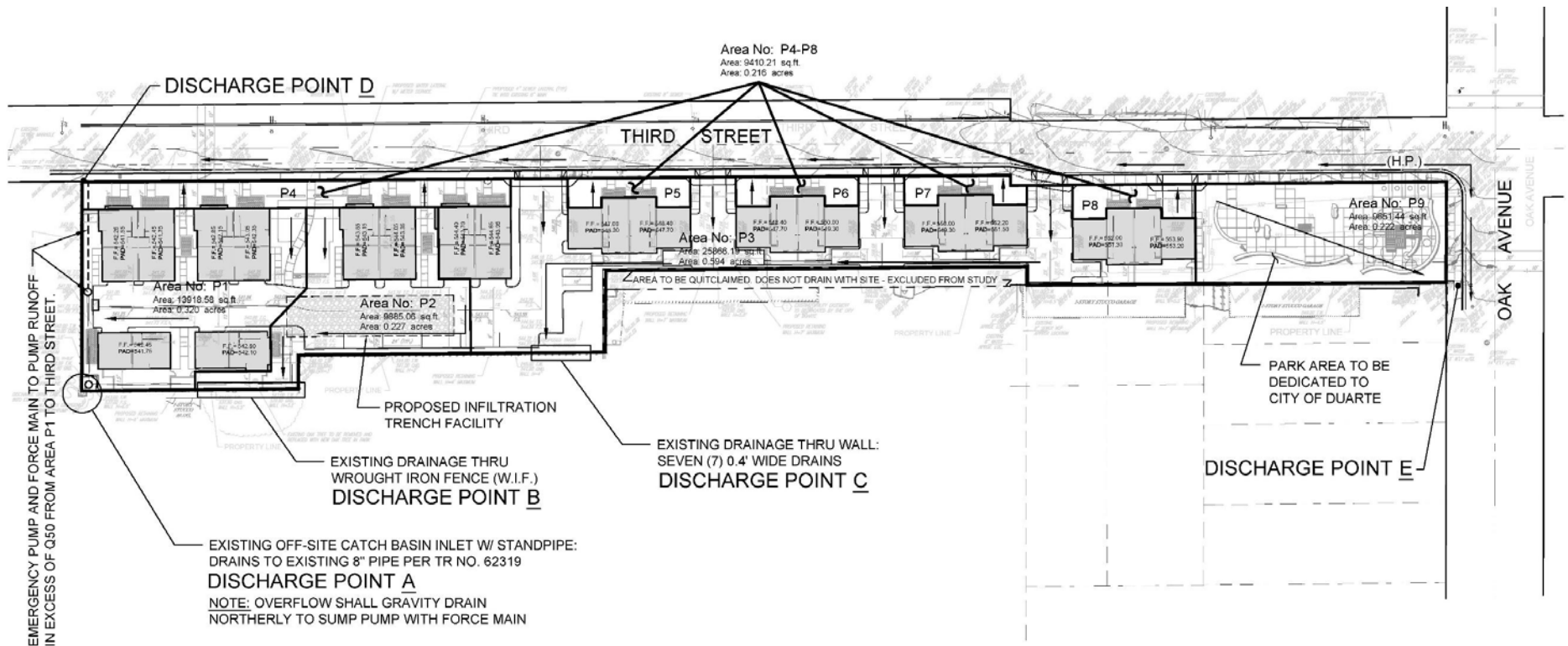
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Exhibit 4.9-1 Existing Site Drainage Map



Source: Southland Civil Engineering & Survey, LLP (September 2016)

Exhibit 4.9-2 Proposed Project Drainage Map



Source: Southland Civil Engineering & Survey, LLP (September 2016)

4.10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓

Sources Cited in Section 4.10

City of Duarte, *Duarte General Plan*, August 2007

City of Duarte, *Code of Ordinances*, Online content updated on December 22, 2015

City of Duarte, *Development Code*, Online content updated on December 29, 2015

A. WOULD THE PROJECT PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?

NO IMPACT

The 1.647-acre project site is owned by the City of Duarte, and has been previously developed with two buildings at 1101-1105 Oak Avenue and 1634-1640 Third Street, and Third Street Park. The buildings and park are located on the south side of Third Street.

Surrounding uses include single-family residential, multi-family residential and public/quasi-public uses. Single-family homes are located north of the project site on the north side of 3rd Street. Single-family homes are located to the immediate west of the project site on the south side of 3rd Street. Single-family and multi-family residential uses (Huntington Oaks Village Apartments and Huntington Villas complexes) are located to the immediate south of the project site. The Los Angeles County Fire Department Station 44 is located immediately east of the project site across Oak Avenue.

The proposed project would be located on a site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT 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?

LESS THAN SIGNIFICANT IMPACT

The *Duarte General Plan* Land Use Diagram designates the site as School; Public/Quasi Public; Utility and Open Space; Park. The Zoning Map designates the project site as Public Facility and Open Space. The proposed project includes:

- General Plan Amendment to change the designations from School; Public/Quasi Public; Utility and Open Space; Park to Medium Density Residential and Open Space; Park
- Zone Change from Public Facility and Open Space to R-3 Multiple-Family Residential Zone (Medium Density) and Open Space
- Planned Development Permit

The proposed project would involve the demolition of all on-site buildings, relocation of the existing Third Street Park, and the construction of 18 residential units on the 1.647-acre (71,730 square foot) project site. As shown in *Exhibit 2-3*, Third Street Park would be relocated to the easterly most portion of the property and 18 two-story duplex units with attached garages would be constructed on the remainder of the site. Each residential would be approximately 1,600 square feet in size. Vehicular access to all proposed units would be provided via five driveways off 3rd Street.

General Plan

The Medium Density Residential (MDR) designation allows for a maximum density of 7 to 21 dwelling units per gross acre. The Zoning Districts that correspond with this designation are Planned Unit Development (PUD), R-MH, R-2, and R-3. The R-3 zone provides for denser multiple family dwellings, mixed detached and attached residential developments, Planned Residential Unit Development projects and duplexes.

The proposed project would result in a density of 12.6 dwelling units per gross acre, and thus, would be consistent with the MDR designation.

Development Code

The proposed project is subject to *Development Code*, Article 2, Chapter 19.10 - Residential Zones and Chapter 19.118 - Planned Development Permits. The site-specific development standards for the proposed project are shown in *Table 4-10.1, Development Standards*.

TABLE 4.10-1 DEVELOPMENT STANDARDS

Development Regulation for R-3	Standard	Proposed Project	Complies with Development Regulation
Front Setback	30 feet	10 feet	No
Side Setback (Interior)	5 feet	10 feet	Yes
Rear Setback ¹	20 feet	10 feet	No
Height (Maximum)	40 feet or 3 stories, whichever is less	2 stories, maximum of 30 feet	Yes
Density (Maximum)	1 unit per 2,074 square feet of site area	18 ²	Yes
Density (Maximum)	21 dwellings unit per net acre	21.3 ²	No
Lot Coverage (Maximum)	50%	28.40%	Yes
Minimum Floor Area of Dwelling Unit (3 Bedrooms) – Square Feet	1,000 square feet	1,550 to 1,617 square feet	Yes
Common Open Space	200 square feet per unit	2,192 square feet	No
Private Open Space	200 square feet per unit; Minimum dimension of 10-feet	1,523 square feet ³	No
Source: Duarte Development Code, Article 2, Chapter 9.10			
Notes: 1. Duarte Development Code Section 19.10.040.B - For structures with more than one story in the R-3 and R-4 zones, the rear setback shall be increased by five feet for each story or fractional story above the first story. 2. Calculation based upon 0.8457 net acres (36,403 square feet). Net acres include only the residential lot area. 3. Lots 1, 16, 17, and 18 comply with the minimum dimension of 10 feet and 200 square feet for a total of 1,993 square feet for the four lots. All other lots are below the minimum 10-foot dimension and 200 square feet.			

DENSITY AND LOT COVERAGE

The proposed project would result in a density of 21.5 dwelling units per acre and a lot coverage of 28.40 percent.

BUILDING HEIGHTS

The maximum building height would be a maximum of two stories and 30 feet.

OPEN SPACE

Duarte Development Code Section 19.10.030 requires a minimum of 200 square feet each of common open space and private open space and common open space per unit for R-3 zoning. The proposed project includes a total of 2,192 square feet of common open space (122 square feet per unit) and 3,038 square feet of private open space (341 square feet per unit) for a total of 5,230 square feet of common and private open space. However, only Lots 1, 16, 17, and 18 meet the *Duarte Development Code* standards of both a minimum 200 square feet per unit and a dimension of 10 feet for a total of 1,523 square feet. The remaining lots do not meet the standards, but do include a total of 1,515 square feet of private open space.

Planned Development Permit

Planned Development Permits are allowed per *Duarte Development Code* Chapter 19.118, and the permit allows for review and approval of customized development standards for projects where flexibility in standards can produce unique living and business environments. In addition, modifications to Development Code standards are allowed per Section 19.118.020.E, which can include adjustments or modifications to any applicable development standard (e.g., building envelope [coverage, FAR, height, and setbacks], fence and wall heights, landscaping, parking, open space, street layout, etc.), with the exception of an increase in the applicable density or intensity specified in Article 2 (Zones, Allowable Uses, and Development Standards).

With the Planned Development Permit, the Applicant is seeking modifications to the front and rear setbacks, density, common open space, and private open space.

Impact Conclusion

Development of the project site would be subject to the City's discretionary review process, including approval of a General Plan Amendment, Zone Change, Planned Development Permit, and a Tentative Tract Map. Upon approval of the General Plan Amendment and Zone Change, the proposed project would be consistent with the *Duarte General Plan* MDR land use designation. The proposed project is generally consistent with the *Duarte Zoning Map* R-3 designation, with the exception of the 21.5 dwelling units per net acre, which exceeds the maximum allowed 21 dwelling units per net acre.

In addition, the proposed multi-family residential units are consistent with adjacent multi-family and single-family uses to the north, west, and south, as well as with adjacent quasi-public facilities (Los Angeles County Fire Department Fire Station) to the east.

Therefore, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT CONFLICT WITH ANY APPLICABLE HABITAT CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN?

NO IMPACT

Refer to Response 4.4.F.

MITIGATION MEASURES

No mitigation measures are required.

4.11. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
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?				✓

Sources Cited in Section 4.11

City of Duarte, *Duarte General Plan Update Final Environmental Impact Report*, August 2007.

A. WOULD THE PROJECT 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

The project site is currently developed and not identified as a site with mineral resources that would be of value to the region or the residents of the State. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT 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

The *Duarte General Plan Update Environmental Impact Report* does not identify the project site as an important mineral resource recovery site. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		✓		
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

Sources Cited in Section 4.12

City of Duarte, *Duarte General Plan Noise Element*, August 2007

City of Duarte, *Duarte Municipal Code*, Chapter 9.68

California Department of Transportation, *Transportation- and Construction –Induced Vibration Guidance Manual*, June 2004

Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006

Pomeroy Environmental Services, *Noise Analysis*, October 10, 2016 (model data included in Appendix F)

Regulatory Framework

A significant impact may occur if a project would generate excess noise that would cause the ambient noise environment at the project site to exceed noise level standards set forth in the *Duarte General Plan Noise Element* (Noise Element) and the *Duarte Municipal Code* (DMC) Chapter 9.68, Noise Regulations.

The Noise Element includes noise compatibility guidelines based on various land uses. For low density residential uses like the proposed project and vicinity, noise levels up to 60 dBA CNEL are considered normally acceptable, and noise levels up to 70 dBA CNEL are considered conditionally acceptable. In addition, the City's Noise Regulation (DMC Section 9.68.050) provides ambient base noise levels for specific zones. Refer to Table 4.12-1, Ambient Base Noise Levels.

TABLE 4.12-1 AMBIENT BASE NOISE LEVELS

Zone	Day 7:00 A.M. – 9:00 P.M	Night 9:00 P.M. – 7:00 A.M.
R-1 and R-2	55 dB(A)	45 dB(A)
R-3 and R-4	55 dB(A)	50 dB(A)
Commercial	60 dB(A)	55 dB(A)
Industrial and Light Manufacturing	70 dB(A)	70 dB(A)
Source: Duarte Municipal Code, Ambient Base Noise Levels, Section 9.68.050(a).		
Note: dB(A) = decibels		

DMC Section 9.68.120 (Construction of buildings and projects) includes the following provisions for construction activities:

“It is unlawful for any person within a residential zone, or within a radius of five hundred feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects or to operate any pile-driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device (between the hours of ten p.m. of one day and seven a.m. of the next day) in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless beforehand a permit therefor has been duly obtained from the planning and zoning division, department of public services.”

A. WOULD THE PROJECT RESULT IN 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?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Existing Noise Levels

To identify the existing ambient noise levels in the general vicinity of the project site, noise measurements were taken with a 3M SoundPro SP DL-1 sound level meter, which conforms to industry standards set forth in ANSI S1.4-1983 (R2006) – Specification for Sound Level Meters/Type 1. This noise meter also meets and exceeds the requirements of a sound level meter defined in DMC Section 9.68.020(u). This instrument was calibrated and operated according to the manufacturer’s written specifications. At the measurement sites, the microphone was placed at a height of approximately five feet above grade. The measured noise levels are shown in Table 4.12-2, Measured Ambient Daytime Noise Levels. Refer to Appendix F for the noise data and a graphic illustrating the noise measurement locations. The measured noise levels are consistent with the Noise Element’s normally acceptable range for residential uses.

TABLE 4.12-2 MEASURED AMBIENT DAYTIME NOISE LEVELS

No.	Location	Primary Noise Sources	Noise (dBA) ¹		
			Leq	L _{min}	L _{max}
1	Near the northwestern boundary of the project site fronting 3 rd Street	Traffic/pedestrians along 3 rd Street	50.4	43.9	68.8
2	Near the northeast corner of the project site, across 3 rd Street and Oak Avenue	Traffic/pedestrians along 3 rd Street and Oak Avenue	54.4	46.3	68.7
Source: Pomeroy Environmental Services (October 2016)					
Notes:					
1. Noise measurements were taken on August 9, 2016 at each location for a duration of 15 minutes. See Appendix F for noise measurement data.					

Construction Noise

Construction of the proposed project would require the use of heavy equipment for demolition, grading, and foundation preparation, the installation of utilities, and building construction. During each construction phase there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of each activity.

The U.S. Environmental Protection Agency has compiled data regarding the noise generating characteristics of specific types of construction equipment and typical construction activities. The data pertaining to the types of construction equipment and activities that would occur at the project site are presented in *Table 4.12-3, Noise Range of Typical Construction Equipment*, and *Table 4.12-4, Typical Outdoor Construction Noise Levels*, respectively, at a distance of 50 feet from the noise source (i.e., reference distance).

The noise levels shown in *Table 4.12-4* represent composite noise levels associated with typical construction activities, which take into account both the number of pieces and spacing of heavy construction equipment that are typically used during each phase of construction. As shown in *Table 4.12-4*, construction noise during the heavier initial periods of construction is presented as 86 dBA Leq when measured at a reference distance of 50 feet from the center of construction activity. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 84 dBA Leq measured at 50 feet from the noise source to the receptor would reduce to 78 dBA Leq at 100 feet from the source to the receptor, and reduce by another 6 dBA Leq to 72 dBA Leq at 200 feet from the source to the receptor.

Construction activities associated with the proposed project would be expected to occur and generate noise at off-site locations consistent with the estimates provided in *Table 4.12-4*. The nearest off-site noise sensitive receptors are immediately adjacent residential uses to the west and south. Additionally, residential uses are located to the north across 3rd Street and to the east across Oak Avenue.

TABLE 4.12-3 NOISE RANGE OF TYPICAL CONSTRUCTION EQUIPMENT

Construction Equipment	Noise Level in dBA L_{eq} at 50 Feet ^a
Front Loader	73-86
Trucks	82-95
Cranes (moveable)	75-88
Cranes (derrick)	86-89
Vibrator	68-82
Saws	72-82
Pneumatic Impact Equipment	83-88
Jackhammers	81-98
Pumps	68-72
Generators	71-83
Compressors	75-87
Concrete Mixers	75-88
Concrete Pumps	81-85
Back Hoe	73-95
Tractor	77-98
Scraper/Grader	80-93
Paver	85-88
Source: United States Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, PB 206717, 1971.	
Notes.	
1. Machinery equipped with noise control devices or other noise-reducing design features does not generate the same level of noise emissions as that shown in this table.	

TABLE 4.12-4 TYPICAL OUTDOOR CONSTRUCTION NOISE LEVELS

Construction Phase	Noise Levels at 50 Feet with Mufflers (dBA L_{eq})	Noise Levels at 60 Feet with Mufflers (dBA L_{eq})	Noise Levels at 100 Feet with Mufflers (dBA L_{eq})	Noise Levels at 200 Feet with Mufflers (dBA L_{eq})
Ground Clearing	82	80	76	70
Excavation, Grading	86	84	80	74
Foundations	77	75	71	65
Structural	83	81	77	71
Finishing	86	84	80	74
Source: United States Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, PB 206717, 1971.				

Due to the use of construction equipment during the construction phase, the proposed project would expose surrounding off-site receptors to increased ambient exterior noise levels comparable to those previously listed above in Table 4.12-4. Specifically, based on the data provided in Table 4.12-4, construction noise levels at the adjacent residences to the south, west, and within 50 feet of construction activities could reach and exceed 86 dBA compared to the existing measured noise levels of 50.4 dBA and 54.4 dBA for the area.

It should be noted that any increase in noise levels at off-site receptors during construction of the proposed project would be temporary in nature, and would not generate continuously high noise levels, although occasional single-event disturbances from construction are possible. In addition, the construction noise during the heavier initial periods of construction (i.e., demolition and grading work) would typically be reduced in the later construction phases (i.e., interior building construction) as the physical structures of the proposed project would break the line-of-sight noise transmission from the construction area to the nearby sensitive receptors.

The City does not have specific limitation on construction noise levels. Instead, construction noise is regulated by limiting construction activity to the less noise sensitive daytime hours. Specifically, construction of the proposed project and other noise-generating activities would occur at the project site between the hours of 7:00 AM and 7:00 PM in accordance with DMC Section 9.68.120 and conditions imposed upon the proposed project. As the City permits construction related noise to occur during these hours, for the purpose of this analysis, the proposed project's construction activities are assumed to result in less than significant impacts if construction related activities occur between 7:00 AM and 7:00 PM. The proposed project would comply with the City's Noise Regulations and conditions imposed upon the proposed project, and therefore impacts with respect to construction noise would be less than significant. However, Mitigation Measure NOI-1 has been included to ensure that construction-related noise levels remain at less than significant levels.

Operational Noise

Upon completion and operation of the proposed project, on-site operational noise would be generated by heating, ventilation, and air conditioning (HVAC) equipment. The noise levels generated by these equipment types are not anticipated to be substantially greater than those generated by the current HVAC equipment serving the existing on-site buildings and in the project vicinity. As such, the HVAC equipment associated with the proposed project would not represent a new source of noise in the vicinity of the project site.

The operation of any on-site stationary sources of noise would be required to comply with the DMC Section 9.68.160 (Machinery, Equipment, Fans and Air Conditioning), which states "*...it is unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device (between the hours of ten p.m. of one day and seven a.m. of the following day), when use of which is attended by loud or unusual noises.*" In addition, the proposed project would comply with DMC Section 19.44.010 (Residential Architectural and Design Standards), which states "*...mechanical equipment on the ground or on the roof should be screened from view from*

adjacent properties and the public right-of-way by an enclosure designed as part of the building or by appropriate landscaping.” Compliance with these DMC provisions ensures that noise impacts from heating, ventilation, HVAC and other mechanical equipment would be less than significant.

On-site residences would not be adversely impacted by existing ambient urban noise levels as the proposed project would be constructed to meet and exceed *California Code of Regulations Title 24* insulation standards for residential buildings, which serves to provide an acceptable interior noise environment for sensitive uses. As required by *Title 24*, the proposed project would be designed and constructed to ensure interior noise levels would be at or below a CNEL of 45 dBA in any habitable room. Given the existing measured noise levels of 50.4 dBA and 54.4 dBA in the vicinity, and up to a 30 dBA exterior-to-interior noise reduction for new residential construction, the standard construction methods and materials would achieve interior noise levels at or below 45 dBA. As such, impacts associated with interior noise levels at the proposed residences would be less than significant.

MITIGATION MEASURES

- NOI-1 To ensure construction noise levels are reduced to the maximum extent feasible, the Applicant shall ensure that the following construction best management practices be implemented by construction contractors:
- Implement noise attenuation measures to the extent feasible, which may include, noise barriers or noise blankets around stationary equipment.
 - The construction contractor shall provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities.
 - All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or controlled.
 - Machinery, including motors, must be turned off when not in use.
 - All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible.
 - Construction activities shall not take place between the hours of 7:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a Federal holiday.

B. WOULD THE PROJECT RESULT IN EXPOSURE OF PERSONS TO OR GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Vibration is sound radiated through the ground. Vibration can result from a source (e.g., subway operations, vehicles, machinery equipment, etc.) causing the adjacent ground to move, thereby creating vibration waves that propagate through the soil to the foundations of nearby buildings. This effect is referred to as groundborne vibration. The peak particle velocity (PPV) or the root mean square (RMS) velocity is usually used to describe vibration levels. PPV is defined as the maximum instantaneous peak of the vibration level, while RMS is defined as the square root of the average of the squared amplitude of the level. PPV is typically used for evaluating potential building damage, while RMS velocity in decibels (VdB) is typically more suitable for evaluating human response.

The background vibration velocity level in residential areas is usually around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for most people. Most perceptible indoor vibration is caused by sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

Construction Vibration

Construction activities associated with the proposed project have the potential to generate low levels of groundborne vibration. The operation of construction equipment generates vibrations that propagate through the ground and diminishes in intensity with distance from the source. Vibration impacts can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage of buildings at the highest levels. The construction activities associated with the proposed project could have an adverse impact on both sensitive structures (i.e., building damage) and populations (i.e., annoyance).

SIGNIFICANCE THRESHOLD

In terms of construction-related impacts on buildings, the City has not adopted policies or guidelines relative to groundborne vibration. While the *Los Angeles County Code* (LACC Section 12.08.350) states a presumed perception threshold of 0.01 inch per second RMS, this threshold applies to groundborne vibrations from long-term operational activities, not construction. Consequently, as both the City and the County of Los Angeles do not have a significance

threshold to assess vibration impacts during construction, the Federal Transit Administration (FTA) and California Department of Transportation's (Caltrans) adopted vibration standards for buildings which are used to evaluate potential impacts related to construction. Based on the FTA and Caltrans criteria, construction impacts relative to groundborne vibration would be considered significant if the following were to occur:⁶

- Project construction activities would cause a PPV groundborne vibration level to exceed 0.5 inches per second at any building that is constructed with reinforced-concrete, steel, or timber;
- Project construction activities would cause a PPV groundborne vibration level to exceed 0.3 inches per second at any engineered concrete and masonry buildings;
- Project construction activities would cause a PPV groundborne vibration level to exceed 0.2 inches per second at any non-engineered timber and masonry buildings; or
- Project construction activities would cause a PPV ground-borne vibration level to exceed 0.12 inches per second at any historical building or building that is extremely susceptible to vibration damage.

In addition, the City has not adopted any thresholds associated with human annoyance for groundborne vibration impacts. Therefore, this analysis uses the FTA's vibration impact thresholds for human annoyance. These thresholds include 80 VdB at residences and buildings where people normally sleep (e.g., nearby residences) and 83 VdB at institutional buildings, which includes schools and churches. No thresholds have been adopted or recommended for commercial and office uses. *Table 4.12-5, Vibration Source Levels for Construction Equipment*, identifies various PPV and RMS velocity (in VdB) levels for the types of construction equipment that would operate at the project site during construction.

TABLE 4.12-5 VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT

Equipment	Approximate PPV (in/sec)					Approximate RMS (VdB)				
	25 Feet	50 Feet	60 Feet	75 Feet	100 Feet	25 Feet	50 Feet	60 Feet	75 Feet	100 Feet
Large Bulldozer	0.089	0.031	0.024	0.017	0.011	87	78	76	73	69
Caisson Drilling	0.089	0.031	0.024	0.017	0.011	87	78	76	73	69
Loaded Trucks	0.076	0.027	0.020	0.015	0.010	86	77	75	72	68
Jackhammer	0.035	0.012	0.009	0.007	0.004	79	70	68	65	61
Small Bulldozer	0.003	0.001	0.0008	0.0006	0.0004	58	49	47	44	40
Sources: Pomeroy Environmental Services (October 2016) Federal Transit Administration, Transit Noise and Vibration Impact Assessment, Final Report, 2006										

⁶ Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006; and California Department of Transportation, *Transportation- and Construction -Induced Vibration Guidance Manual*, June 2004.

With respect to construction vibration impacts upon existing off-site structures, there are no known structures adjacent to the project site that would be considered structurally fragile or susceptible to vibration damages. The surrounding buildings consist primarily of engineered concrete and masonry buildings, and reinforced-concrete, steel, or timber buildings. As such, the potential for construction-related vibration damage to off-site structures would be considered remote.

With respect to human annoyance resulting from vibration generated during construction, the sensitive receptors located in the vicinity of the project site could be exposed to increased vibration levels. Based on the data provided in Table 4.12-5, the adjacent residential use to the south, west and within 25 feet of the site could experience vibration levels of up to 87 VdB. At distances of 50 feet or more from the site, vibration levels would not exceed 78 VdB. As such, the 80 VdB residential annoyance threshold could be exceeded at off-site locations within 50 feet of a worst-case construction activity. However, it should be noted that vibration levels experienced in the project vicinity would be temporary and intermittent, and would be reduced when the construction activities are located toward the center of the project site. Furthermore, consistent with the City's Noise Regulations, the proposed project's construction activities are assumed to result in less than significant impacts if construction related activities occur between 7:00 AM and 7:00 PM. In addition, the construction noise attenuation measures listed in Mitigation Measure NOI-1 would also serve to reduce construction vibration levels to the maximum extent feasible. The proposed project would comply with the City's Noise Regulations and Mitigation Measure NOI-1; thus, construction vibration impacts would be less than significant.

Operational Vibration

The proposed project involves the construction and operation of residential uses and the relocated park, which would not involve the use of stationary equipment that would result in high vibration levels, which are more typical for large manufacturing and industrial projects. Groundborne vibrations at the project site and immediate vicinity currently result from heavy-duty vehicular travel (e.g., refuse trucks and transit buses) on the nearby local roadways, and the proposed land uses at the project site would not result in a substantive increase of these heavy-duty vehicles on the public roadways. While refuse trucks would be used for the removal of solid waste at the project site, these trips would typically only occur once a week and would not be any different than those presently occurring in the vicinity of the project site. As such, vibration impacts associated with operation of the proposed project would be less than significant.

MITIGATION MEASURES

Refer to Mitigation Measure NOI-1. No additional mitigation measures are required.

C. WOULD THE PROJECT RESULT IN A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?

LESS THAN SIGNIFICANT IMPACT

Traffic Noise

In order for a new noise source to be audible, there would need to be a 3 dBA or greater CNEL noise increase. As a general rule of thumb, the traffic volume on any given roadway would need to double in order for a 3 dBA increase in ambient noise to occur. As such, if a project results in traffic that is less than double the existing traffic, then a project's mobile noise impacts can be assumed to be less than significant. Based on a review of the traffic generation analysis (refer to Appendix G), the proposed project would result in a net decrease of daily and peak hour vehicle trips. Thus, the proposed project would not double the traffic volumes on any roadway segment in the vicinity of the project site, and traffic noise impacts would be less than significant.

Stationary Noise Sources

New stationary sources of noise, such as mechanical HVAC equipment would be installed for the proposed building at the project site. As discussed in Response 4.12.A, the proposed project's compliance with the DMC would ensure noise impacts from heating, ventilation, HVAC, and other mechanical equipment are at less than significant levels.

Parking Noise

Noise would be generated by activities within the proposed parking areas. Sources of noise within the parking areas would include engines accelerating, doors slamming, car alarms, and people talking. Noise levels within the parking areas would fluctuate with the amount of automobile and human activity. It is anticipated that the types of parking-related noise would be substantially similar to the existing noise generated by the existing on-site parking, street parking and roadway activity, and existing surface parking lots in the project site vicinity. In addition, parking-related noise generated by motor driven vehicles within and around the project site is regulated under DMC Section 9.68.200, which states "*...it is unlawful for any person to operate any motor-driven vehicle within the city in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance; provided, however, any such vehicle which is operated upon any public highway, street, or right-of-way shall be excluded from the provisions of this section.*" Thus, compliance with the DMC would ensure noise impacts associated with the proposed project's parking areas would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT RESULT IN A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE THE LEVELS EXISTING WITHOUT THE PROJECT?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.12.A through 4.12.C.

MITIGATION MEASURES

Refer to Mitigation Measure NOI-1. No additional mitigation measures are required.

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?

NO IMPACT

The project site is not located within an airport land use plan or within two miles of an airport or a private airstrip. The nearest airport is the El Monte Airport, approximately 4.5 miles southwest of the project site, and there are no private airstrips near the project site.

Implementation of the proposed project would not expose people residing or working on the project site to excessive noise impacts from the El Monte Airport. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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?

NO IMPACT

Refer to Response 4.12.E.

MITIGATION MEASURES

No mitigation measures are required.

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4.13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?			✓	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

A. WOULD THE PROJECT 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)?

LESS THAN SIGNIFICANT IMPACT

The project proposes to demolish the two on-site buildings, relocate Third Street Park, and construct 18 residential units on the project site, which would result in a direct growth of the City's permanent population of approximately 55 persons, based on an average of 3.04 people per household⁷. This population forecast would represent approximately 0.25 percent growth over the City's 2015 population of approximately 21,839 persons.⁸ SCAG is the responsible agency for developing and adopting regional housing and population forecasts for local Los Angeles County governments, among other counties, and provides population projection estimates in five-year increments up to 2035. SCAG projects that the City's population will be 23,400 persons⁹ in 2035. Thus, proposed project would not cause SCAG's 2035 population forecast for the City to be exceeded. Additionally, the small increase in residential units and population is consistent with the growth projections in the *Duarte General Plan Update Environmental Impact Report*, which forecasted the City's population to be approximately 25,418 persons in 2020. Therefore, the proposed project would not cause the City's 2020 population forecast to be exceeded. Also, the increase in residential units and population is consistent with the recently adopted and certified *2014-2021 Housing Element*.

In conclusion, implementation of the proposed project would not induce substantial population growth within the City either directly or indirectly, resulting in less than significant impacts.

⁷ State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2015, With 2010 Benchmark*, May 1, 2015.

⁸ *Ibid.*

⁹ Southern California Association of Governments, *2012-2035 Regional Transportation Plan, Sustainable Communities Strategy Towards a Sustainable Future Growth Forecast Appendix*, Adopted April 2012.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT DISPLACE SUBSTANTIAL NUMBERS OF EXISTING HOUSING, NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?

NO IMPACT

No housing units exist on the project site; thus, there would be no displacement of existing on-site housing or the need to construct replacement housing elsewhere. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT DISPLACE SUBSTANTIAL NUMBERS OF PEOPLE, NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?

NO IMPACT

Refer to Response 4.13.B.

MITIGATION MEASURES

No mitigation measures are required.

4.14. PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
1) Fire protection?			✓	
2) Police protection?			✓	
3) Schools?		✓		
4) Parks?				✓
5) Other public facilities?				✓

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:

1. FIRE PROTECTION?

LESS THAN SIGNIFICANT IMPACT

Fire protection and paramedic services are provided to the City of Duarte by the Consolidated Fire Protection District of Los Angeles County/Los Angeles County Fire Department (LACoFD). The primary response station for the City is Fire Station 44, Battalion 16, located at 1105 S. Highland Avenue. Fire Station 44 is located one block east of the project site.

As part of the proposed project, site access would be improved for emergency service personnel. No road closures are anticipated during project construction. As such, fire protection service in the project vicinity would not be interrupted during project construction.

The increase of 18 residential units in the City would not result in the need for an additional fire station. Also, the increase in use of the project site would not induce population growth in the area. However, implementation of the proposed project could potentially result in additional demand for fire protection and emergency medical services, including possible additional wear on fire equipment and increased use of medical supplies. The proposed project would be located on a currently developed site, and would not result in a substantial increase in demand on fire services provided by LACoFD. The proposed project would be required to comply with

the *Los Angeles County Code*, Title 32, Los Angeles County Fire Code and the *Duarte Municipal Code* Chapter 15.04, Fire Prevention, as applicable. The proposed project would be reviewed by LACoFD and the City of Duarte prior to construction to ensure that adequate water pressure and emergency vehicle access is provided. Thus, implementation of the proposed project would result in less than significant impacts to fire protection services.

MITIGATION MEASURES

No mitigation measures are required.

2. POLICE PROTECTION?

LESS THAN SIGNIFICANT IMPACT

Police protection for the City and the project site is currently provided by the Los Angeles County Sheriff's Department. The Duarte Satellite Station, located at 1042 Huntington Drive, is approximately 0.83 miles southwest of the project site. The Satellite Station serves as a launching center for officers to begin and end their shift. However, the station does not have dispatch or booking ability. These services are provided through the Temple Station, located at 8838 Las Tunas Drive in Temple City.

As part of the proposed project, site access would be improved for emergency service personnel. No road closures are anticipated during project construction. As such, sheriff service in the project vicinity would not be interrupted during project construction.

The population increase anticipated with implementation of the proposed project is consistent with the *Duarte General Plan* buildout projections. However, implementation of the proposed project could potentially result in additional demand for police protection, including possible additional wear on sheriff equipment. The proposed project would be located on a currently developed site, and would not result in a substantial increase in demand on police services provided by the Los Angeles County Sheriff's Department. The proposed project would be reviewed by the Sheriff's Department and the City of Duarte prior to construction to ensure that adequate emergency vehicle access is provided. Thus, implementation of the proposed project would result in less than significant impacts to police protection services.

MITIGATION MEASURES

No mitigation measures are required.

3. SCHOOLS?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The Duarte Unified School District (DUSD) oversees the elementary, intermediate, and high schools within Duarte. The schools closest to the project site include:

- Andres Duarte Elementary, 1433 Crestfield Drive
- Royal Oaks Elementary, 2499 Royal Oaks Drive
- Northview Intermediate, 1401 Highland Avenue
- Duarte High School, 1565 E Central Avenue

Development associated with the implementation of the proposed project would allow for up to 18 new residential units. The development of these new residential units could result in an associated increase of up to 10 students (assuming 0.55 students per household)¹⁰ attending schools within the District.

In order to maintain adequate classroom seating and facilities standards, individual development projects would be required to pay statutory fees in place at the time to DUSD in order to compensate for the impacts of development on school capacities.

Pursuant to SB 50, payment of fees to the School Districts is considered full mitigation for project impacts, including impacts related to 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, or other performance objectives for schools. Therefore, the Applicant would be required to pay statutory fees (Mitigation Measure PS-1), so that space can be constructed, if necessary, at the nearest sites to accommodate the impact of project-generated students, reducing impacts to a less than significant level.

MITIGATION MEASURES

- SCH-1 The Applicant shall pay all applicable Development Impact Fees to the Duarte Unified School District prior to issuance of building permits. Proof of fee payment shall be provided to the City of Duarte.

¹⁰ Source: Duarte General Plan Update Final Environmental Impact Report, August 2007.

4. PARKS?

LESS THAN SIGNIFICANT IMPACT

Potential development associated with implementation of the proposed project would create additional demand on existing parks and recreation facilities within the City. Development of the 18 residential units could result in a potential population increase of 55 persons. Based upon the City's parkland to population requirement of 2.5 acres of parkland per 1,000 persons, implementation of the proposed project would result in a need for approximately 0.14 acres of parkland. Also, relocation of Third Street Park results in a small decrease of park acreage from 0.29 to 0.21, a 0.08 reduction. In total, the proposed project creates the need for 0.21 acres of parkland. Given that the City's current parkland and leases with Duarte Unified School District, implementation of the proposed project would not create significant impacts regarding the need for additional parkland or recreational facilities.

The proposed project would be required to dedicate land and/or pay fees for the purposes of providing park and recreational facilities in accordance with *Duarte Municipal Code* Chapter 19.82. Dedication and/or payment of the applicable fees and the provision of open space as required would further reduce impacts to a less than significant level.

MITIGATION MEASURES

No mitigation measures are required.

5. OTHER PUBLIC FACILITIES?

NO IMPACT

The project site is in a developed area, currently served by the City of Duarte and Los Angeles County. The proposed project would not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

4.15. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	
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?			✓	

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?

LESS THAN SIGNIFICANT IMPACT

Implementation of the proposed project would increase the use of park facilities located within the City, as the proposed project would construct 18 residential units and generate approximately 55 new residents. The nearest public park is the Third Street Park, which would be relocated as part of the proposed project from its current location to the eastern portion of the project site. As noted in Response 4.14.A.4, the relocation of Third Street Park results in a small decrease of park acreage from 0.29 to 0.21, a 0.08 reduction.

The increase in residential units and population is consistent with the growth projections in the *Duarte General Plan* and no additional impacts beyond those identified in the *Duarte General Plan Update Environmental Impact Report* would occur with implementation of the proposed project. Therefore, the population increase associated with the proposed project would not significantly impact the use of the City's existing parks and/or other recreational facilities. However, the proposed project would be required to dedicate land and/or pay fees for the purposes of providing park and recreational facilities in accordance with *Duarte Municipal Code* Chapter 19.82. Dedication and/or payment of the applicable fees and the provision of open space as required would further reduce impacts to a less than significant level. Thus, while the proposed project's population increase would increase the use of parks and other recreational facilities in the City, these impacts are considered less than significant.

MITIGATION MEASURES

No mitigation measures are required.

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?

LESS THAN SIGNIFICANT IMPACT

Refer to Response 4.15.A.

MITIGATION MEASURES

No mitigation measures are required.

4.16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			✓	

Sources Cited in Section 4.16

Albert Grover and Associates, *Trip Generation for the Proposed Residential Development at Third Street and Oak Avenue in the City of Duarte*, August 31, 2016 (refer to Appendix G)

City of Duarte, *Duarte Citywide Bicycle Master Plan* Exhibit 2

Institute of Transportation Engineers, *Trip Generation Manual*, 9th Edition, 2012

- A. WOULD THE PROJECT 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?**

LESS THAN SIGNIFICANT IMPACT

Project Traffic

Trip Generation – Existing Uses

The project site is located along the south side of 3rd Street, extending approximately 900 feet westward from the intersection of Third Street and Oak Avenue. The site is located one block north of Huntington Drive, a main arterial, and is within a residential area. Currently, two buildings and Third Street Park occupy the project site. Per information provided by the City, the existing site is utilized as follows:

Address/Use	Square Feet	Acres
1101-1015 Oak Avenue	3,740	
Duarte Chamber of Commerce	1,820	
Duarte Public Works	1,920	
1634-1640 Third Street	9,050	
Duarte Montessori School	5,575	
Vacant	3,475	
1626 Third Street		
Third Street Park	12,781	0.29

A trip generation analysis was conducted for the existing uses at the project site, in order to determine the current typical traffic patterns. The weekdays are typically much busier than weekends, so daily and peak hour trips are considered for the worst-case on a typical weekday. The trip generation rates were determined using the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Edition (2012). Based on the current employment at the offices, enrolment at the school, and acreage of the park, 326 trips are generated by the site on a typical weekday. A summary of the existing site trip generation is provided in *Table 4.16-1, Existing Site Trip Generation*.

TABLE 4.16-1 EXISTING SITE TRIP GENERATION

Existing Site		Daily	AM Peak Hour			PM Peak Hour		
Use Type	Units ¹		In	Out	Total	In	Out	Total
Duarte City Department & Chamber of Commerce (Government Offices)	3,740 SF	258	18	4	22	11	11	22
Duarte Montessori School (Elementary School)	52 STU	67	13	11	24	7	8	15
Third Street Park (City Park)	0.29 AC	1 ²	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
TOTAL TRIPS		326	31	15	46	18	18	37
Sources: Albert Grover and Associates (August 2016) Institute of Transportation Engineers' (ITE) Trip Generation Manual, 9th Edition (2012)								
Notes: 1. SF = Square Feet, STU = Enrolled Students, AC = Acres 2. ITE Trip Generation Manual (9th ed.) provides only daily trip generation rates for city parks.								

Proposed Project Trip Generation

A single-family residential development is proposed at the project site, encompassing 18 two-story residential units (approximately 1,600 square feet each) with attached garages. Access to these housing units is proposed five driveways off Third Street. In addition, the proposed project would relocate Third Street Park to the easterly portion of the property, directly adjacent to Oak Avenue, resizing it to 0.21 acres.

Project trip generation rates for the proposed development were also determined using the ITE 2012 *Trip Generation Manual*. A summary of the anticipated project trip generation is provided in [Table 4.16-2, Proposed Project Trip Generation](#).

TABLE 4.16-2 PROPOSED PROJECT TRIP GENERATION

Existing Site		Daily	AM Peak Hour			PM Peak Hour		
Use Type	Units ¹		In	Out	Total	In	Out	Total
Housing (Residential Townhomes)	18 DU	105	2	6	8	3	3	6
Third Street Park (Relocated City Park)	0.21 AC	0 ²	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
TOTAL TRIPS		105	2	6	8	3	3	6
Sources: Albert Grover and Associates (August 2016) Institute of Transportation Engineers' (ITE) Trip Generation Manual, 9th Edition (2012)								
Notes: 1. DU = Dwelling Unit, AC = Acres 2. ITE Trip Generation Manual (9th ed.) provides only daily trip generation rates for city parks.								

Based on the trip generation analysis, the existing office, school, and park uses typically generate greater traffic volumes (326 weekday daily trips) than those anticipated from the proposed project (105 weekday daily trips). In summary, the proposed project would result in 121 fewer weekday daily trips. Thus, the proposed residential development is not expected to

impact Third Street, Oak Avenue, or the surrounding residential area. Similarly, the relocation of Third Street Park, a small neighborhood park, would generate similar traffic volumes as it does today. Therefore, implementation of the proposed project would result in less than significant impacts and would not conflict with applicable plan, ordinance, or policy relative to the performance of the circulation system.

Refer to Response 4.16.F for a discussion of impacts relative to pedestrian and bicycle paths and mass transit.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT 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?

NO IMPACT

The Congestion Management Program for Los Angeles County is intended to reduce traffic congestion and provide a mechanism for coordinating land use and development decisions throughout Los Angeles County. The Congestion Management Program requires the analysis of the traffic impacts of individual projects with potential regional significance. In conformance with Congestion Management Program Traffic Impact Analysis Guidelines, a traffic impact analysis is conducted at:

- Congestion Management Program arterial monitoring intersections, including freeway on-ramps or off-ramps, where a project would add 50 or more vehicle trips during either morning or afternoon weekday peak hours.
- Congestion Management Program mainline freeway-monitoring locations, where a project would add 150 or more trips, in either direction, during either the morning or afternoon weekday peak hours.

There are no CMP arterial roadways in Duarte that would receive project-generated trips. Thus, no additional analysis is required. There are two CMP highways in or near Duarte: I-210 and I-605 Freeways. These two mainline freeway-monitoring locations within the project vicinity could receive project-generated trips. However, the proposed project would not add 150 or more vehicle trips to this freeway-monitoring location during the peak hour. The maximum number of net peak hour trips that would result from the proposed project is 8 trips in the morning peak hour and 6 trips in the evening peak hour on a typical weekday. Thus, no additional analysis is required. No impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT 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?

NO IMPACT

The nearest airport is the El Monte Airport, approximately 4.5 miles southwest of the project site. Due to the distance and nature of the proposed project, implementation of the proposed project would not result in any change in air traffic patterns or traffic levels. Therefore, no impact would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT SUBSTANTIALLY INCREASE HAZARDS DUE TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?

LESS THAN SIGNIFICANT IMPACT

Ingress and egress movements for the residential units would be facilitated via five driveways on Third Street. Similar to existing conditions, no driveways are planned for the relocated Third Street Park. In addition, the proposed project would be subject to review and approval by the City of Duarte Community Development and Public Works Departments. Access to the project site would be required to comply with all City design standards, which preclude the potential for dangerous conditions. Further, the proposed single-family residential development would be similar to existing residential uses in the project area.

Currently, the intersection of 3rd Street and Oak Avenue is a two-way stop controlled intersection with stop signs on the eastbound and westbound corners of 3rd Street at Oak Avenue. Oak Avenue is the through road with the traffic right of way. Two options are being considered for future operations: 1) maintain the current two-way stop controlled intersection on Third Street at Oak Avenue, and 2) install a four-way stop controlled intersection at Third Street and Oak Avenue.

The *Duarte General Plan* Circulation Element designates both Third Street and Oak Avenue as a Local Street, which is a low speed street primarily intended to provide direct access to the abutting properties. Local streets generally have two travel lanes with parking along both sides. The speed limit for Third Street and Oak Avenue is 25 miles per hour (mph). Traffic volumes

on local streets in the City range between 1,000 and 5,000 average daily trips (ADT). Installing the four-way stop at 3rd Street and Oak Avenue would assist in controlling conflicting traffic movements. Under either option, the intersection would operate safely with traffic control measures reviewed and approved by the Public Works & Engineering Division, after an intersection study has been conducted.

Thus, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT RESULT IN INADEQUATE EMERGENCY ACCESS?

LESS THAN SIGNIFICANT IMPACT

The proposed residential project provides five driveways on Third Street for ingress and egress movements. Constructed roadways and driveways are required to meet access standards of the Los Angeles County Fire Department. Compliance with Los Angeles County Fire Department and Los Angeles County Sheriff Department requirements would ensure impacts remain less than significant levels.

MITIGATION MEASURES

No mitigation measures are required.

F. WOULD THE PROJECT CONFLICT WITH ADOPTED POLICIES, PLANS, OR PROGRAMS REGARDING PUBLIC TRANSIT, BICYCLE, OR PEDESTRIAN FACILITIES, OR OTHERWISE DECREASE THE PERFORMANCE OR SAFETY OF SUCH FACILITIES?

LESS THAN SIGNIFICANT IMPACT

The proposed project does not include any components that would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities.

Transit

The bus lines of Foothill Transit, Metro, and Duarte Transit service the City of Duarte. Since 1984, Duarte Transit has operated as a free fixed route bus system, which currently includes two routes. The Green Route buses travel in a counterclockwise direction around the City and the Blue Route travels clockwise, each complete the route once every hour. In addition, a Metro Goldline Station is located in the City of Duarte south of project site at Highland Avenue and Duarte Avenue

The proposed project does not involve any modifications to the roadway system within the project vicinity. As the proposed project consists of a duplex residential development, increased use of the public transportation system could result. However, this increase would not be substantial. Thus, the proposed project is not anticipated to impact the effectiveness or performance of existing transit systems. Impacts would be less than significant in this regard.

Pedestrian and Bicycle Facilities

Sidewalks for pedestrians are currently provided on Third Street and Oak Avenue; no bicycle facilities exist on either of these streets. The closest bicycle facility is located north of the site and north of Royal Oaks Road. This existing Bike Path (Class I)¹¹ extends from Buena Vista Street on the west to Vineyard Avenue on the east. Exhibit 2 of the Duarte Citywide Bicycle Master Plan shows proposed Bike Lanes (Class II)¹² along Highland Avenue and Buena Vista Street, along with a proposed Bike Route (Class III)¹³ along the entire length of Royal Oaks Drive in the City.

The proposed project would not significantly impact the effectiveness or performance of existing pedestrian or bicycle facilities. Although all construction staging would occur within the boundaries of the project site, construction activities may temporarily limit pedestrian use of the sidewalk adjacent to the site. These activities would be temporary and would cease upon project completion. Also, implementation of the proposed project would not limit the accessibility of the site for bicyclists or pedestrians, or their ability to utilize existing facilities. Thus, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

¹¹ Class I Bikeway (Bike Path) provides a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flow minimized.

¹² Class II Bikeway (Bike Lane) provides a striped lane for one-way bike travel on street or highway.

¹³ Class II Bikeway (Signed Bike Route) provides for shared use with motor vehicle traffic.

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4.17. UTILITIES AND SERVICE SYSTEMS

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

Sources Cited in Section 4.17

California American Water, *2010 Urban Water Management Plan for the Southern Division – Los Angeles County District*, February 6, 2012

CalRecycle, Solid Waste Information System (SWIS), *Facility/Site Listing in Los Angeles County*, <http://www.calrecycle.ca.gov/SWFacilities/Directory/SearchList/List?COUNTY=Los+Angeles&OPSTATUS=Active®STATUS=Permitted>, accessed September 1, 2016

CalRecycle, *Jurisdiction Diversion/Disposal Rate Detail, Los Angeles Area Integrated Waste Management Authority*, <http://www.calrecycle.ca.gov/LGCentral/reports/diversionprogram/JurisdictionDiversionDetail.aspx?JurisdictionID=621&Year=2014>, accessed September 1, 2016

County Sanitation Districts of Los Angeles County, *Table 1, Loadings for Each Class of Land Use*

City of Duarte, *Duarte Station Specific Plan Environmental Impact Report*, November 26, 2013

A. WOULD THE PROJECT EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project site is located within the jurisdictional boundaries of District No. 22 of the County Sanitation Districts of Los Angeles County (Districts). The State Water Resource Control Board (SWRCB) works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The City of Duarte and Los Angeles County are within the jurisdiction of the Los Angeles RWQCB. The Districts oversees the treatment facilities that serve the City and Los Angeles County.

Wastewater flow originating from the project site discharges to local sewers before it is conveyed to the Districts' trunk sewers. The trunk sewers that serve the project area include the Buena Vista Trunk Sewer, located in Three Ranch Road west of Duncannon Avenue, and the Duarte Trunk Sewer, located in Highland Avenue between the I-210 Freeway and Duarte Road. The sewers are 12-inches in diameter with a design capacity of 1.7 million gallons per day (mgd). The Buena Vista Trunk Sewer has a peak flow of 0.5 mgd (last measured in 2010). The Duarte Trunk Sewer has a peak flow of 1.0 mgd (last measured in 2009).¹⁴

Wastewater originating from the project site is treated at the Districts' San Jose Creek WRP, or the Whittier Narrows WRP. San Jose Creek WRP, located at 1965 Workman Mill Road in unincorporated Los Angeles County, provides primary, secondary, and tertiary treatment for 100 mgd of wastewater. Currently, the San Jose Creek WRP processes an average flow of 76.6 mgd. Whittier Narrows WRP, located at 301 N. Rosemead Boulevard in the City of El Monte, provides primary, secondary, and tertiary treatment for 15 mgd of wastewater. Currently, the Whittier Narrows WRP processes an average flow of 8.0 mgd.

The proposed project would remove existing on-site buildings, relocate Third Street Park and construct 18 residential units. As shown on *Table 4.17-1, Existing and Estimated Project Wastewater Generation*, the proposed project is estimated to generate a net increase of 250 gallons per day (gpd) of wastewater. To determine peaking rates, a conservative value of 2.5 was multiplied to the net 250 gpd of wastewater for a result of 625 gpd or 0.43 gallons per minute (gpm). This additional wastewater would require treatment by the existing wastewater treatment plants.

The proposed project would remove existing on-site sewer and install sewer infrastructure for the relocated park and proposed 18 residential units. The proposed project's sewer plans would be reviewed by the City Engineer and would be required to provide sufficient capacity and comply with County standards.

¹⁴ Section 5.15, *Duarte Station Specific Plan Environmental Impact Report*, November 26, 2013.

TABLE 4.17-1 EXISTING AND ESTIMATED PROJECT WASTEWATER GENERATION

Facility Description	Building Area (SF)	Dwelling Units	Flow Factor ¹	Units	Average Flow (gpd)
Existing					
Office	12,790		200	gpd/ksf	2,558
Proposed					
Residential		18	312	gpd/duplex	2,808
Net Change					+250
Source: County Sanitation Districts of Los Angeles County, Table 1, Loadings for Each Class of Land Use					
Notes: sf = square feet; gpd = gallons per day; ksf = 1,000 square feet					

Implementation of the proposed project would generate increased wastewater flows, placing greater demands on wastewater treatment facilities. The wastewater generated by the proposed project would be collected by the Districts and conveyed for treatment at San Jose Creek WRP or the Whittier Narrows WRP. Assuming the net increase peaking rate of 625 gpd, the proposed project represents 0.001 percent of the total 115 mgd capacity of the two treatment plants. Thus, there is capacity in the two treatments plants to accept wastewater from the proposed project. The increase in wastewater flow from the proposed project would not significantly impact the Districts' treatment plants as it represents a minimal percent of the flow directed to either treatment plant. However, Mitigation Measures UTIL-1 through UTIL-3 are recommended to ensure impacts remain at less than significant levels.

MITIGATION MEASURES

- UTIL-1 The Applicant shall conduct a sewer flow monitoring study and submit to the City Engineer for review and approval prior to approval of building permits. The study shall review flows at selected off-site manholes, both upstream and downstream of the point of connection, to determine the capacity of the local and regional system to accept project-related flows. The Applicant shall be responsible to implement the recommendations in the study to ensure that off-site systems operate in accordance with the Los Angeles County Department of Public Works and County Sanitation Districts of Los Angeles County standards.
- UTIL-2 The Applicant shall design and construct on-site and off-site sewer lines in compliance with the Los Angeles County Public Works Department and County Sanitation Districts of Los Angeles County standards.
- UTIL-3 The Applicant and/or City shall pay all applicable connection fees to Los Angeles County Consolidated Sewer Maintenance District and County Sanitation Districts of Los Angeles County.

B. WOULD THE PROJECT 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?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.17.A.

MITIGATION MEASURES

Refer to Mitigation Measures UTIL-1 through UTIL-3. No additional mitigation measures are required.

C. WOULD THE PROJECT 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?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.9.A. and 4.9.D.

MITIGATION MEASURES

Refer to Mitigation Measures HYD-1 and HYD-2. No additional mitigation measures are required.

D. WOULD THE PROJECT HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT FROM EXISTING ENTITLEMENTS AND RESOURCES, OR ARE NEW OR EXPANDED ENTITLEMENTS NEEDED?

LESS THAN SIGNIFICANT IMPACT

The proposed project does not satisfy the criteria in Senate Bill 610 or Senate Bill 221 (codified as California *Water Code* Sections 10910-10915, *Business and Professions Code* Section 11010, and *Government Code* Section 66473) regarding the preparation of a Water Supply Assessment to verify that sufficient water supplies are available to serve the proposed project from existing entitlements/resources.

Implementation of the proposed project would result in increased water demand when compared to existing conditions. *Table 4.17-2, Existing and Estimated Project Water Demand*, quantifies both the existing uses and the proposed project's estimated water demand. As

indicated in *Table 4.17-2*, the proposed project is anticipated to demand an additional 5,128 gallons per day (gpd) of water, or 0.0158 acre-feet per year (AFY) of water when compared to existing conditions.

TABLE 4.17-2 EXISTING AND ESTIMATED PROJECT WATER DEMAND

Use	Building (SF)	Employees	Dwelling Units	Factor	GPD	AFY
Existing						
Office	12,790	16		17 gpd/emp	272	0.0008
Proposed Project						
Residential			18	300 gpd/ unit	5,400	0.0166
Net Change					+5,128	0.0158
Source: Table 5.14-3, Duarte Station Specific Plan Environmental Impact Report, November 26, 2013						
Notes: sf = square feet; gpd = gallons per day; emp = employee; AFY = acre-feet per year						

The California American Water *2010 Urban Water Management Plan for the Southern Division – Los Angeles County District (2010 UWMP)* includes a population forecast of 31,116 for Duarte in 2020, which would include the addition 55 residents that would result from the proposed project. Thus, the construction and operational activities associated with the proposed project are not anticipated to require a significant amount of water, and this water demand is not expected to have a significant impact on the local or regional supplies, as the growth under the proposed project has been accounted for in the *2010 UWMP*. Therefore, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT 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 GENERATION IN ADDITION TO THE PROVIDER'S EXISTING COMMITMENTS?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.17.A and 4.17.B. In addition, the proposed project is intended to provide recreational opportunities for the surrounding community. The proposed project would result in a total increase of 55 residents to the City. As discussed in Response 4.13.A, the additional residents are consistent with both City and regional growth forecasts. There is adequate capacity in the existing sewer system to accommodate the net increase in sanitary sewage generated by the proposed project. Thus, with implementation of Mitigation Measures UTIL-1 through UTIL-3, impacts are reduced to less than significant.

MITIGATION MEASURES

Refer to Mitigation Measures UTIL-1 through UTIL-3. No additional mitigation measures are required.

F. WOULD THE PROJECT BE SERVED BY A LANDFILL WITH SUFFICIENT PERMITTED CAPACITY TO ACCOMMODATE THE PROJECT'S SOLID WASTE DISPOSAL NEEDS?

LESS THAN SIGNIFICANT IMPACT

Buildout of the proposed project includes demolition of on-site buildings, relocation of Third Street Park, and construction of duplex residential units on 1.647 acres. Site preparation (vegetation removal and grading activities) and construction activities would generate typical construction debris, including wood, paper, glass, metals, cardboard, and green wastes.

The proposed project would be required to comply with standard Conditions of Approval drafted by the City of Duarte, as well as all other reviewing agencies. Non-salvaged construction and demolition waste would result in an incremental and intermittent increase in solid waste disposal at landfills and other waste disposal facilities utilized by the City. Construction-related solid waste could further impact landfills with insufficient capacity. However, according to the Solid Waste Information System, all landfills utilized by the Los Angeles Area Integrated Waste Management Authority (LAAIWMA), of which the City of Duarte is member, have sufficient capacity to support a temporary increase in solid waste during construction of the proposed project¹⁵.

According to CalRecycle, in 2014 LAAIWMA disposed of approximately 4,406,167.67 tons of solid waste.¹⁶ This represents 4.8 pounds per resident per day and 11.8 pounds per employee per day, which is less than the target of 7.1 pounds per resident per day and 17.5 pounds per employee per day.¹⁷

Buildout of the proposed project would generate a net increase of approximately 14.25 tons of solid waste per year, which represents a 0.0003 percent increase to the amount of solid waste generated by the LAAIWMA in 2014. *Table 4.17-3, Existing and Estimated Project Solid Waste Generation*, shows the estimated solid waste generated by the proposed project. This quantity represents the solid waste generated for buildout conditions of the proposed project under a worst-case scenario without any recycling activities in place.

¹⁵ CalRecycle, Solid Waste Information System (SWIS), *Facility/Site Listing in Los Angeles County*, <http://www.calrecycle.ca.gov/SWFacilities/Directory/SearchList/List?COUNTY=Los+Angeles&OPSTATUS=Active®STATUS=Permitted>, accessed September 1, 2016.

¹⁶ CalRecycle, *Jurisdiction Diversion/Disposal Rate Detail, Los Angeles Area Integrated Waste Management Authority*, <http://www.calrecycle.ca.gov/LGCentral/reports/diversionprogram/JurisdictionDiversionDetail.aspx?JurisdictionID=621&Year=2014>, accessed September 1, 2016.

¹⁷ Ibid.

TABLE 4.17-3 EXISTING AND ESTIMATED PROJECT SOLID WASTE GENERATION

Land Use	Existing and Proposed Development	Generation Rate ¹	Solid Waste Generation (pounds/day)
Existing			
Office	12,790 SF	0.006 lbs/sf/day	76.74
Proposed			
Residential	18 DU	8.6 lbs/du/day	154.80
Net Change			+78.06
Source: 1. Table 5.16-3, Duarte Station Specific Plan Environmental Impact Report, November 26, 2013.			
Notes: DU = dwelling unit; SF= square feet; lbs = pounds			

Solid waste disposal within the City is subject to the requirements established in *Duarte Municipal Code* Chapter 6.14, Solid Waste Disposal. The proposed project would be required to comply with the *Duarte Municipal Code*, which requires providing adequate areas for collecting and loading recyclable materials in concert with countywide efforts and programs to reduce the volume of solid waste entering landfills. In addition, the location of recycling/separation areas is required to comply with all applicable federal, public health, state, or local laws relating to fire, building, access, transportation, circulation, or safety. Compliance with all applicable State and Los Angeles County regulations for the use, collection, and disposal of solid and hazardous wastes is also mandated. It can be assumed that the proposed project would include adequate, accessible and convenient areas for collecting recyclable materials. Therefore, it is anticipated that operational solid waste impacts would be reduced to a less than significant level in this regard.

MITIGATION MEASURES

No mitigation measures are required.

G. WOULD THE PROJECT COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE?

LESS THAN SIGNIFICANT IMPACT

The proposed project would comply with all Federal, State, and local statutes and regulations related to solid waste, including the California Integrated Waste Management Act, Los Angeles County, and City of Duarte recycling programs. A less than significant impact would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.18. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				✓
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		✓		
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓		

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?

NO IMPACT

The project site was previously developed and is surrounded on all sides by urban development. The project site does not contain biological, cultural, or historical resources. Therefore, the proposed project does not have the potential to degrade the environment, and no impacts would occur in this regard.

- B. DOES THE PROJECT HAVE IMPACTS THAT ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (“CUMULATIVELY CONSIDERABLE” MEANS THAT THE INCREMENTAL EFFECTS OF A PROJECT ARE CONSIDERABLE WHEN VIEWED IN CONNECTION WITH THE EFFECTS OF PAST PROJECTS, THE EFFECTS OF OTHER CURRENT PROJECTS, AND THE EFFECTS OF PROBABLE FUTURE PROJECTS)?**

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Based on the analysis contained in this Initial Study, the proposed project would not have cumulatively considerable impacts with implementation of project mitigation measures. Implementation of mitigation measures at the project-level would reduce the potential for the incremental effects of the proposed project to be considerable when viewed in connection with the effects of past projects, current projects, or probable future projects.

- C. DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH WILL CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?**

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Previous sections of this Initial Study reviewed the proposed project’s potential impacts related to Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Noise; Public Services; and Utilities and Service Systems. As concluded in these previous discussions, the proposed project would result in less than significant environmental impacts with implementation of the recommended mitigation measures. Therefore, the proposed project would not result in environmental impacts that would cause substantial adverse effects on human beings.

4.19. REFERENCES

Refer to Section 4.1 through Section 4.17 for the listing of references utilized in the preparation of this Initial Study.

4.20. REPORT PREPARATION PERSONNELCITY OF DUARTE (LEAD AGENCY)

1600 Huntington Drive
Duarte, California 91010

Mr. Jason Golding, City Planner
Ms. Kristen Johnston, Associate Planner

Morse Planning Group (CEQA Consultant)

145 N C Street
Tustin, California 92780

Ms. Collette L. Morse, AICP, Principal, Project Manager

Albert Grove and Associates (Traffic)

765 The City Drive, Suite 200
Orange, California 92868

Ms. Kawai Mang, E.I.T, Associate Engineer

Duke Cultural Resources Management (Cultural and Historic Resources)

20371 Lake Forest Drive, A-2
Lake Forest, CA 92630

Mr. Curt Duke, MA, RPA, President/Archaeologist
Mr. Matthew Stever, Archaeologist/Paleontological Monitor
Mr. Dana Edward Supernowicz, MA, RPA, Architectural Historian/Historian

Pomeroy and Associates (Air Quality, Greenhouse Gas, and Noise)

25101 The Old Road, Suite 246
Santa Clarita, CA 91381

Mr. Brett Pomeroy, Principal

Duco Engineering, Inc. (Geotechnical)

14175 Telephone Avenue, Suite K
Chino, CA 91710

Mr. James Collett
Mr. Frank S. Stillman, REG

5.0 CONSULTANT RECOMMENDATION

Based on the information and environmental analysis contained in the Initial Study/Environmental Checklist, we recommend that the City of Duarte prepare a Mitigated Negative Declaration for the 3rd & Oak Residential Project. We find that the proposed project could have a significant effect on a number of environmental issues, but that mitigation measures have been identified that reduce such impacts to a less than significant level. We recommend that the second category be selected for the City of Duarte's determination (see Section 6.0, Lead Agency Determination).

December 1, 2016

Date



Collette L. Morse, AICP
Project Manager
Morse Planning Group

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6.0 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

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

I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section 4.0 have been added. A MITIGATED NEGATIVE DECLARATION will be prepared.



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

I find that the proposal MAY have a significant effect(s) 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, if the effect is a “potentially significant impact” or “potentially significant unless mitigated.” An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Signature: _____

Title: City Planner

Printed Name: Jason Golding

Agency: City of Duarte

Date: December 1, 2016

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7.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 4.0 of this Initial Study/Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the 3rd & Oak Residential Project. The *California Environmental Quality Act* (CEQA) requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in *Public Resources Code* Section 21081.6,

... the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.

Public Resources Code Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to adoption of the Mitigated Negative Declaration.

The mitigation monitoring table that follow lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 4.0. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The City of Duarte will have the responsibility for implementing the measures, and the Applicant will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT						
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION						
MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
GEOLOGY AND SOILS						
GEO-1	Prior to the issuance of grading and/or building permits, the recommendations in Preliminary Geotechnical Evaluation Sections 3.0 through 11.0 shall be confirmed or modified by a geotechnical engineer to ensure compliance with the California Building Code. The recommendations of the geotechnical engineer shall be implemented during site grading and construction.	Prior to Issuance of Grading or Building Permits	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HAZARDS AND HAZARDOUS MATERIALS						
HAZ-1	To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.	Prior to Structural Demolition or Renovation Activities	City of Duarte Community Development Department (Planning and Building and Safety Divisions)			
HYDROLOGY AND WATER QUALITY						
HYD-1	Prior to issuance of a grading or building permit, the Applicant shall enroll electronically through the SMARTS program to comply with the State of California General Construction Permit. Proof of enrollment must be submitted to the City of Duarte before issuance of grading or building permits. Also, a Stormwater Pollution Prevention Plan (SWPPP) or functional equivalent required at that time shall be reviewed and approved by the Public Works Manager and the City Engineer for water quality construction activities on-site. A copy of the SWPPP or functional equivalent required at that time shall be available and implemented at the construction site at all times. The SWPPP or functional equivalent required at that time shall outline the source	Prior to Issuance of Grading or Building Permit During the Construction Process	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)			

3RD & OAK RESIDENTIAL PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
	control and/or treatment control Best Management Practices to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable."					
HYD-2	Prior to the issuance of grading permit, the Applicant shall prepare a plan (i.e., Standard Urban Storm Water Management Plan [SUSMP] or functional equivalent document per current State law or other applicable statutes) in accordance with the guidance to be developed by the NPDES Permit permittees, that includes Low Impact Development and other post-construction Best Management Practices to reduce pollutant loading. The plan shall be reviewed and approved by the Public Works Manager and City Engineer. The Applicant shall be responsible for implement the measures identified in the SUSMP or functional equivalent document.	Prior to Issuance of Grading Permit	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)			
NOISE						
NOI-1	To ensure construction noise levels are reduced to the maximum extent feasible, the Applicant shall ensure that the following construction best management practices be implemented by construction contractors: - Implement noise attenuation measures to the extent feasible, which may include, noise barriers or noise blankets around stationary equipment. - The construction contractor shall provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities.	During Construction Periodic Site Inspections During Grading and Construction	City of Duarte Community Development Department (Public Works and Engineering, Planning, and Building and Safety Divisions) and Public Safety Department (Code Enforcement Division)			

3RD & OAK RESIDENTIAL PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure		Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
	- All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or controlled. - Machinery, including motors, must be turned off when not in use. - All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible. - Construction activities shall not take place between the hours of 7:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a Federal holiday.					
PUBLIC SERVICES & UTILITIES						
PS-1	The Applicant shall pay all applicable Development Impact Fees to the Duarte Unified School District prior to issuance of building permits. Proof of fee payment shall be provided to the City of Duarte.	Prior to Issuance of Building Permit Proof of Payment of Development Impact Fees to DUSD	City of Duarte Community Development Department (Building and Safety Division)			

8.0 COMMENTS AND RESPONSES

A 20-day public review period for the Initial Study/Mitigated Negative Declaration was held from December 1, 2016 to December 20, 2016. A total of four comment letters were received during and following the close of the public review period.

1. Adriana Raza, Customer Services Specialist, Facilities Planning Department, County Sanitation Districts of Los Angeles County, dated December 1, 2016.
2. Adriana Raza, Customer Services Specialist, Facilities Planning Department, dated December 1, 2016.
3. Andrew Salas, Chairman, Gabrielino Band of Mission Indians – Kizh Nation, dated December 5, 2016.
4. Frank Vidales, Chief, Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department, dated January 3, 2017.

The comments received from the Gabrielino Band of Mission Indians – Kizh Nation and County of Los Angeles Fire Department will be considered for Conditions of Approval for the proposed project.

The comments received from the County Sanitation Districts of Los Angeles update information in the Draft Initial Study/Mitigated Negative Declaration. Pages 4-110 and 4-111 have been modified to reflect the information provided by the County Sanitation Districts of Los Angeles County. These modifications do not change the conclusions in the Initial Study/Mitigated Negative Declaration. The text changes will be incorporated into the Final Initial Study/Mitigated Negative Declaration.



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 1, 2016

Ref. Doc. No.: 3933257

Ms. Kristen Johnston
Associate Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

RECEIVED
DEC 05 2016
CITY OF DUARTE

Dear Ms. Johnston:

Comment Letter for Tentative Tract Map No. 74365

The Sanitation Districts of Los Angeles County (Districts) received the letter and plans for the subject project forwarded by your office on November 7, 2016. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Joint Outfall "B" Unit 8H Trunk Sewer, located in Huntington Drive at Brycedale Avenue. The Districts' 10-inch diameter trunk sewer has a capacity of 2.1 million gallons per day (mgd) and conveyed a peak flow of 0.5 mgd when last measured in 2012.
2. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average flow of 65.7 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the Joint Water Pollution Control Plant in the City of Carson.
3. The expected average wastewater flow from the proposed project, described in the plan as 18 single-family homes, is 4,680 gallons per day. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link.
4. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System or for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and search for the appropriate link. In determining the impact to the

Sewerage System and applicable connection fees, the Districts' Chief Engineer will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel or facilities on the parcel. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at (562) 908-4288, extension 2727.

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:dc



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 20, 2016

Ref. Doc. No.: 3967068

RECEIVED

DEC 27 2016

CITY OF DUARTE

Mr. Jason Golding, City Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Dear Mr. Golding:

Response to NOI for 3rd and Oak Residential Project

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on December 6, 2016. The proposed project is located within the jurisdictional boundary of District No. 22. We offer the following comments regarding sewerage service:

1. Previous comments submitted by the Districts in correspondence dated December 1, 2016 (copy enclosed), to Ms. Kristen Johnston of your agency, still apply to the subject project with the following updated information.
2. The San Jose Creek Water Reclamation Plant currently processes an average flow of 64.8 million gallons per day.
3. The expected average wastewater flow from the proposed 16 attached duplex units and 2 detached single-family residences is 3,640 gallons per day.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

Enclosure



GABRIELENO BAND OF MISSION INDIANS – KIZH NATION
Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Jason Golding
City Planner

RE: AB52 consultation response for the 3rd & Oak Residential Project Located southwest corner of 3rd Street and Oak Ave

Dear Jason,

Dec 5, 2016

Please find this letter in response to your request for consultation dated Dec 1, 2016. I have reviewed the project site and do have concerns for cultural resources. Your project lies in an area where the Ancestral territories of the Kizh (K̓it̓c) Gabrieleno's villages adjoined and overlapped with each other, at least during the Late Prehistoric and Protohistoric Periods. The homeland of the Kizh Gabrieleno was probably the most influential Native American group in aboriginal southern California (Bean and Smith 1978a:538), was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of our neighbors the Serranos was primarily the San Bernardino Mountains, including the slopes and lowlands on the north and south flanks. Whatever the linguistic affiliation, Native Americans in and around the project area exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/ base sites are marked by midden deposits often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies of ten left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources.

Due to the project location and the high sensitivity of the area location, we would like to request one of our certified Native American Monitor to be on site during any and all ground disturbances (including but not limited to pavement removal, post holing, auguring, boring, grading, excavation and trenching) to protect any cultural resources which may be effected during construction or development. In all cases, when the Native American Heritage Commission states there are "no records of sacred sites in the project area" the NAHC will always refer lead agencies to the respective Native American Tribe because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & Tribal Historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. While the property may be located in an area that has been previously developed, numerous examples can be shared to show that there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. Please note, if they haven't been listed with the NAHC, it doesn't mean that they aren't there. Not everyone reports what they know.

The recent implementation of AB52 dictates that lead agencies consult with Native American Tribes who can prove and document traditional and cultural affiliation with the area of said project in order to protect cultural resources. However, our tribe is connected Ancestrally to this project location area, what does Ancestrally or Ancestral mean? The people who were in your family in past times, Of, belonging to, inherited from, or denoting an ancestor or ancestors <http://www.thefreedictionary.com/ancestral>. Our priorities are to avoid and protect without delay or conflicts – to consult with you to avoid unnecessary destruction of cultural and biological resources, but also to protect what resources still exist at the project site for the benefit and education of future generations. At your convenience we can Consultation either by Phone or Face to face. Thank you

CC: NAHC

With respect,

Andrew Salas, Chairman
cell (626)926-4131

Andrew Salas, Chairman
Albert Perez, treasurer I

Nadine Salas, Vice-Chairman
Martha Gonzalez Lemos, treasurer II

Christina Swindall Martinez, secretary
Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

www.gabrielenoindians@yahoo.com

gabrielenoindians@yahoo.com



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 3, 2017

Kristen Johnston, Associate Planner
City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, CA 91010

Dear Ms. Johnston:

**NOTICE OF AVAILABILITY, NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION, "3RD AND OAK RESIDENTIAL PROJECT,"
PROPOSES TO DEMOLISH ALL ON-SITE BUILDINGS AND RELOCATE THE
EXISTING THIRD STREET PARK FROM ITS CURRENT LOCATION, AND
CONSTRUCT 18 RESIDENTIAL UNITS ON THE PROJECT SITE, LOCATED ON THE
SOUTHWEST CORNER OF 3RD STREET AND OAK AVENUE, DUARTE,
FFER 201600196**

The Notice of Intent to Adopt a Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

We have no comments.

LAND DEVELOPMENT UNIT:

The Land Development Unit is reviewing the proposed project for access and water system requirements. The development of this project must comply with all applicable

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENORA
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE

LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWNDALE
LOMITA

LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.

ACCESS REQUIREMENTS:

1. Provide a minimum unobstructed width of 20 feet exclusive of shoulders except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Fire Code 503.1.1 and 503.2.1.
2. The proposed driveway within the development shall provide approved street names and signs. All future buildings shall provide approved address numbers.
3. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
4. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
5. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
6. All fire lanes shall be clear of all encroachments and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1.
8. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE." Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for Fire Apparatus Access Roads to clearly indicate the entrance to such road or prohibit the obstruction thereof and at intervals as required by the Fire Inspector. Fire Code 503.3.

9. Approved building address numbers, building numbers, or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background be Arabic numerals or alphabet letters and be a minimum of four inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
10. A minimum five-foot-wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.
11. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5.

WATER SYSTEM REQUIREMENTS:

1. All fire hydrants shall measure 6"x 4" x 2-1/2" brass or bronze conforming to current AWWA standard C503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. The required fire for the public fire hydrants for single family residential homes less than a total square footage of 3600 feet is 1250 gpm at 20 psi residual pressure for two hours with one public fire hydrant flowing. Any single family residential home 3601 square feet or greater shall comply with Table B105.1 of the Fire Code in Appendix B.
3. Install three new public fire hydrants. (Locations: as indicated by the applicant on the Tentative Map).
4. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
5. Submit the completed original copy of the Fire Flow Availability Form (Form 195) for the new required public fire hydrants. The fire flow data shall be submitted to the County of Los Angeles Fire Department Fire Prevention Engineering Unit prior to the issuance for building permits.
6. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.

Kristen Johnston, Associate Planner
January 3, 2017
Page 4

7. All required public fire hydrants shall be tested and accepted prior to beginning construction. Fire Code 501.4.

Review and approval by the Los Angeles County Fire Department Fire Prevention Engineering Section will be required for this project prior to Building Permit Issuance.

For any questions regarding the report please contact Inspector Claudia Soiza at (323) 890-4243 or at Claudia.Soiza@fire.lacounty.gov.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

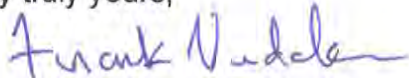
The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department has determined from our review of information that a permitted underground storage tank (UST) is located on the project site. Information regarding the UST should be further reviewed and the Los Angeles County Department of Public Works, Environmental Programs Division (DPW, EPD) UST Program should be contacted to determine the status of the onsite UST and whether there are any known environmental issues/concerns at the project site. The HHMD has no additional comments at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VIDALES, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:ac

A. WOULD THE PROJECT EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project site is located within the jurisdictional boundaries of District No. 22 of the County Sanitation Districts of Los Angeles County (Districts). The State Water Resource Control Board (SWRCB) works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The City of Duarte and Los Angeles County are within the jurisdiction of the Los Angeles RWQCB. The Districts oversees the treatment facilities that serve the City and Los Angeles County.

Wastewater flow originating from the project site discharges to local sewers before it is conveyed to the Districts' trunk sewers. The trunk sewers that serve the project area is Joint Outfall "B" Unit 8H include the Buena Vista Trunk Sewer, located in Huntington Drive at Brycedale Avenue Three Ranch Road west of Duncannon Avenue, and the Duarte Trunk Sewer, located in Highland Avenue between the I-210 Freeway and Duarte Road. The trunk sewer is are 1012-inches in diameter with has a design capacity of 2.147 million gallons per day (mgd), and .The Buena Vista Trunk Sewer has a peak flow of 0.5 mgd (last measured in 20120). The Duarte Trunk Sewer has a peak flow of 1.0 mgd (last measured in 2009).¹⁴

Wastewater originating from the project site is treated at the Districts' San Jose Creek WRP, or the Whittier Narrows WRP. San Jose Creek WRP, located at 1965 Workman Mill Road in unincorporated Los Angeles County, provides primary, secondary, and tertiary treatment for 100 mgd of wastewater. Currently, the San Jose Creek WRP processes an average flow of 64.8766 mgd. Whittier Narrows WRP, located at 301 N. Rosemead Boulevard in the City of El Monte, provides primary, secondary, and tertiary treatment for 15 mgd of wastewater. Currently, the Whittier Narrows WRP processes an average flow of 8.0 mgd.

The proposed project would remove existing on-site buildings, relocate Third Street Park and construct 18 residential units. As shown on Table 4.17-1, Existing and Estimated Project Wastewater Generation, the proposed project is estimated to generate a net increase of 250 gallons per day (gpd) of wastewater. To determine peaking rates, a conservative value of 2.5 was multiplied to the net 458250 gpd of wastewater for a result of 1,145625 gpd or 0.8043 gallons per minute (gpm). This additional wastewater would require treatment by the existing wastewater treatment plants.

The proposed project would remove existing on-site sewer and install sewer infrastructure for the relocated park and proposed 18 residential units. The proposed project's sewer plans would be reviewed by the City Engineer and would be required to provide sufficient capacity and comply with County standards.

¹⁴ Section 5.15, Duarte Station Specific Plan Environmental Impact Report, November 26, 2013. Correspondence from County Sanitation Districts of Los Angeles County, dated December 1, 2016.

TABLE 4.17-1 EXISTING AND ESTIMATED PROJECT WASTEWATER GENERATION

Facility Description	Building Area (SF)	Dwelling Units	Flow Factor ¹	Units	Average Flow (gpd)
Existing					
Office	12,790		200	gpd/ksf	2,558
Proposed					
<u>Residential (Single-Family)</u>		<u>2</u>	<u>260</u>	<u>gpd/unit</u>	<u>520</u>
Residential (<u>Duplex</u>)		<u>1618</u>	312	gpd/duplex	<u>2,4962,808</u>
<u>Total</u>					<u>3,016</u>
Net Change					<u>+458250</u>
¹ . Source: County Sanitation Districts of Los Angeles County, Table 1, Loadings for Each Class of Land Use					
Notes: sf = square feet; gpd = gallons per day; ksf = 1,000 square feet					

Implementation of the proposed project would generate increased wastewater flows, placing greater demands on wastewater treatment facilities. The wastewater generated by the proposed project would be collected by the Districts and conveyed for treatment at San Jose Creek WRP or the Whittier Narrows WRP. Assuming the net increase peaking rate of 1,145625 gpd, the proposed project represents 0.001 percent of the total 115 mgd capacity of the two treatment plants. Thus, there is capacity in the two treatments plants to accept wastewater from the proposed project. The increase in wastewater flow from the proposed project would not significantly impact the Districts' treatment plants as it represents a minimal percent of the flow directed to either treatment plant. However, Mitigation Measures UTIL-1 through UTIL-3 are recommended to ensure impacts remain at less than significant levels.

MITIGATION MEASURES

- UTIL-1 The Applicant shall conduct a sewer flow monitoring study and submit to the City Engineer for review and approval prior to approval of building permits. The study shall review flows at selected off-site manholes, both upstream and downstream of the point of connection, to determine the capacity of the local and regional system to accept project-related flows. The Applicant shall be responsible to implement the recommendations in the study to ensure that off-site systems operate in accordance with the Los Angeles County Department of Public Works and County Sanitation Districts of Los Angeles County standards.
- UTIL-2 The Applicant shall design and construct on-site and off-site sewer lines in compliance with the Los Angeles County Public Works Department and County Sanitation Districts of Los Angeles County standards.
- UTIL-3 The Applicant and/or City shall pay all applicable connection fees to Los Angeles County Consolidated Sewer Maintenance District and County Sanitation Districts of Los Angeles County.

7.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 4.0 of this Initial Study/Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the 3rd & Oak Residential Project. The *California Environmental Quality Act (CEQA)* requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in *Public Resources Code* Section 21081.6,

... the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.

Public Resources Code Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to adoption of the Mitigated Negative Declaration.

The mitigation monitoring table that follow lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 4.0. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The City of Duarte will have the responsibility for implementing the measures, and the Applicant will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3RD & OAK RESIDENTIAL PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure	Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance			
			Initials	Date	Remarks	
GEOLOGY AND SOILS						
GEO-1 Prior to the issuance of grading and/or building permits, the recommendations in Preliminary Geotechnical Evaluation Sections 3.0 through 11.0 shall be confirmed or modified by a geotechnical engineer to ensure compliance with the California Building Code. The recommendations of the geotechnical engineer shall be implemented during site grading and construction.	Prior to Issuance of Grading or Building Permits	City of Duarte Community Development Department (Planning and Building and Safety Divisions)				
HAZARDS AND HAZARDOUS MATERIALS						
HAZ-1 To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.	Prior to Structural Demolition or Renovation Activities	City of Duarte Community Development Department (Planning and Building and Safety Divisions)				
HYDROLOGY AND WATER QUALITY						
HYD-1 Prior to issuance of a grading or building permit, the Applicant shall enroll electronically through the SMARTS program to comply with the State of California General Construction Permit. Proof of enrollment must be submitted to the City of Duarte before issuance of grading or building permits. Also, a Stormwater Pollution Prevention Plan (SWPPP) or functional equivalent required at that time shall be reviewed and approved by the Public Works Manager and the City Engineer for water quality construction activities on-site. A copy of the SWPPP or functional equivalent required at that time shall be available and implemented at the construction site at all times. The SWPPP or functional equivalent required at that time shall outline the source	Prior to Issuance of Grading or Building Permit During the Construction Process	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)				

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3 RD & OAK RESIDENTIAL PROJECT					
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION					
MITIGATION MONITORING AND REPORTING PROGRAM					
Mitigation Measure	Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance		
			Initials	Date	Remarks
	control and/or treatment control Best Management Practices to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable."				
HYD-2	Prior to the issuance of grading permit, the Applicant shall prepare a plan (i.e., Standard Urban Storm Water Management Plan [SUSMP] or functional equivalent document per current State law or other applicable statutes) in accordance with the guidance to be developed by the NPDES Permit permittees, that includes Low Impact Development and other post-construction Best Management Practices to reduce pollutant loading. The plan shall be reviewed and approved by the Public Works Manager and City Engineer. The Applicant shall be responsible for implement the measures identified in the SUSMP or functional equivalent document.	Prior to Issuance of Grading Permit	City of Duarte Community Development Department (Public Works and Engineering Division and Building and Safety Division)		
NOISE					
NOI-1	To ensure construction noise levels are reduced to the maximum extent feasible, the Applicant shall ensure that the following construction best management practices be implemented by construction contractors: - Implement noise attenuation measures to the extent feasible, which may include, noise barriers or noise blankets around stationary equipment. - The construction contractor shall provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities.	During Construction Periodic Site Inspections During Grading and Construction	City of Duarte Community Development Department (Public Works and Engineering, Planning, and Building and Safety Divisions) and Public Safety Department (Code Enforcement Division)		

3rd & Oak Residential Project
Initial Study/Mitigated Negative Declaration

3RD & OAK RESIDENTIAL PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation Measure	Monitoring Timing/Frequency	Monitoring Agency	Verification of Compliance			
			Initials	Date	Remarks	
- All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or controlled. - Machinery, including motors, must be turned off when not in use. - All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible. - Construction activities shall not take place between the hours of 7:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a Federal holiday.						
PUBLIC SERVICES & UTILITIES						
PS-1 The Applicant shall pay all applicable Development Impact Fees to the Duarte Unified School District prior to issuance of building permits. Proof of fee payment shall be provided to the City of Duarte.	Prior to Issuance of Building Permit Proof of Payment of Development Impact Fees to DUSD	City of Duarte Community Development Department (Building and Safety Division)				

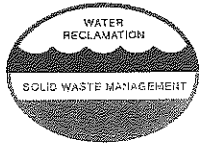
8.0 COMMENTS AND RESPONSES

A 20-day public review period for the Initial Study/Mitigated Negative Declaration was held from December 1, 2016 to December 20, 2016. A total of four comment letters were received during and following the close of the public review period.

1. Adriana Raza, Customer Services Specialist, Facilities Planning Department, County Sanitation Districts of Los Angeles County, dated December 1, 2016.
2. Adriana Raza, Customer Services Specialist, Facilities Planning Department, dated December 1, 2016.
3. Andrew Salas, Chairman, Gabrielino Band of Mission Indians – Kizh Nation, dated December 5, 2016.
4. Frank Vidales, Chief, Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department, dated January 3, 2017.

The comments received from the Gabrielino Band of Mission Indians – Kizh Nation and County of Los Angeles Fire Department will be considered for Conditions of Approval for the proposed project.

The comments received from the County Sanitation Districts of Los Angeles update information in the Draft Initial Study/Mitigated Negative Declaration. Pages 4-110 and 4-111 have been modified to reflect the information provided by the County Sanitation Districts of Los Angeles County. These modifications do not change the conclusions in the Initial Study/Mitigated Negative Declaration. The text changes will be incorporated into the Final Initial Study/Mitigated Negative Declaration.



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 1, 2016

Ref. Doc. No.: 3933257

Ms. Kristen Johnston
Associate Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

RECEIVED

DEC 05 2016

CITY OF DUARTE

Dear Ms. Johnston:

Comment Letter for Tentative Tract Map No. 74365

The Sanitation Districts of Los Angeles County (Districts) received the letter and plans for the subject project forwarded by your office on November 7, 2016. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Joint Outfall "B" Unit 8H Trunk Sewer, located in Huntington Drive at Brycedale Avenue. The Districts' 10-inch diameter trunk sewer has a capacity of 2.1 million gallons per day (mgd) and conveyed a peak flow of 0.5 mgd when last measured in 2012.
2. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average flow of 65.7 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the Joint Water Pollution Control Plant in the City of Carson.
3. The expected average wastewater flow from the proposed project, described in the plan as 18 single-family homes, is 4,680 gallons per day. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link.
4. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System or for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and search for the appropriate link. In determining the impact to the

December 1, 2016

Sewerage System and applicable connection fees, the Districts' Chief Engineer will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel or facilities on the parcel. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at (562) 908-4288, extension 2727.

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:dc



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

December 20, 2016

Ref. Doc. No.: 3967068

RECEIVED

DEC 27 2016

CITY OF DUARTE

Mr. Jason Golding, City Planner
City of Duarte
1600 Huntington Drive
Duarte, CA 91010

Dear Mr. Golding:

Response to NOI for 3rd and Oak Residential Project

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on December 6, 2016. The proposed project is located within the jurisdictional boundary of District No. 22. We offer the following comments regarding sewerage service:

1. Previous comments submitted by the Districts in correspondence dated December 1, 2016 (copy enclosed), to Ms. Kristen Johnston of your agency, still apply to the subject project with the following updated information.
2. The San Jose Creek Water Reclamation Plant currently processes an average flow of 64.8 million gallons per day.
3. The expected average wastewater flow from the proposed 16 attached duplex units and 2 detached single-family residences is 3,640 gallons per day.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

Enclosure

DOC: #3982336.D22

Recycled Paper





GABRIELENO BAND OF MISSION INDIANS – KIZH NATION
Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Jason Golding
City Planner

RE: AB52 consultation response for the 3rd & Oak Residential Project Located southwest corner of 3rd Street and Oak Ave

Dear Jason,

Dec 5, 2016

Please find this letter in response to your request for consultation dated Dec 1, 2016. I have reviewed the project site and do have concerns for cultural resources. Your project lies in an area where the Ancestral territories of the Kizh (Kaic) Gabrieleno's villages adjoined and overlapped with each other, at least during the Late Prehistoric and Protohistoric Periods. The homeland of the Kizh Gabrieleno was probably the most influential Native American group in aboriginal southern California (Bean and Smith 1978a:538), was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of our neighbors the Serranos was primarily the San Bernardino Mountains, including the slopes and lowlands on the north and south flanks. Whatever the linguistic affiliation, Native Americans in and around the project area exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/ base sites are marked by midden deposits often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies of ten left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources.

Due to the project location and the high sensitivity of the area location, we would like to request one of our certified Native American Monitor to be on site during any and all ground disturbances (including but not limited to pavement removal, post holing, auguring, boring, grading, excavation and trenching) to protect any cultural resources which may be effected during construction or development. In all cases, when the Native American Heritage Commission states there are "no records of sacred sites in the project area" the NAHC will always refer lead agencies to the respective Native American Tribe because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & Tribal Historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. While the property may be located in an area that has been previously developed, numerous examples can be shared to show that there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. Please note, if they haven't been listed with the NAHC, it doesn't mean that they aren't there. Not everyone reports what they know.

The recent implementation of AB52 dictates that lead agencies consult with Native American Tribes who can prove and document traditional and cultural affiliation with the area of said project in order to protect cultural resources. However, our tribe is connected Ancestrally to this project location area, what does Ancestrally or Ancestral mean? The people who were in your family in past times, Of, belonging to, inherited from, or denoting an ancestor or ancestors <http://www.thefreedictionary.com/ancestral>. Our priorities are to avoid and protect without delay or conflicts – to consult with you to avoid unnecessary destruction of cultural and biological resources, but also to protect what resources still exist at the project site for the benefit and education of future generations. At your convenience we can Consultation either by Phone or Face to face. Thank you

CC: NAHC

With respect,

Andrew Salas, Chairman
cell (626)926-4131

Andrew Salas, Chairman
Albert Perez, treasurer I

Nadine Salas, Vice-Chairman
Martha Gonzalez Lemos, treasurer II

Christina Swindall Martinez, secretary
Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

www.gabrielenoindians@yahoo.com

gabrielenoindians@yahoo.com



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 3, 2017

Kristen Johnston, Associate Planner
City of Duarte
Community Development Department
1600 Huntington Drive
Duarte, CA 91010

Dear Ms. Johnston:

**NOTICE OF AVAILABILITY, NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION, "3RD AND OAK RESIDENTIAL PROJECT,"
PROPOSES TO DEMOLISH ALL ON-SITE BUILDINGS AND RELOCATE THE
EXISTING THIRD STREET PARK FROM ITS CURRENT LOCATION, AND
CONSTRUCT 18 RESIDENTIAL UNITS ON THE PROJECT SITE, LOCATED ON THE
SOUTHWEST CORNER OF 3RD STREET AND OAK AVENUE, DUARTE,
FFER 201600196**

The Notice of Intent to Adopt a Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

We have no comments.

LAND DEVELOPMENT UNIT:

The Land Development Unit is reviewing the proposed project for access and water system requirements. The development of this project must comply with all applicable

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

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DUARTE
EL MONTE
GARDENA
GLENDALE
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE

LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWNDALE
LOMITA

LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

Kristen Johnston, Associate Planner
January 3, 2017
Page 2

code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.

ACCESS REQUIREMENTS:

1. Provide a minimum unobstructed width of 20 feet exclusive of shoulders except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Fire Code 503.1.1 and 503.2.1.
2. The proposed driveway within the development shall provide approved street names and signs. All future buildings shall provide approved address numbers.
3. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
4. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
5. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
6. All fire lanes shall be clear of all encroachments and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1.
8. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE." Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for Fire Apparatus Access Roads to clearly indicate the entrance to such road or prohibit the obstruction thereof and at intervals as required by the Fire Inspector. Fire Code 503.3.

Kristen Johnston, Associate Planner
January 3, 2017
Page 3

9. Approved building address numbers, building numbers, or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background be Arabic numerals or alphabet letters and be a minimum of four inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
10. A minimum five-foot-wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.
11. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5.

WATER SYSTEM REQUIREMENTS:

1. All fire hydrants shall measure 6"x 4" x 2-1/2" brass or bronze conforming to current AWWA standard C503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. The required fire for the public fire hydrants for single family residential homes less than a total square footage of 3600 feet is 1250 gpm at 20 psi residual pressure for two hours with one public fire hydrant flowing. Any single family residential home 3601 square feet or greater shall comply with Table B105.1 of the Fire Code in Appendix B.
3. Install three new public fire hydrants. (Locations: as indicated by the applicant on the Tentative Map).
4. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
5. Submit the completed original copy of the Fire Flow Availability Form (Form 195) for the new required public fire hydrants. The fire flow data shall be submitted to the County of Los Angeles Fire Department Fire Prevention Engineering Unit prior to the issuance for building permits.
6. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.

Kristen Johnston, Associate Planner
January 3, 2017
Page 4

7. All required public fire hydrants shall be tested and accepted prior to beginning construction. Fire Code 501.4.

Review and approval by the Los Angeles County Fire Department Fire Prevention Engineering Section will be required for this project prior to Building Permit Issuance.

For any questions regarding the report please contact Inspector Claudia Soiza at (323) 890-4243 or at Claudia.Soiza@fire.lacounty.gov.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

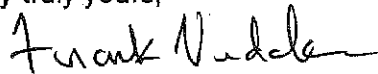
The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department has determined from our review of information that a permitted underground storage tank (UST) is located on the project site. Information regarding the UST should be further reviewed and the Los Angeles County Department of Public Works, Environmental Programs Division (DPW, EPD) UST Program should be contacted to determine the status of the onsite UST and whether there are any known environmental issues/concerns at the project site. The HHMD has no additional comments at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VIDALES, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:ac

A. WOULD THE PROJECT EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project site is located within the jurisdictional boundaries of District No. 22 of the County Sanitation Districts of Los Angeles County (Districts). The State Water Resource Control Board (SWRCB) works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The City of Duarte and Los Angeles County are within the jurisdiction of the Los Angeles RWQCB. The Districts oversees the treatment facilities that serve the City and Los Angeles County.

Wastewater flow originating from the project site discharges to local sewers before it is conveyed to the Districts' trunk sewers. The trunk sewers that serve the project area is Joint Outfall "B" Unit 8H include the Buena Vista Trunk Sewer, located in Huntington Drive at Brycedale Avenue~~Three Ranch Road west of Duncannon Avenue, and the Duarte Trunk Sewer, located in Highland Avenue between the I-210 Freeway and Duarte Road.~~ The trunk sewer iss ~~are~~ 1042-inches in diameter with ~~has~~ a design capacity of 2.147 million gallons per day (mgd), ~~and~~ The Buena Vista Trunk Sewer has a peak flow of 0.5 mgd (last measured in 2012). ~~The Duarte Trunk Sewer has a peak flow of 1.0 mgd (last measured in 2009).~~¹⁴

Wastewater originating from the project site is treated at the Districts' San Jose Creek WRP, or the Whittier Narrows WRP. San Jose Creek WRP, located at 1965 Workman Mill Road in unincorporated Los Angeles County, provides primary, secondary, and tertiary treatment for 100 mgd of wastewater. Currently, the San Jose Creek WRP processes an average flow of 64.8766 ~~mgd~~. Whittier Narrows WRP, located at 301 N. Rosemead Boulevard in the City of El Monte, provides primary, secondary, and tertiary treatment for 15 mgd of wastewater. Currently, the Whittier Narrows WRP processes an average flow of 8.0 mgd.

The proposed project would remove existing on-site buildings, relocate Third Street Park and construct 18 residential units. As shown on Table 4.17-1, Existing and Estimated Project Wastewater Generation, the proposed project is estimated to generate a net increase of 250 gallons per day (gpd) of wastewater. To determine peaking rates, a conservative value of 2.5 was multiplied to the net 458250 ~~458250~~ gpd of wastewater for a result of 1,145625 ~~1,145625~~ gpd or 0.8043 ~~0.8043~~ gallons per minute (gpm). This additional wastewater would require treatment by the existing wastewater treatment plants.

The proposed project would remove existing on-site sewer and install sewer infrastructure for the relocated park and proposed 18 residential units. The proposed project's sewer plans would be reviewed by the City Engineer and would be required to provide sufficient capacity and comply with County standards.

¹⁴ Section 5.15, *Duarte Station Specific Plan Environmental Impact Report*, November 26, 2013. Correspondence from County Sanitation Districts of Los Angeles County, dated December 1, 2016.

TABLE 4.17-1 EXISTING AND ESTIMATED PROJECT WASTEWATER GENERATION

Facility Description	Building Area (SF)	Dwelling Units	Flow Factor ¹	Units	Average Flow (gpd)
Existing					
Office	12,790		200	gpd/ksf	2,558
Proposed					
Residential (Single-Family)		2	260	gpd/unit	520
Residential (Duplex)		1648	312	gpd/duplex	2,4962,808
Total					3,016
Net Change					+458250
1. Source: County Sanitation Districts of Los Angeles County, Table 1, Loadings for Each Class of Land Use					
Notes: sf = square feet; gpd = gallons per day; ksf = 1,000 square feet					

Implementation of the proposed project would generate increased wastewater flows, placing greater demands on wastewater treatment facilities. The wastewater generated by the proposed project would be collected by the Districts and conveyed for treatment at San Jose Creek WRP or the Whittier Narrows WRP. Assuming the net increase peaking rate of 1,145,625 gpd, the proposed project represents 0.001 percent of the total 115 mgd capacity of the two treatment plants. Thus, there is capacity in the two treatments plants to accept wastewater from the proposed project. The increase in wastewater flow from the proposed project would not significantly impact the Districts' treatment plants as it represents a minimal percent of the flow directed to either treatment plant. However, Mitigation Measures UTIL-1 through UTIL-3 are recommended to ensure impacts remain at less than significant levels.

MITIGATION MEASURES

- UTIL-1 The Applicant shall conduct a sewer flow monitoring study and submit to the City Engineer for review and approval prior to approval of building permits. The study shall review flows at selected off-site manholes, both upstream and downstream of the point of connection, to determine the capacity of the local and regional system to accept project-related flows. The Applicant shall be responsible to implement the recommendations in the study to ensure that off-site systems operate in accordance with the Los Angeles County Department of Public Works and County Sanitation Districts of Los Angeles County standards.
- UTIL-2 The Applicant shall design and construct on-site and off-site sewer lines in compliance with the Los Angeles County Public Works Department and County Sanitation Districts of Los Angeles County standards.
- UTIL-3 The Applicant and/or City shall pay all applicable connection fees to Los Angeles County Consolidated Sewer Maintenance District and County Sanitation Districts of Los Angeles County.

RESOLUTION NO. PC 17-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL OF THE CITY OF DUARTE AMEND THE LAND USE POLICY DIAGRAM OF THE CITY'S GENERAL PLAN (GPA16-01) FROM PUBLIC FACILITY AND OPEN SPACE TO MEDIUM DENSITY RESIDENTIAL AND OPEN SPACE FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered the General Plan Amendment (GPA16-01) which provides, among other provisions, for the development of Multiple-Family Residential and Open Space for the development of an 18-unit, owner-occupied, two-story townhome development and relocation and reconstruction of Third Street Park; and

WHEREAS, the Planning Commission has considered proposed General Plan Amendment 16-01, an amendment to the Land Use Policy Diagram of the City's General Plan designation of six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from Public Facility and Open Space to Medium Density Residential and Open Space Land Use Designation ("General Plan Amendment"); and

WHEREAS, notice of a public hearing on the proposed General Plan Amendment, was given in accordance with applicable law; and

WHEREAS, on February 21, 2017 the Planning Commission held a duly noticed public hearing on the proposed General Plan Amendment, whereupon the Planning Commission received public testimony; and

WHEREAS, the Planning Commission received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, after careful study and the public hearing held on February 21, 2017, the Planning Commission recommends the City Council adopt and approve the General Plan Amendment, amending the Land Use Policy Diagram of the City's General Plan designation of six parcels from Public Facility and Open Space to Medium Density Residential and Open Space.

NOW, THEREFORE, the Planning Commission of the City of Duarte resolves as follows:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the General Plan Amendment is internally consistent with all other provisions of the Duarte General Plan

SECTION 3. The Planning Commission finds that the General Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the project site associated with the General Plan Amendment is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the proposed change in land use designation from Public Facility and Open Space to Medium Density Residential and Open Space is the highest and best use for the subject property.

SECTION 6. The Planning Commission determines that the General Plan Amendment is in the best interests and welfare of the City and its residents.

SECTION 7. The Planning Commission hereby recommends the General Plan Amendment, which amends the City's General Plan Land Use Diagram, in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 8. In recommending adoption of this Resolution for the General Plan Amendment, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding General Plan Amendment, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding General Plan Amendment.

SECTION 9. Except as expressly amended herein, the Land Use Policy Diagram shall remain in full force and effect and shall apply to the property affected by this Resolution.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February, 2017.

Paula Watson, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.
CITY OF DUARTE

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES:

NOES:

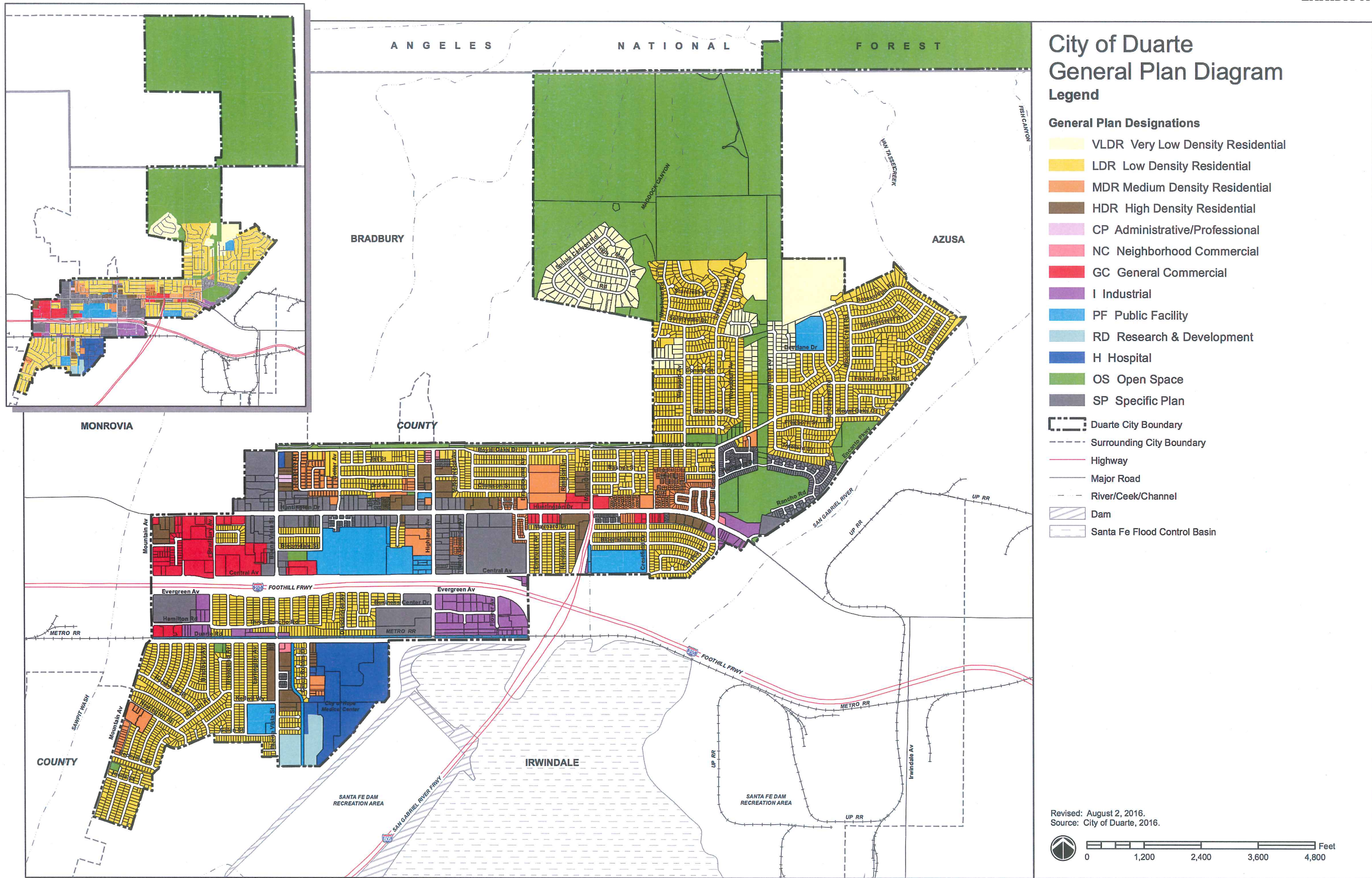
ABSTAIN:

ABSENT:

Craig Hensley, Community Development Director

Exhibit “A”

General Plan Land Use Diagram attached hereto



RESOLUTION NO. PC 17-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE, CALIFORNIA, RECOMMENDING THE DUARTE CITY COUNCIL ADOPT A ZONE CHANGE AND MODIFY THE CITY OF DUARTE ZONING MAP (ZC 16-01) FROM THE PUBLIC FACILITY (PF) AND OPEN SPACE (O) ZONE TO MULTIPLE-FAMILY RESIDENTIAL (R-3) AND OPEN SPACE (O) FOR SIX PARCELS OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered the Zone Change (ZC16-01) which provides, among other provisions, for development of an 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park; and

WHEREAS, the Planning Commission, has considered proposed Zone Change 16-01, changing the zoning designation and modifying the City of Duarte Zoning Map for six parcels (APN 8530-011-911, 8530-011-912, 8530-011-913, 8530-011-914, 8530-011-915, and 8530-017-905) from Public Facility (PF) and Open Space (O) Zones to Multiple-Family Residential (R-3) and Open Space (O) ("Zone Change"); and

WHEREAS, notice of a public hearing for the proposed Zone Change, was given in accordance with applicable law; and

WHEREAS, on February 21, 2017 the Planning Commission held a duly noticed public hearing on the proposed Zone Change, whereupon the Planning Commission received public testimony; and

WHEREAS, the Planning Commission received and considered the staff report and all of the information, evidence, and testimony presented in connection with the foregoing; and

WHEREAS, after careful study and the public hearing held on February 21, 2017, the Planning Commission recommends the City Council adopt and approve the Zone Change, modifying the zoning designation of six parcels of land from Public Facility (PF) and Open Space (O) Zone to Multiple-Family Residential (R-3) and Open Space (O).

NOW, THEREFORE, the Planning Commission of the City of Duarte resolves as follows:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the Zone Change is consistent with the Duarte General Plan.

SECTION 3. The Planning Commission finds that the Zone Change will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the project site associated with the Zone Change is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the proposed R-3, Multiple-Family Residential (Medium Density) and Open Space Zone is the highest and best use for the subject property.

SECTION 6. The Planning Commission determines that the Zone Change is in the best interests and welfare of the City and its residents.

SECTION 7. The Planning Commission finds and determines that the Zone Change is consistent with the City's General Plan, and based thereon, the Planning Commission hereby recommends the City Council adopt the Zone Change and the modification to the City of Duarte Zoning Map, in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 8. In recommending adoption of this Resolution for the Zone Change, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Zone Change, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the Zone Change.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.

Paula Watson, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.
CITY OF DUARTE

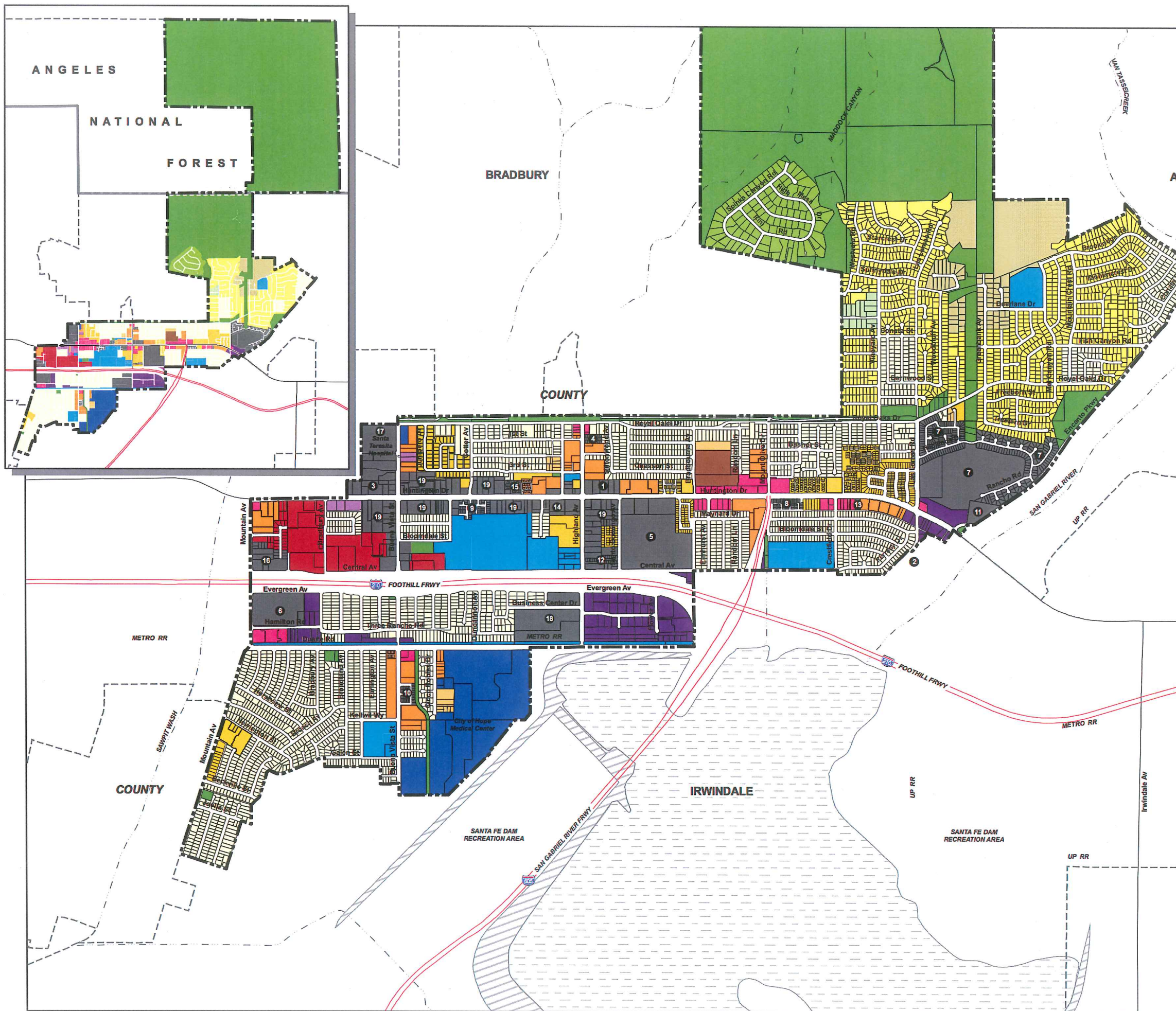
I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

Exhibit “A”

Zoning Map attached hereto



City of Duarte Final Zoning Map

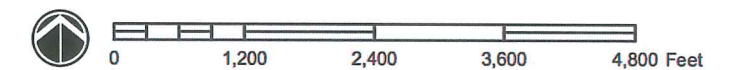
Zoning Designations

- R-1 Single-Family Residential
- R-1A Single-Family Residential
- R-1B Single-Family Residential
- R-1D Single-Family Residential
- R-1E Single-Family Residential
- R-1F Single-Family Residential (Not Mapped)
- R-2 Two-Family Residential
- R-3 Multiple Family Residential Medium Density
- R-4 Multiple Family Residential High Density
- R-MH Mobile Home Residential
- C-G Commercial-General
- C-F Commercial-Freeway
- C-P Commercial-Professional
- M Manufacturing
- H Hospital
- PF Public Facility
- O Open Space
- # SP Specific Plan

(See Chapter 19.22 of the Development Code for a listing of the Specific Plans by name and number.)

Note: Some properties have approved Planned Development Permits (PDP) that supplement or supercede zoning standard. Appropriate files in the Planning Department should be consulted.

Adopted: November 23, 2010.
Updated: November 23, 2016
Sources: Parcel Data - Los Angeles County, 2007.
Zoning Data - City of Duarte, 2010.



RESOLUTION PC 2017-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP NO. 74365 FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant is requesting approval of Tentative Tract Map No. 74365 to allow the development of an 18-unit, owner-occupied, townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, the Tentative Tract Map No. 74365 is contingent upon the approval of General Plan Amendment 16-01 and Zone Change 16-01; and

WHEREAS, the City Engineer has found and determined that Tentative Tract Map No. 74365, and the conditions of approval attached thereto, conforms to the State Subdivision Map Act and the applicable requirements of Article Five of the Duarte Development Code; and

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered Tentative Tract Map No. 74365 for an 18-unit, owner-occupied, two-story development and the relocation and reconstruction of Third Street Park on certain property located at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, a public hearing was held by the Planning Commission of the City of Duarte on February 21, 2017, after due notice was given as required by law, at which time oral and documentary evidence was introduced along with the written recommendation of the Planning staff of the City of Duarte and the Planning Commission recommended approval of Tentative Tract Map No. 74365 to the City Council; and

NOW, THEREFORE, the Planning Commission of the City of Duarte resolves as follows:

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds and determines that Tentative Tract Map No 74365 is consistent with the applicable General Plan.

SECTION 3. The Planning Commission finds and determines that the design of Tentative Tract Map No 74365 is consistent with the applicable General Plan.

SECTION 4. The Planning Commission finds and determines that Tentative Tract Map No 74365 is physically suitable for the proposed development.

SECTION 5. The Planning Commission finds and determines that Tentative Tract Map No 74365 is physically suitable for the proposed development density allowed in the R-3, Multi-Family Residential (Medium Density) and Open Space (O) zoning designations.

SECTION 6. The Planning Commission finds and determines that Tentative Tract Map No 74365 and related improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, as further examined and mitigated in the Mitigated Negative Declaration associated with this project.

SECTION 7. The Planning Commission finds and determines that Tentative Tract Map No 74365 and related improvements are not likely to cause serious public health problems.

SECTION 8. The Planning Commission finds and determines that Tentative Tract Map No 74365 and related improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

SECTION 9. The Planning Commission finds and determines that Tentative Tract Map No. 74365 will not adversely affect the adjoining properties as to value, precedent, or be detrimental to the area because the development has been designed to be commensurate with said land uses and improvements are consistent with the General Plan and applicable land use zones.

SECTION 10. The Planning Commission finds and determines that Tentative Tract Map No 74365 is in the best interests and welfare of the City and its residents.

SECTION 11. The Planning Commission hereby recommends the City Council approve Tentative Tract Map No. 74365, and the conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

SECTION 12. In recommending adoption of this Resolution for Tentative Tract Map No. 74365, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Tentative Tract Map No. 74365, have been prepared and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council's action on the project and corresponding Tentative Tract Map No. 74365.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February, 2017.

Paula Watson, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.
CITY OF DUARTE

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

Exhibit “A”

CONDITIONS OF APPROVAL

Tentative Tract Map No. 74365

1. The developer shall install curb, gutter, approaches, asphalt street and other street improvements as shown on Tentative Tract Map 74365, including said improvements to approximately two residences on the north side of Third Street, across from the project site (generally known as 1703 and 1709 Third Street).
2. Developer shall provide for the undergrounding of utilities along Oak Avenue, or pay an in-lieu fee, as determined by the City Engineer.
3. Codes, Covenants and Restrictions (CC&R's) must be reviewed and approved by the City Attorney and Community Development Department and be recorded prior to the sale of the first unit. Provisions for a homeowners association shall be integrated into the CC&R's for the purposes of maintaining common areas.
4. Developer shall fund and install the signs, striping and other related traffic controls related to the unsignalized intersection improvements at Oak Avenue and Third Street, per the recommendations of the Engineering and Multi-way stop Application study and as approved by the City Engineer and/or Public Works/Engineering Division.
5. Decorative paving materials shall be integrated into driveways and/or driveway approaches as approved by the City Engineer and/or Public Works/Engineering Division.
6. The developer shall comply with the City's cable installation requirements, per Chapter 16.34 of the Duarte Municipal Code.
7. All utilities for direct service to the project shall be installed underground.
8. The Applicant/Developer shall comply with the 2016 edition of the codes as adopted by reference by the City of Duarte. California Green Building Standards Code, California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, and California Electrical Code. (Codes as amended by the County of Los Angeles.)
9. The Applicant/Developer shall comply with the latest California Title 24 Energy requirements for all new lighting, insulation, and mechanical equipment and submit calculations at time of initial plan review.
10. The Applicant/Developer shall comply with subdivision requirements provided by the Los Angeles County Fire Department, unless otherwise modified by the Community Development Department and/or Fire Department.

11. The Applicant/Developer shall comply with the latest disabled access regulations as found in Title 24 of the California Code of Regulations and the Americans with Disabilities Act. Accessible items shall include, but not be limited to: parking, accessible pedestrian routes, accessible/adaptable units, public/common use areas, swimming pool, etc.
12. Grading, drainage, civil, and related engineering plans and all required plan check fees shall be submitted to the City Engineer and/or Public Works/Engineering Division for plan check prior to construction. Approval from the City Engineer and/or Public Works/Engineering Division shall be obtained prior to the issuance of permits. Prior to the issuance of a certificate of occupancy, a Public Works right-of-way permit for the proposed right-of-way modifications shall be obtained, and the work completed. The right-of-way permit must be issued to a licensed concrete contractor.
13. The Applicant/Developer shall submit a Precise Paving and Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
14. The Applicant/Developer shall submit a Precise Grading Plan for the proposed development to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division.
15. Prior to the issuance of any grading or building permits, the Applicant/Developer shall submit an updated Engineering/Geology/Soils Report that includes an accurate description of the geology of the site and conclusions and recommendations regarding the effect of the geologic conditions on the proposed development and include a discussion of the expansiveness of the soils and recommended measures for foundations and slabs on grade to resist volumetric changes of the soil. This report shall also include recommendations for surcharge setback requirements in the area of ungraded slopes steeper than five horizontal to one vertical.
16. Building foundation inspections shall not be performed until a rough grading certification, survey stakes in place, and a final soils report have been filed with the City and approved. All drainage facilities must be operable.
17. Fees shall be paid to Duarte Unified School District in compliance with Government Code Section 65995.
18. The Applicant/Developer shall contact the Los Angeles County Public Works Department, Environmental Program Division for any required permit on clearance of industrial and hazardous waste disposal.
19. The Applicant/Developer shall provide a signed copy of the City's certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles

County as mandated by the National Pollutant Discharge Elimination System (NPDES).

20. The Applicant/Developer shall install sanitary sewers to serve the entire development to the specifications of the City Engineer and/or Public Works/Engineering Division. A connection fee is required by the County Sanitation District in order that necessary expansions and/or connections to the sewerage system can be constructed to accommodate new development. Said fees shall be paid prior to the issuance of building permits.
21. The Applicant/Developer shall provide drainage improvements to carry runoff of storm waters in the area proposed to be developed, and for contributory drainage from adjoining properties to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division. The Applicant/Developer shall make a good faith effort to negotiate with the downstream property owner for all required downstream storm drain improvements. The proposed drainage improvements shall be based on a detailed Hydrology Study conforming to the current Los Angeles County methodology. The developed flows outletting into the existing downstream system(s) from this project cannot exceed the pre-existing storm flows.
22. The Applicant/Developer shall provide sewer, drainage and Reciprocal Access Easements for the development to the satisfaction of the City Attorney and City Engineer.
23. The Applicant/Developer shall provide street lights, street name signs and stop signs in accordance with the standards of the City, if applicable.
24. The Applicant/Developer shall provide full street improvements on all street within the limits of the development. Improvements to include curbs and gutters, sidewalks, medians, and paving according to City standards, as shown in the following table:

Street Name	Curb & Gutter	A.C. Pavement	Side-walk	Drive Approach	Street Lights	Street Trees	Equestrian Trail	Median Island	Bike Trail	Other
Oak Avenue and Third Street, adjacent to project	x	x	x	x	x	x				
1703 & 1709 Third Street	x	x		x						
Notes:										

25. The Applicant/Developer shall offer to dedicate all street right-of-way as shown on the Tentative Map (internal streets shall be private).
26. The Applicant/Developer shall submit water plans to be reviewed and approved by the City Engineer and/or Public Works/Engineering Division, California American Water and the Los Angeles County Fire Department.
27. The Applicant/Developer shall be responsible for any repairs within the limits of the development, including but not limited to streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer and/or Public Works/Engineering Division.
28. All work adjacent to or within the right-of-way shall be subject to review and approval of the City Engineer and/or Public Works/Engineering Division and the work shall be in accordance with applicable standards of the City of Duarte; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.
29. For projects that disturb one (1) acre or greater of soil, or projects that disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, the project must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, Construction General Permit Order 2012-0006-DWQ (as amended by all future adopted Construction General Permits). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Developer must submit a Notice of Intent and Waste Discharger's Identification (WDID) number as evidence of having applied with the Construction General Permit before the City will issue a grading permit. The project proponent is ultimately responsible to comply with the requirements of Order No. 2012-0006-DWQ, however, the City shall have the authority to enter the project site, review the project SWPPP, and require modifications and subsequent implementations to the SWPPP in order to prevent polluted runoff from leaving the project site onto public or private property.
30. The project is subject to Low Impact Development (LID) regulations, Applicant/Developer must submit a site-specific drainage concept and stormwater quality plan to implement LID design principals.
31. A fully executed "Maintenance Covenant for LID Requirements" shall be recorded with the L.A. County Registrar/Recorder and submitted to the Public Works Department prior to the Certificate of Occupancy. Covenant documents shall be required to include an exhibit that details the installed treatment control devices as well as any site design or source control Best Management Practices

(BMPs) for post construction. The information to be provided on this exhibit shall include, but not be limited to:

- i. 8 1/2" x 11" exhibits with record property owner information.
 - ii. Types of BMPs (i.e., site design, source control and/or treatment control) to ensure modifications to the site are not conducted without the property owner being aware of the ramifications to BMP implementation.
 - iii. Clear depiction of location of BMPs, especially those located below ground.
 - iv. A matrix depicting the types of BMPs, frequency of inspection, type of maintenance required, and if proprietary BMPs, the company information to perform the necessary maintenance.
 - v. Calculations to support the sizing of the BMPs employed on the project shall be included in the report. These calculations shall correlate directly with the minimum treatment requirements of the current MS4 permit. In the case of implementing infiltration BMPs, a percolation test of the affected soil shall be performed and submitted for review by the City Engineer.
 - vi. This document shall be reviewed by and concurred with Public Works to ensure the covenant complies with the MS4 Permit.
32. Improvement plans and necessary letters of credit, cash, and/or bonds to secure the construction of all streets, storm drains, water, sewer, grading, and equestrian trails shall be submitted and approved by the City Engineer, and the subdivision agreement and other required agreements approved by City Attorney, prior to the recordation of the Final Map.
33. A Final Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
34. All easements existing at the time of the Final Tract Map approval must be accounted for on the approved Tentative Map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket in nature or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location.
35. Easements for Private Driveways and Fire Lanes, and all utilities, including water, sewer, storm drains shall be provided on the Final Map to the satisfaction of the City Engineer and City Attorney.
36. All site, grading, landscape & irrigation, and street improvement plans shall be coordinated for consistency prior to the issuance of any permits.
37. A preliminary title report and guaranteed is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement

holders. The account for this title report should remain open until the final map is filed with the County Recorder.

38. The tentative tract map must comply with the State Subdivision Map Act and Article 5 (Subdivisions) of the Duarte Development Code.
39. The Tentative Tract Map shall expire 24 months from the date of approval. The subdivider, not less than 60 days prior to the expiration date, may request in writing, to the City, an extension of the approval.
40. Application for approval of the final tract map shall be filed with the City Council 30 days prior to the expiration date of the tentative map.
41. The decision of the Planning Commission may be appealed to the City Council within 15 days from the date of the approval letter. Said appeal must be in writing and filed with the City Clerk's office (DMC 19.144) and include all associated fees. The written appeal shall include reasons for the appeal.
42. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.

RESOLUTION NO. PC 17-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE DETERMINING THAT THE PROPOSED REQUEST FOR A PLANNED DEVELOPMENT PERMIT TO ALLOW CUSTOMIZED DEVELOPMENT STANDARDS FOR THE 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, WHERE FLEXIBILITY IN STANDARDS WILL ACHIEVE A HIGHER QUALITY PROJECT REFLECTING EXCELLENCE IN DESIGN, MEETS THE REQUIRED FINDINGS DESCRIBED UNDER DUARTE DEVELOPMENT CODE 19.118.050(B) AND THUS APPROVES PLANNED DEVELOPMENT PERMIT 16-01

WHEREAS, the applicant is requesting approval of a Planned Development Permit to allow flexibility in development standards related to lot-depth, front and rear setbacks and private and common open space requirements, for the proposed 18-unit, owner occupied, two-story townhome development at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, on February 13, 2017 the Architectural Review Board reviewed the plans for the proposed project and related Site Plan & Design Review application 16-22 and recommended approval to the Planning Commission and City Council for consideration; and

WHEREAS, notice of a public hearing on the proposed project and all related applications was given in accordance with applicable law; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report for the Planned Development Permit, and all information, evidence and public testimony received at the public meeting held on February 21, 2017 at 7:00 p.m. in the City Council Chambers;

NOW THEREFORE, the Planning Commission of the City of Duarte resolves as follows:

SECTION 1. The Planning Commission approves PC Resolution 17-04, the request for Planned Development Permit 16-01 at 1101 Oak Avenue and 1634 Third Street, allowing customized development standards related to lot depth, front and rear setbacks, and private and common opens space requirements.

SECTION 2. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 3. The Planning Commission finds and determines as follows, that:

1. The Planned Development Permit 16-01 will accommodate a use that is allowed within the subject base zone, be consistent with the Duarte General Plan, be generally in compliance with all the applicable provisions of this Development Code, and ensure compatibility of uses in the surrounding neighborhood.

A General Plan Amendment and Zone Change is included as part of the overall project proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the Development Code, apart from the proposed modifications as part of the Planned Development Permit. The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and relocation of Third Street Park will not decrease the level of compatibility with the surrounding uses.

2. The proposed project will produce a comprehensive development of superior quality and excellence of design than might otherwise occur from more typical development applications;

The project will use high quality architectural designs and materials, and incorporate high quality tile accents into the building elevations for enhanced architectural streetscape with colored concrete proposed for each unit entry, and units oriented so that pedestrian access is provided at the street with garage access to the rear or side of each unit. With the addition of the paseos feature, enhanced paving and landscaped edges that provide a sense of place within the development and provide for additional residential privacy between the paseo and individual units, the units without private yards are a short distance to the common yard area, and the common yard space is enhanced with features not typically integrated into a project of this scale, such as a built-in barbeque, and both landscaped and walled separation from the street and adjacent private units.

3. Appropriate standards and conditions of approval have been imposed to ensure the protection of the public health, safety and welfare;

Associated PC Resolution 17-01 for General Plan Amendment 16-01, PC Resolution 17-02 for Zone Change 16-01, PC Resolution 17-03 for Tentative Tract Map 74365, and PC Resolution 17-05 for Site Plan & Design Review Application 16-22 include multiple conditions of approval that have been imposed on the project to ensure the protection of the public health, safety, and welfare.

4. Appropriate onsite circulation and traffic control is designed into the development;

The circulation on the property is suitable for the proposed residential use and has been reviewed by the LA County Fire Department to ensure adequate circulation is

provided for public and emergency vehicle access. The property is accessible from four locations off Third Street. Two-car, attached garages have been provided for each of the eighteen units. Guest and overflow parking includes 14 on-site parking spaces, eight stalls in the center of the project and the remaining guest spaces located at the rear of each driveway along the easterly portion of the project. As shown above in Table A, the project exceeds the required parking.

A trip generation analysis was conducted by Albert Grover and Associates, as part of the associated Mitigated Negative Declaration, for the existing uses at the project site to determine the current typical traffic patterns. Based on the current employment at the offices, enrollment at the school, and acreage of the park, 326 trips are generated by the site on a typical weekday. The trip generation rates were determined using the Institute of Transportation Engineers' (ITE) Trip Generation manual, 9th Edition (2012). The project trip generation rates for the proposed 18 two-story development will generate approximately 105 daily vehicle trips, also determined using the ITE 2012 Trip General Manual. Based on the trip generation analysis, the existing offices, Montessori school, and park use experience traffic volumes greater than those anticipated from the proposed residential development.

The intersection of Oak Avenue and Third Street is located primarily within a residential area, but is connected to commercial uses to the south and the Fire Station to the east. Third Street, with an east-west roadway is currently controlled with a two-way stop. Oak Avenue, north-south, does not have a stop control at this intersection. With the relocation and reconstruction of Third Street Park to the south-west end of the project site, adjacent to this intersection, a review of the traffic patterns was conducted. RKA Consulting Group performed an engineering and traffic study to determine if the intersection of Oak Avenue and Third Street required the installation of a multi-way stop application. As a result of this analysis, it was determined that based on a line of sight issue with on-street parking on Oak Avenue, the installation of a multi-way stop application is recommended pursuant to Section 2B.07, Subsection 05.C of the 2014 California MUTCD.

5. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development;

The proposed 18-unit, owner-occupied, two-story townhome development and the relocation of Third Street Park is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. The Planned Development Permit (PDP) allows for flexibility in the efficient use of land and to allow effective design responses to site features. The PDP is appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features.

6. Adequate public services and facilities exist, or will be provided in compliance with the conditions of approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health safety, and general welfare.

The proposed 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is a low intensity use that will have a minimal demand for public services. The subdivision has been designed to meet Fire Department, Sanitation District, various utilities and Duarte Unified School District requirements related to the division of land and the purveying of vital services and infrastructure. Roadways and driveways serving the site meet City mobility and Los Angeles County Fire Department access standards. A fee for the undergrounding of overhead utilities on Oak Avenue will be required of the developer. Curbs, gutters and sidewalks around the development will be conditioned for repair or reconstruction, including several unimproved street frontages on the north side of Third Street. In correspondence with California American Water and Los Angeles County Sanitation Districts, water and sewer connections will be provided to each individual unit, and to also serve common open space areas.

7. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding properties or allowed uses.

The proposed residential development and relocation of Third Street Park is permitted with certification of the project's associated Mitigated Negative Declaration and approval of General Plan Amendment GPA16-01, Zone Change 16-01, Tentative Tract Map No. 74365, Planned Development Permit 16-01, and Site Plan and Design Review 16-22. The proposed mitigation monitoring program and conditions of approval will avoid potential adverse and detrimental impacts on the City and surrounding community. The proposed 18-unit development and relocation of Third Street Park provides an optimal use of the site. It is not anticipated that it will cause a hazard to the public convenience or general welfare to the surrounding areas.

8. The design, location, operating characteristics, and size of the proposed development will be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, and scale.

The characteristics of the project have taken the surrounding uses into consideration with the design of the residential units to ensure the residential development will not decrease the level of compatibility. The development has been designed to: limit the number of attached buildings to no more than duplexes, provide additional width in walkways and paseos, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. Furthermore, the project will feature high quality materials and be designed to emulate Spanish

Colonial Revival architecture.

SECTION 4. The Planning Commission hereby approves Planned Development Permit 16-01 by adopting PC Resolution 17-04, based on the findings listed in Sections 3 and the conditions of approval in accordance with Exhibit “A” attached hereto and made a part of this Resolution.

SECTION 5. In recommending adoption of this Resolution for Planned Development Permit, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Planned Development Permit, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council’s action on the project and corresponding Planned Development Permit.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2017.

Paula Watson, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

CITY OF DUARTE
COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Craig Hensley, Community Development Director

Exhibit "A"

CONDITIONS OF APPROVAL

Planned Development Permit PDP 16-01

Site Plan and Design Review 16-22

-
1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
 2. This approval recommendation is for the construction of 18 two-story, attached single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
 3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
 4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
 5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
 6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
 7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
 8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the

conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
- 11.
12. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
13. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
14. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacturer brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
15. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.
16. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan

related to the aforementioned, must be approved by the Planning Division prior to installation.

17. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
18. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.
19. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.
20. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
21. All utilities for direct service to the project shall be installed underground.
22. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
23. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
24. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
25. The decision of the Planning Commission may be appealed to the City Council within 15 days from the date of the approval letter. Said appeal must be in writing and filed with the City Clerk's office (DMC 19.144) and include all associated fees. The written appeal shall include reasons for the appeal.
26. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or

the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.

RESOLUTION PC 17-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE APPROVING SITE PLAN AND DESIGN REVIEW 16-22, A REQUEST BY TIPPING DEVELOPMENT, INC. FOR AN 18-UNIT, OWNER-OCCUPIED, TWO-STORY TOWNHOME DEVELOPMENT, GENRALLY LOCATED AT THE SOUTHWEST CORNER OF OAK AVENUE AND THIRD STREET (1101 OAK AVENUE AND 1634 THIRD STREET)

WHEREAS, the applicant, Tipping Development, Inc. submitted a design review application for an 18-unit, owner-occupied, two-story townhome development, generally located at the southwest corner of Oak Avenue and Third Street (1101 Oak Avenue and 1634 Third Street); and

WHEREAS, New two-story, multiple-family residential construction requires recommendation from the Architectural Review Board to the Planning Commission, and since this project involves entitlements that also require consideration from the City Council, a recommendation from the Planning Commission to City Council, pursuant to Section 19.112.030 and Table 7-2 in Section 19.122.030 of the Duarte Development Code; and

WHEREAS, On February 13, 2017 the Architectural Review Board reviewed the plans for the Site Plan and Design Review Case 16-22 and recommended approval to the Planning Commission subject to conditions; and

WHEREAS, the Planning Commission of the City of Duarte has considered the project proposal, which provides, among other provisions, for the 18-unit townhome development and relocation and reconstruction of Third Street Park at 1101 Oak Avenue and 1634 Third Street; and

WHEREAS, after careful study and the public hearing held on February 21, 2017, the Planning Commission recommends the City Council approve Site Plan and Design Review Case 16-22 for an 18-unit, owner-occupied, two-story townhome development, subject to conditions of approval.

NOW THEREFORE, the Planning Commission of the City of Duarte resolves as follows:

SECTION 1. All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds and determines as follows, findings for Site Plan and Design Review, as set forth in DDC Section 19.122.050 (E), as the proposed development is:

1. Consistent with the General Plan and is in compliance with all applicable provisions of the Duarte Development Code and all other City ordinances and regulations;

General Plan Amendment and Zone Change 16-01 are included as part of the overall project proposal. The 18-unit, owner-occupied, two-story townhome development and relocation of Third Street Park is consistent with Land Use Goal 1 of the General Plan to re-designate underutilized non-residential properties, and Open Space Goal 1 of the General Plan to ensure that open space is available and accessible to both existing and future residents. The 18-unit development will comply with all the applicable provisions of the R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning districts, apart from the modifications associated with Planned Development Permit 16-01.

2. To be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development:

The proposed 18-unit, owner-occupied, two-story townhome development is located on the southwest corner of Oak Avenue and Third Street. The property is rectangular-shaped parcel with approximately 71,730 square feet of land area. The property contains lot depths ranging from 50' to 129'. R-3 zoning standards require a minimum lot depth of 120'. Planned Development Permit (PDP) 16-01 provides flexibility in development standards through the efficient use of land and effective design responses to site features. The PDP was deemed appropriate given that the project site has unique dimensions, the existing property contains shallow lot depths, there is no ability to provide additional lot depth, the project proposes an effective design considering the site constraints and the applicant has provided an enhanced project with high-quality architecture, decorative entries and streetscapes and other features. Based on the project design and approval of PDP 16-01, the subject parcel is sufficient for accommodating the proposed 18-unit townhome development.

3. In compliance with the applicable criteria specified in Subsection 19.122.040(D), and the site is suitable for the proposed development; and

- *Compatibility. The project development has been well designed to improve the subject property and provide a visual enhancement to the surrounding community. The surrounding land uses include single-family residential and multiple-family residential uses. The proposed project will remove the existing commercial uses, relocate and reconstruct the existing park (Open Space, O) and construct multiple-family residential (R-3) which is compatible with the existing uses that surround the project site. Furthermore, the development has been designed to: limit the number of attached buildings to no more than duplexes, expand the central common space area to provide view corridors through the project, and adjust front setbacks to provide separation from the street. Massing and scale modifications include the integration of varying roof planes, reduced roof pitches to lower overall building height, and providing architectural elements that modulate the frontages of the units. These design modifications increase architectural compatibility with surrounding residential properties.*
- *Architectural Design and Detail. The project proposes a high-quality Spanish Colonial Revival architectural style. The proposed style utilizes a variety of*

architectural features such as bay windows and arched recessed windows with an anodized dark bronze trim finished window and gutters, floral white smooth finish stucco, Spanish and stucco tile entry archways, recessed tile art features, wrought iron balconies and window covers, Capistrano blend concrete roof tile, and wood grain steel garage doors with a walnut finish bead board design. All units have distinct front entries with decorative colored stamped concrete.

- Landscape, Lighting, Parking, Signs, and Other Design Details.
 - a. *Equipment and Utilities.* All new service and utilities will be installed in a manner that screens them from the public right-of-way. New equipment will be installed within attic area or ground-mounted and screened from the public right-of-way. All utilities will be required to be installed underground.
 - b. *Fences/Walls.* Newly proposed or modifications to existing perimeter fences, walls, and/or retaining walls will require review and approval from the Community Development Department. The property currently contains a combination of wrought-iron fencing and block walls, and chain link fencing along the perimeter. The project requires the construction of retaining and property line walls as a part of the project, which will be reviewed and approved by Community Development Department to ensure compliance with the Duarte Development Code.
 - c. *Landscaping.* New landscape improvements will be required as a condition of approval. The landscape areas will be designed to meet the intent and purpose of Chapter 19.40 (Landscaping) of the Duarte Development code and will include a variety of drought tolerant plants, tree types, and decorative hardscape materials. Landscape and Irrigation plans will be prepared by a licensed landscape architect and will require review and approval by the Planning Division.
 - d. *Lighting.* A lighting plan will be required for review prior to installing any light fixtures. The lighting plan will require review and approval from the Planning Division to ensure each fixture will be of high quality, decorative form and scaled to compliment the massing of the building and site. Lighting design will be reviewed to also ensure offsite glare is avoided.
 - e. *Parking.* The project meets the off-street parking requirements for the use by providing attached two-car garages for all 18-units, and exceeds the guest and overflow parking requirements, providing 14 on-site parking spaces. The project also allows adequate circulation into and throughout the property.
- 4. Designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

The project site is surrounded by residential uses - single-family residential homes located directly north and west; multi-family residences to the southwest; multi-family apartments to the northeast and southeast and Fire Station #44 to the east of the

subject property. The proposed R-3, Multiple-Family Residential (Medium Density) and Open Space (O) zoning is compatible with the project site, surrounding neighborhood and will have minimal impacts to the abutting residential properties. The characteristics of the project have taken the surrounding uses into consideration regarding the architectural and site design of the project to ensure the 18-unit, two-story townhome development and will not decrease the level of compatibility with the surrounding uses and will not create and adverse effect on public health, safety, and general welfare on neighboring properties.

SECTION 4. The Planning Commission approves Site Plan and Design Review Case ARB 16-22 by adopting PC Resolution 17-05, based on the findings listed in Section 3 and conditions of approval in accordance with Exhibit “A” attached hereto and made a part of this Resolution.

SECTION 5. In recommending adoption of this Resolution for Site Plan and Design Review, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 et seq. (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 et seq. (CEQA Guidelines) because a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared for the project, and corresponding Site Plan and Design Review, and circulated for public review and comment, and will be considered for certification by the City Council prior to the City Council’s action on the Site Plan and Design Review.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 21st day of February 2016.

Paula Watson, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

CITY OF DUARTE
COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA

I, Craig Hensley, Secretary of the Planning Commission of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on February 21, 2017, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director

Exhibit 'A'

CONDITIONS OF APPROVAL

Planned Development Permit PDP 16-01

Site Plan and Design Review 16-22

1. Complete project approval is contingent upon City Council approval of: General Plan Amendment #2016-01, Zone Change #2016-01, Tentative Tract Map #74365, Planned Development Permit #2016-01, Site Plan and Design Review Case #2016-22, and the associated Mitigated Negative Declaration and Mitigation Monitoring Program. Any associated conditions, related to the approval of the aforementioned entitlements, shall be integrated into the project plans or development.
2. This approval recommendation is for the construction of 18 two-story, attached single-family townhomes, located at 1101 Oak Avenue and 1634 Third Street, as depicted on the approved plans on file with the Planning Division.
3. All exterior materials shall be designed and installed to match the architectural style provided in the plans approved by the highest approval body.
4. Exterior colors and materials for the proposed 18-units and perimeter walls shall be applied as reviewed and approved by Architectural Review Board (ARB).
5. Any revisions to the site plan, floor plan, elevations, colors, and materials in addition to those listed as conditions of approval, shall be reviewed and approved by the Planning Division prior to installation. Such changes may require further review and approval from the ARB.
6. This project is subject to the requirements of Chapter 6.10 of the Duarte Municipal Code, Diversion and Demolition Waste. Prior to the issuance of any demolition or construction permits, the applicant shall submit a Construction and Demolition Diversion Plan and required security deposit. Contact the Planning Division for more information and applicable fees/deposits.
7. The project is considered a Level 2 project according to Chapter 19.52 of the Duarte Development Code (Sustainable Development Practices). The project will be reviewed for minimum compliance with the requirements outlined in this chapter, including but not limited to: an increase to energy efficiency and waste recycling beyond minimum requirements, assurance of water conservation through the use of water-efficient landscaping, achieving LEED Certified status, use of energy-efficient outdoor lighting, etc.
8. Plans and all required plan check fees shall be submitted to the Community Development Department for Building & Safety plan check prior to construction. Approval from Building & Safety and the Planning Divisions shall be obtained prior to the issuance of permits. Construction drawings, including the site plan, elevations, and colors shall be consistent and in substantial compliance with the

conceptual approval and any required conditions of the Architectural Review Board.

9. Prior to issuing permits, any required school fees shall be paid directly to Duarte Unified School District. Contact Duarte Unified School District for more information.
10. The applicant shall submit construction plans to the Los Angeles County Fire Department for review and approval prior to the issuance of building permits. Plans may include conditions related to, but not including: access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code. Fire Department conditions must be integrated into the project design or implemented prior to occupancy.
11. Prior to the issuance of building permits, a detailed wall and/or fence plan shall be reviewed and approved by the Planning Division. The plan shall encompass all walls and fences, including alterations, repair and removal. Any walls and fences must be completed prior to the issuance of a Certificate of Occupancy.
12. Prior to the issuance of building permits, a detailed landscape and hardscape plan, prepared by a licensed landscape architect, shall be submitted to the Planning Division for review and approval. Common recreation area improvements shall be included in this plan. All new landscape areas throughout the development shall be permanently irrigated and landscaped with a variety of small canopy trees, drought-tolerant plants, shrubs, and/or ground cover. All landscaping and irrigation shall comply with Chapter 19.40 (Landscaping) of the Duarte Development Code, including the City's Water Efficient Landscape Ordinance. Additional review fees may apply.
13. Prior to the issuance of building permits, a detailed exterior lighting plan shall, prepared by an appropriate design professional, shall be submitted to the Planning Division. Lighting fixtures shall be of high quality and decorative form and shall be designed to prevent offsite glare. The lighting plan shall include cut-section drawings, manufacturer brochure, photometric/illumination levels/lighting distribution, and any additional information as needed. Additional review fees may apply.
14. Prior to the issuance of a Certificate of Occupancy, landscaping and irrigation shall be installed and functional. All landscaping shall be automatically irrigated. Landscaping shall be continuously maintained and permanently irrigated. All existing plant material shall be alive and healthy and in a disease and pest free condition at all times.
15. The Applicant/Developer shall provide mailboxes per designs and placement approved by the local postmaster and Community Development Department. Any common or "gangboxes", that serve multiple residents, shall be designed to match or compliment the architectural design of the overall project. A plan

related to the aforementioned, must be approved by the Planning Division prior to installation.

16. Developer shall install both building and curb address numbers per City and Los Angeles County Fire Department standards, prior to the issuance of a certificate of occupancy.
17. A final inspection shall be made by the Planning Division prior to final of any building permits to ensure that all conditions have been met.
18. Mechanical equipment and related ducts, vents and other apparatus, including HVAC, shall be screened from public view and must be located inside the structure or ground mounted. Vents, pipes, caps, hoods, and other roof penetrations that must be installed on the roof shall be painted or finished to match the roof color.
19. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
20. All utilities for direct service to the project shall be installed underground.
21. The Developer shall comply with applicable City noise ordinances. Construction activities, deliveries and haul-off will only be permitted from 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction related idling of engines or other disturbances shall occur outside of noted work hours.
22. Building permits for this project must be issued within one-year from the date of project approval from the City Council or the application and approval shall expire.
23. The project shall comply with all regulations of Chapter 19.10 (Residential Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections from the Duarte Development and/or Duarte Municipal Codes.
24. The decision of the Planning Commission may be appealed to the City Council within 15 days from the date of the approval letter. Said appeal must be in writing and filed with the City Clerk's office (DMC 19.144) and include all associated fees. The written appeal shall include reasons for the appeal.
25. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or

the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.



PLANNING COMMISSION STAFF REPORT

Date: February 21, 2017

To: Planning Commission

Subject: **MUNICIPAL CODE AMENDMENT 16-05:** A City initiated request to amend Sections: (1) 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; (2) 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; (3) 19.60.160 second dwelling units; and (4) modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code related to the regulation and approval of accessory (second) dwelling units within the City of Duarte.

SUMMARY

The State's Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of second units in single-family and multi-family residential zones, as specified.

The Duarte Development Code (DDC) provides development standards (Section 19.60.160) for property owners to construct accessory (second) dwelling units, with the intent of providing an alternative housing option for residents. The current development standards for accessory (second) dwelling units allow for their construction within single-family zones, subject to certain development standards, which do not meet all requirements of two recently approved laws relating to accessory dwelling units: Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069").

As previously proposed at the December 19, 2016 Planning Commission hearing, Municipal Code Amendment (MCA) 16-05 proposes modifications to various chapters within the Duarte Development Code, related to accessory (second) dwelling units, to align the City's development standards with new State laws that would otherwise take affect in the beginning of 2017.

BACKGROUND

On December 19, 2016, the Planning Commission made a recommendation to the City Council to review and approve Resolution PC 16-16 to amend the following Duarte Development Code Sections: (1) 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; (2) 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; (3) 19.60.160 second dwelling units; and (4) modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200; and adopt Ordinance 17-O-01.

On January 10, 2017, the City Council considered the Planning Commission's recommendation and discussed several key points, including: allowable unit sizes for both attached and detached accessory dwelling units (ADU's), differences in unit size for larger lots, conversions to rentals,

lot coverage and parking requirements, legal non-conforming and grandfathering issues and impacts to existing residential neighborhoods. After much deliberation, the City Council voted 3-1-1 (Finlay-nay, Kang-absent) to approve the Planning Commission's recommendation, and return with the proposed Ordinance 17-O-01 for second reading at the next scheduled City Council meeting.

At the City Council meeting held on January 24, 2017, for the second reading of Ordinance 17-O-01, Mayor Finlay requested that the Ordinance be sent back to the Planning Commission with direction to reconsider areas within the City that could accommodate larger ADU's. Councilmember Fasana motioned and Paras-Caracci seconded the recommendation – the motion was unanimous.

ANALYSIS

Staff's previous amendment to the Duarte Development Code Section 19.60.160, in addition to all other amendments provided in Exhibit A, was to allow both attached and detached ADU's up to 400 square feet, not to exceed 50 percent of the existing dwelling unit, in all single-family and multiple-family residential zones that maintain a single-family residence. During the City Council meeting on January 24, 2017, City Council directed staff to review surrounding cities proposed development code amendments and to consider allowing larger ADU's for certain areas or zones throughout the City.

Staff surveyed the surrounding cities and concluded that many of the cities contacted have yet to begin drafting any amendments to their existing development standards. Four cities, which include the City of Arcadia, Temple City, Glendora, and Claremont are currently working on their code amendment, and are still in discussion of have not scheduled their code amendments for public hearings. Table A below has been provided to show the jurisdiction contacted, their current standards in regards to accessory unit size allowed, and the proposed unit sizes they are considering.

Table A: Surrounding jurisdictions existing and proposed amendments

Jurisdiction	Current Unit Size Standards	Proposed Unit Size Amendments
Temple City	Attached 30% of primary maximum 640 sf / detached 640 sf	Considering 1,200 sf or 50% whichever is less
West Covina	Min 500 sf with Max of 640 sf	
Covina	Not to exceed 30% no less than 500 sf detached and not to exceed 800 attached	
Azusa	Not to exceed 50%, 2 beds; Carriage house not to exceed 640 sf;	
Glendora	30% of primary not to exceed 1,000 sf for attached / Detached up to 1,000 sf	Considering 900 sf for detached
Claremont	700 sf	Considering 700 sf
El Monte	Attached 650 or 30% whichever is less for attached; Detached no	

	greater than 530 sf	
La Puente	35% of existing not to exceed 1,200 sf	
Arcadia	Detached only not to exceed 20% and no more than 600 sf	PRELIMINARY 800 sf for both attached and detached
Monrovia	No less than 150 not to exceed 640 for detached, attached not to exceed 30%	
Bradbury	7,500 sf lot – attached max 1200 sf 20,000 sf lot – 1200 sf A1-1 acre- 1500 sf A2-2 acre- 2000 sf A5-5 acre- 2500 sf	

An analysis of the City's residential zones found that there are approximately 200 parcels that maintain properties larger than 10,000 square feet in area. These properties typically fall within the residential zones of R-1B, R-1D and R-1E. These larger properties are better suited to accommodate a bigger ADU's, since many of the properties are in zones with more restrictive development standards for setbacks, height and lot coverage. Staff is recommending allowing ADU's up to 700 square feet for parcels larger than 10,000 square feet. The 700 square feet size corresponds with the maximum floor area allowed under the current Duarte Development Code for ADU's.

The proposed changes to Section 19.60.160.C.9, is provided below and Exhibit A attached.

9. The maximum floor area of the ~~second~~ **accessory** dwelling unit shall comply with the following:
 - a. ~~The maximum floor area of the second dwelling unit shall not exceed 700 square feet.~~ **Attached or detached accessory dwelling units shall not exceed fifty percent of the total floor area, excluding garages, of the existing dwelling unit up to a maximum of 400 square feet, for lot sizes up to 10,000 square feet.**
 - b. ~~The maximum floor area of the second dwelling unit may be allowed to increase up to 1,200 square feet, provided the unit is deed restricted to be affordable to low-income households.~~ **Attached or detached accessory dwelling units shall not exceed fifty percent of the total floor area, excluding garages, of the existing dwelling unit up to a maximum of 700 square feet, for lot sizes greater than 10,000 square feet.**

All other proposed modifications to the ADU standards remain substantially unchanged from what was presented to the Planning Commission on December 19, 2016. Minor modifications were made to: Section 19.60.160.C.11.a - involving the removal of the definition of a "Major Transit Stop", and cleaning up Section 19.60.160.C.10 - related to bedrooms within an ADU. Staff has included the previous staff report from that meeting as an informational item (Exhibit D).

RECOMMENDATION

Staff recommends that the Planning Commission review and adopt PC Resolution 17-08 (Exhibit B) amending Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units, which includes the proposed modification to Section 19.60.160.C.9 as described above; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code and recommend that the City Council adopt Ordinance 17-O-04 (Exhibit C).

Respectfully Submitted,



Kristen Johnston
Associate Planner

ATTACHMENTS

- Exhibit A: Duarte Development Code Sections: 19.10.020.A (Table 2-1 and Table 2-2), 19.38.050.A (Table 3-4), 19.60.160, 19.160.020, 19.160.050, and 19.160.200
- Exhibit B: Resolution PC 16-16
- Exhibit C: Draft Ordinance 17-O-04
- Exhibit D: Original Staff report, dated December 19, 2016

EXHIBIT A

19.10.020 - Land use and permit requirements.

A. Allowed land uses.

1. Tables 2-1 and 2-2 indicate the uses allowed within each residential zone and any permits required to establish the use, pursuant to Article 7 (Permit Processing Procedures) and Article 8 (Development Code Administration).
2. Residential uses represent the primary allowed use, and only those additional uses that are complementary to, and can exist in harmony with, the residential character of each zone may be allowed as accessory, conditionally permitted, and/or temporary uses. Accessory uses deemed appropriate may only be permitted when provided as a secondary use on property for which a legally permitted/allowed residential unit exists or is proposed in conjunction with establishment of the accessory use, except as may be otherwise allowed in Article 6 (Nonconformities).
3. Land uses that are not listed in Tables 2-1 and 2-2 or are not shown in a particular zone are not allowed (see Uses Not Classified in Section 19.04.040), except as otherwise provided by Section 19.04.020 (Rules of Interpretation).
4. Where the last column in the Tables 2-1 and 2-2 includes a Chapter or Section number, the regulations in the referenced Chapter or Section shall apply to the use. Provisions in other Sections of this Development Code may also apply as indicated in Section 19.10.090 (Other Applicable Regulations).
5. See Article 9 (Definitions) for land use definitions and explanations.

TABLE 2-1 ALLOWED USES AND PERMIT REQUIREMENTS	Single-Family and Two-Family Residential Zone Permit Requirements							
	P = Permitted By Right A = Permitted as Accessory Use MUP = Minor Use Permit CUP = Conditional Use Permit — = Not Allowed							
Land Use	R-1	R-1A	R-1B	R-1D	R-1E	R-1F	R-2	Specific Use Regulations
Residential Uses								

EXHIBIT A

Single-Family Dwellings	P	P	P	P	P	P	P	See Table 7-2 (Article 7) for Site Plan Review Requirements. See 19.10.050 for R-1D zone special requirements. See 19.10.080 (Manufactured Homes)
Multi-Family Dwellings	—	—	—	—	—	—	—	
Two-Family Dwellings (Duplex)	—	—	—	—	—	—	P	
Mobile Housing Unit	—	—	—	—	—	—	—	
Second Accessory Dwelling Unit	A	A	A	A	A	A	A	See 19.60.160 (Second Accessory Dwelling Units)
Care Uses								
Child Care Home - Large Family	A	A	A	A	A	A	A	See 19.60.100 (Large and Small Family Child Day Care Facilities)
Child Care Home - Small Family	A	A	A	A	A	A	A	
Day Care General - 15 or more children	—	—	—	—	—	—	—	
Agriculture and Animal-Related								
Animal Keeping	A	A	A	A	A	A	A	As regulated by Title 8 (Animals) of the Municipal Code

EXHIBIT A

Horse Keeping	—	—	—	MUP	A	A	—	See 19.60.080 (Horse Keeping)
Horticulture - Private	A	A	A	A	A	A	A	
Other Uses								
Accessory Structures and Uses	A	A	A	A	A	A	A	See 19.60.020 (Accessory Uses)
Educational Institution - Private	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Golf Course, Country Club	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Home Occupations	A	A	A	A	A	A	A	See 19.60.070 (Home Occupations)
Places of Religious Assembly	CUP	CUP	CUP	CUP	CUP	CUP	CUP	See 19.60.140 (Places of Religious Assembly)
Recreational Vehicle Parking (Open/outdoor parking)	A	A	A	A	A	A	A	See 19.38.160 (Recreational Vehicle Parking in Residential Zones)
Temporary Uses	See Chapter 19.124 (Temporary Use Permits)							
Utilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP	

EXHIBIT A

TABLE 2-2 ALLOWED USES AND PERMIT REQUIREMENTS FOR MULTI- FAMILY RESIDENTIAL ZONES	P = Permitted by Right A = Permitted as Accessory Use MUP = Minor Use Permit CUP = Conditional Use Permit — = Not Allowed			
Land Use	R-3	R-4	R- MH	Specific Use Regulations
Residential Uses				
Single-Family Dwellings	P	P	—	See 19.10.080 for Manufactured Housing.
Multi-Family Dwellings	P	P	—	
Two-Family Dwellings (Duplex)	P	P	—	
Mobile Homes	—	—	P	Applies to establishment of a single mobile home in an existing mobile home park
Mobile Home Parks			CUP	Applies to establishment of a new mobile home park
Care Uses				
Child Care Home - Large Family	—	—	—	See 19.60.100 (Large and Small Family Child Day Care Facilities)
Child Care Home - Small Family	A	A	A	
Day Care Facility - 15 or more	CUP	CUP	—	
Residential Care	CUP	CUP	—	

EXHIBIT A

Facilities				
Agriculture and Animal-Related				
Animal Keeping	A	A	A	As regulated by Title 8 (Animals) of the Municipal Code.
Horticulture - Private	A	A	A	
Other Uses				
Accessory Structures and Uses	A	A	A	See 19.60.020 (Accessory Uses) See 19.60.160 (Accessory Dwelling Unit)
Educational Facilities - Private	CUP	CUP	CUP	
Golf Course, Country Club	CUP	CUP	CUP	
Home Occupations	A	A	A	See 19.60.070 (Home Occupations)
Places of Religious Assembly	CUP	CUP	CUP	See 19.60.140 (Places of Religious Assembly)
Recreational Vehicle Parking (open/outdoor parking)	—	—	A	See 19.38.160 (Recreational Vehicle Parking in Residential Zones)
Temporary Uses	See Chapter 19.124 (Temporary Use Permits)			
Utilities	CUP	CUP	CUP	

EXHIBIT A

19.38.050 - Off-street parking space requirements

TABLE 3-4 OFF-STREET PARKING REQUIREMENTS RESIDENTIAL USES	
Land Use	Parking Spaces Required
Single-Family Dwellings (Attached and Detached) and Two-Family Dwellings	2 per dwelling unit in a garage for units with up to 4 bedrooms; 3 per dwelling unit in a garage for units with 5 or more bedrooms. See also 19.38.050(I).
Second Accessory Dwelling Unit	1 per second enclosed per site accessory dwelling unit; a minimum of 2 a minimum of 2 – 3 enclosed parking spaces within a garage is required depending upon total number of bedrooms on the property (in association with primary unit).
Multi-Family Dwellings	2 per unit in a garage, plus overflow and guest parking as follows: 1 overflow parking space per each 4 units 1 guest parking space per each 4 units See also 19.38.050(F) and (I).
Mobile Home Parks	1 per mobile home space plus 1 for each mobile home space for guest parking; guest parking to be separate from mobile home spaces
Live/Work Units	2 spaces per unit in a garage plus customer parking as determined through the Conditional Use Permit.
Senior Housing (when restricted to age 62 and older)	1 space per 1-bedroom unit. 2 spaces for each 2-bedroom unit.
Conversions of Existing Covered Parking Spaces for Single-Unit Dwelling	2 per unit in garage
Large and Small Family Child Day Care Facilities	Spaces required for dwelling unit only, plus 1 per each permanent non-resident employee

EXHIBIT A

19.60.160 – ~~Second~~ **Accessory** dwelling units.

- A. Purpose. This Section provides locational, developmental, and operational standards for ~~second~~ **accessory** dwelling units.
- B. Applicability. The provisions in this Section shall apply to ~~second~~ **accessory** dwelling units as defined in Article 9 and where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development Standards) and the following standards.
- C. City standards. A ~~second~~ **accessory** dwelling unit as authorized by Government Code Section 65852.2 shall comply with all of the following locational and developmental standards:
 - 1. The ~~second~~ **accessory** dwelling unit shall comply with all of the development standards applicable to the specific residential zone in which it is located.
 - 2. ***The lot is zone for single-family or multifamily use and contains an existing, single-family dwelling.***
 - 3. The parcel proposed for the ~~second~~ **accessory** dwelling unit shall contain a minimum of 6,000 square feet, ***unless the accessory dwelling unit is located entirely within an existing structure.***
 - 4. Either the primary unit or the ~~second~~ **accessory** dwelling unit shall be occupied as a primary residence by the property owner.
 - 5. There shall not be more than one ~~second~~ **accessory** dwelling unit on each parcel.
 - 6. The ~~second~~ **accessory** dwelling unit shall be physically attached to the primary residence ~~and shall be designed so that it can revert back to being used as an integral portion of the attached single-family residence in the event that the unit is no longer used as a second dwelling unit or~~ ***located within the living area of the primary residence or detached from the primary residence and located on the same lot as the primary residence.***
 - 7. Colors, materials, roof form, windows, and window trim shall match those of the primary structure.
 - 8. The ***attached*** ~~second~~ **accessory** dwelling unit shall be designed to maintain the appearance of a single-family dwelling.
 - 9. The maximum floor area of the ~~second~~ **accessory** dwelling unit shall comply with the following:
 - a. ~~The maximum floor area of the second dwelling unit shall not exceed 700 square feet.~~ ***Attached or detached accessory dwelling units shall not exceed fifty percent of the total floor area, excluding garages, of the existing dwelling unit up to a maximum of 400 square feet, for lot sizes up to 10,000 square feet.***

EXHIBIT A

- ~~b. The maximum floor area of the second dwelling unit may be allowed to increase up to 1,200 square feet, provided the unit is deed restricted to be affordable to low-income households. **Attached or detached accessory dwelling units, shall not exceed fifty percent of the total floor area, excluding garages, of the existing dwelling unit up to a maximum of 700 square feet, for lot sizes greater than 10,000 square feet.**~~
- 10. **An accessory dwelling unit shall not contain more than one bedroom, which shall comply with the minimum bedroom size required by the Development Code. The maximum number of allowable bedrooms within the second dwelling unit shall comply with the following:**
 - ~~a. The second dwelling unit shall not contain more than two bedrooms, which shall comply with the minimum bedroom size required by this Development Code.~~
 - ~~b. A maximum of three bedrooms shall be allowed for second dwelling units over 700 square feet in size, when deed restricted to be affordable to low-income households.~~
- 11. In addition to all other required off-street parking, there shall be at least one additional off-street parking space for the second **accessory** dwelling unit. The parking space may be uncovered and may be in tandem with the existing off-street parking facilities. **However, these parking standards shall not be imposed on accessory units in any of the following instances:**
 - ~~a. The accessory dwelling unit is located within one-half mile of public transit. Public transit is hereafter defined as a "Major Transit Stop", pursuant to Public Resources Code 21094.5.5.~~
 - b. The accessory dwelling unit is located within an architecturally and historically significant historic district.**
 - c. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.**
 - d. When on-street parking permits are required but not offered to the occupancy of the accessory dwelling unit.**
 - e. When there is a car share vehicle located within one block of the accessory dwelling unit.**
- 12. At the time that the second **accessory** dwelling unit is assigned a street address, it may be given the primary residential numerical address with the alphabetical letter "A" following the numerical designation.
- 13. All gas, sewer, water, and other utility hook-ups shall be part of the primary dwelling unit.

EXHIBIT A

14. Approval by the local health officer where a private sewage disposal system is being used, if required.

15. The ~~second~~ **accessory** dwelling unit shall comply with all building, safety, fire and health codes, and all other applicable laws and regulations.
16. A ~~site plan~~ **Conceptual development plans** and elevations shall be subject to Site Plan and Design Review before the issuance of any Building Permits for the ~~second~~ **accessory** dwelling unit in compliance with Chapter 19.122 (Site Plan and Design Review).
17. A deed restriction, in a form satisfactory to the City Attorney, shall be recorded with the County Recorder to evidence and give notice of the requirements of this Section, and a conformed copy submitted to the City before final building (occupancy) approval.
18. A yearly administrative hearing and/or inspection, if warranted, shall be held by the Director to ensure compliance with all applicable conditions, standards, and terms.

19.160.020 - "A" definitions.

Accessory Dwelling Unit. See "Dwelling Unit."

Accessory Use. See "Use."

Accessory Building or Structure. A structure that is physically detached from, secondary and incidental to, and commonly associated with the primary structure, and as may be further defined by the Building Code as requiring a Building Permit.

Acupuncture. A form of medical treatment involving the use of pressure, needles, or similar applications.

Administrative Variance. See "Variance."

Adult-Oriented Businesses. See Chapter 19.62 (Adult Business Uses).

Agriculture. All methods of production and management of crops, vegetation, and soil. This includes, but is not limited to, the related activities of tillage, fertilization, pest control, harvesting and marketing. Horticulture is not included.

Alcohol Sales, Off-Sale. Any establishment in which alcoholic beverages are sold, served, or given away for consumption off the premises. References to the establishment shall include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee.

Alcohol Sales, On-Sale. Any establishment in which alcoholic beverages are sold, served, or given away for consumption on the premises and which is applying for or has obtained any ABC Licenses for on-site consumption. References to the establishment shall include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee.

Alcohol Sales, On-Sale, Accessory Only. Any establishment that has all of the following characteristics:

- A. Alcoholic beverages are sold, served, or given away for consumption on site.
- B. The establishment will sell or sells alcoholic beverages only as an accessory use to a commercial recreation use. Examples include snack bars and concession stands at facilities sport venues (e.g., baseball, football, rugby, soccer, etc.). For the purposes of this definition, a snack bar or concession stand is an establishment that sells confections, snacks, or other light meals for consumption on-site and that provides no inside seating or drive-through service for customers.

Alley. A public thoroughfare or lane (not more than 30 feet wide) that affords only a secondary means of access to abutting property (see Figure 9-1).

Amateur Radio Antenna. An amateur radio antenna is an antenna at a height and dimension sufficient to accommodate amateur radio service communications

EXHIBIT A

in compliance with Part 97 of Title 47 of the Code of Federal Regulations (or successor regulations).

Ambulance Fleet Services. A base facility where ambulances and similar vehicles are parked and from which they are dispatched, and/or where ambulance vehicles and crews are not based at a hospital or fire department stand by for emergency calls.

Amendment. A change in the wording, context, or substance of this Development Code, or a change in the zone boundaries upon the zoning map which is a part of this Title, in the manner prescribed by the Development Code.

Animal Hospital/Clinic. See "Veterinary Services."

Animal Keeping. The keeping of domestic animals cared for and owned by the occupants of the residential property in accordance with the provisions of Title 8 of the Duarte Municipal Code.

Animal Sales and Services:

- **Animal Boarding/Kennels.** The commercial provision of shelter and care for dogs, cats, other household animals, and horses (where allowed), including activities associated with such shelter and care (e.g., feeding, exercising, grooming, and incidental medical care).
- **Animal Grooming.** The commercial provision of bathing and trimming services for dogs, cats, and other household animals permitted by this Development Code. Overnight boarding is not allowed.
- **Animal Retail Sales.** The retail sales of household animals within an entirely enclosed building. These uses include grooming, if incidental to the retail use, but specifically excludes boarding of animals other than those for sale.

Antenna Tower. See "Wireless Telecommunications Facilities."

Apiary. A facility where beehives of honey bees are housed (also known as a bee yard).

ARB. See "Architectural Review Board."

Arcade (Electronic Game Center). An establishment that provides more than four amusement devices, whether or not the devices constitute the primary use or an accessory or incidental use of the premises. Amusement devices mean an electronic or mechanical equipment, game, or machine that is played or used for amusement, which, when so played or used involves skill and which is activated by coin, key, or token, or for which the player or user pays money for the privilege of playing or using. See also "Internet/Cyber Cafe."

Architectural Review Board. The Architectural Review Board (ARB) of the City of Duarte.

Area Median Income. The median household income for Los Angeles County as provided by Section 50093(c) of the California Health and Safety Code.

EXHIBIT A

Artist Studios. See "Studio - Art, Dance, Martial Arts, Music."

Assembly/Meeting Facilities, Public or Private. A facility for public or private assembly and meetings, exclusive of "Places of Religious Assembly," which is defined separately. Examples of these uses include:

- banquet rooms
- civic and private auditoriums
- community centers
- conference/convention facilities
- meeting halls for clubs and other membership organizations

ATM (Automated Teller Machine). An automated device used by the public to conduct banking and financial transactions electronically (i.e., withdrawing cash from, or depositing cash or checks into, a bank, savings, credit union, credit card or similar account). Does not apply to retail point-of-sale transactions within a fully enclosed location. Also refers to machines located on properties separate from financial institutions.

Attic. The area located between the top plate and the roof or ridge of a building, as further defined in the Building Code (see Figure 9-2).

Auto Repair. See "Vehicle Repair and Service."

Auto Service or Servicing. See "Vehicle Repair and Service."

Auto Accessory Service. See "Vehicle Repair and Service."

Automatic Controller. A mechanical or solid-state irrigation system timer capable of operating irrigation valve stations to set the days and length of time of a water application.

EXHIBIT A

19.160.050 - "D" definitions.

Day Care, General. Establishments that provide nonmedical care for 15 or more persons on a less than a 24-hour basis, including nursery schools, preschools, and day care centers for children or adults. Such use must comply with all applicable State regulations, and specifically those set forth in the California Health and Safety Code commencing with Section 1596.70, to be considered a General Day Care facility. General Day Care establishments may be accessory to an industrial, commercial or institutional use, as may be allowed by Article 2 of this Development Code.

Day Care, Limited. Nonresidential, nonmedical care and supervision of 14 or fewer persons on a less than 24-hour basis.

- **Child Day Care:**
 - **Child Care Home, Small Family (8 or fewer children).** Day care facilities located in single-family dwellings where an occupant of the dwelling provides care and supervision for eight or fewer children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility. Such use must comply all applicable State regulations, and specifically those set forth in the California Health and Safety Code commencing with Section 1596.70, to be considered a small family child care home.
 - **Child Care Home, Large Family (9 to 14 children).** Day care facilities located in single-family dwellings where an occupant of the dwelling provides care and supervision for nine to 14 children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility. Such use must comply all applicable State regulations, and specifically those set forth in the California Health and Safety Code commencing with Section 1596.70, to be considered a large family child care home.
 - **Fifteen or more children.** See "Day Care, General" for facilities serving 15 or more children.
- **Adult Day Care.** See "Day Care, General."

Developer. Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities, which seeks city permits or approvals for all or part of a development.

Development Agreement. Means an agreement entered into between the city and a developer pursuant to Section 65864 of the California Government Code.

Discretionary Approval.

1. Any entitlement or approval required by Title 18 or Title 19 of this code, including but not limited to, conditional use permit, variance, and subdivision map, or

EXHIBIT A

2. Architectural design review approval, if no other entitlement or approval is required by Title 18 or Title 19 of this code.

Donation Box. A bin, storage shed, or similar facility measuring no more than eight feet wide by eight feet long and eight feet high, and established as an accessory use to a primary use for the purpose of providing a collection location for donated clothes, shoes, and small household items. Such facilities generally are established by a charitable or non-profit organization.

Drive-Through or Drive-Up Facilities. An establishment that sells products or provides services to occupants in vehicles, including drive-in or drive-up windows and drive-through services. Examples include fast food restaurants, banks, and pharmacies.

Drip Irrigation. A method of micro-irrigation wherein water is applied to the soil surface as drops or small streams through emitters.

Drought-tolerant Plants. Plants that require less water because they are adapted to regions with frequent drought or to soils with low water-holding capacity.

Dwelling. A structure or portion thereof designed exclusively for permanent residential purposes, but not including hotels, motels, emergency shelters, or extended stay locations.

- ***Accessory Dwelling Unit. An attached or detached dwelling unit which provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as an existing qualified primary dwelling unit is situated.***
- Dwelling Unit. Any structure or portion thereof designed for living and sleeping purposes that contains independent cooking and sanitation facilities.
- Multi-Family Dwelling Unit. A structure or portion thereof containing three or more dwelling units designed for the independent occupancy of three or more households.
- Primary Dwelling Unit. An existing single-unit residential structure on a single lot with provisions for living, sleeping, eating, a single kitchen for cooking, and sanitation facilities, and occupied by one household.
- Single-Family Dwelling Unit. A detached structure containing no more than one dwelling unit which, regardless of form of ownership, is designed and/or used to house not more than one household, including all domestic employees for such household.
- ~~Second Dwelling Unit. An attached or detached dwelling unit which provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as an existing qualified primary dwelling unit is situated.~~

EXHIBIT A

- Two-Family Dwelling (Duplex) Unit. A building containing two complete dwelling units designed for the independent occupancy of two households.
- See also "Manufactured Housing" and "Mobile Housing Unit."

19.160.200 - "S" definitions.

Schools, Public and Private. A public or private academic educational institution, including boarding schools; colleges and universities; elementary, middle/junior, and high schools; military academies; and businesses providing instruction in arts and languages. This definition does not include trade schools or non-tuition part-time instruction at places of religious assembly. See "Education Facility."

~~Second Dwelling Unit. "See "Dwelling Unit."~~

Secondary Use. See "Use."

Secondhand Store. A business involved in the retail sale of used goods and merchandise, whereby the sale of such used goods and merchandise comprise 25 percent or more of total monthly sales volume. This definition does not include pawn shops.

Self-service Display. The display or storage of products in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct person-to-person transfer between the purchaser and the retailer or employee of the retailer. A vending machine is a form of self-service display.

Senior Citizen. Generally, any person 62 years of age or older. However, for purposes of any State or federal housing programs, the age may be 55 years or older.

Sensitive Use. See "Use."

Setback. The distance from which a structure, parking area, or other development feature must be separated from a prescribed lot line, easement, or other structure or development feature (see Figure 9-7)

- Front Setback. The minimum distance required between a structure and the front property line.
- Primary Building Line. That portion of the front yard area defined by the space between the front property line and the entire building frontage of the primary structure, whether or not all facade portions of the primary structure coincide with the front setback line (see Figure 9-7).
- Side Setback. The minimum distance required between a structure and a side property line.

EXHIBIT A

- Rear Setback. The minimum distance required between a structure and the rear property line.

Shopping Center. Commercial sites that are primarily retail with two or more separate businesses managed as a total entity and sharing common access, circulation, signage and pedestrian and parking areas so that a public right-of-way does not need to be used to get from business to another. General guidelines follow, but the Director may make a determination on a case-by-case basis.

- Neighborhood. A shopping center that provides a limited number of frequent or recurrently needed personal items or services for residents in an immediate neighborhood that generally has up to 100,000 square feet of combined gross leasable area, without a significant anchor store, and draws its clientele from a five-minute driving radius from the center.
- Community. A shopping center that provides a variety of retail or personal services for patrons that contains approximately 100,000 to 250,000 square feet of combined gross leasable area, may have up to two anchor stores, has a site of 5 or more acres, and draws its clientele from about a 10-minute drive from the center.
- Regional. A shopping center that contains a wide range of retail and service establishments, including at least three anchor stores, having at least 250,000 square feet of combined gross leasable space, and draws its clientele from as much as a 45 minute drive from the center.

Sign. See Chapter 19.42 (Signs).

Single-family Dwelling. See "Dwelling, Single-family."

Site. A lot or group of contiguous lots not divided by any alley, street, other right-of-way or city limit that is proposed for development in accord with the provisions of this Development Code, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Special Events and Temporary Uses. Any activity of limited duration that is permitted through the issuance of a Temporary Use Permit, see Chapter 19.124 (Temporary Use Permits). This definition includes carnivals, farmers' markets, seasonal sales, and promotional events.

Specific Plan. Under Article 8 of the Government Code (Section 65450 et seq.), a legal tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s).

Static water pressure. The pipeline or municipal water supply pressure when water is not flowing.

Storage:

EXHIBIT A

- Storage—Accessory. The indoor storage of materials accessory and incidental to the primary use is not considered a land use separate from the primary use.
- Storage—Outdoor. The storage of various materials outside of a structure other than fencing, either as an accessory or primary use.
- Storage—Personal Storage Facility. See "Personal Storage."

Story. The portion of a building included between the upper surface of any floor and the upper surface of the next floor above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. See also "Basement" and "Attic."

Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground (see Figure 9-8), except for walls and fences.

- Accessory Structure. See "Accessory Structure."
- Attached Structure. Any structure that has a wall or roof in common with another structure.
- Primary Structure. A structure that is conducted as the primary or predominant use of the lot and/or building site.

Studio - Art, Dance, Martial Arts, Music. Small-scale instructional facilities, typically accommodating one group of students at a time, in no more than one instructional space. Examples include: individual and group instruction and training in the arts, production rehearsal, photography and the processing of photographs produced only by users of the studio facilities, martial arts training studios, and gymnastics instruction. Also includes production studios for individual filmmakers, musicians, painters, sculptors, photographers, and other artists. These uses may also include accessory retail sales of products related to the services provided.

Substantial Rehabilitation or Substantially Rehabilitated. The substantial rehabilitation of a dwelling unit(s) as defined in Section 33413(b)(2)(iv) of the California Health and Safety Code.

Supermarket. A self-service grocery and associated consumer goods store divided into departments and also offering prepared foods and food service. May include secondary uses within the store for visitor convenience, such as banking services, retail sales of non-food items, and a pharmacy,

Swap Meet. Any event at which two or more persons offer personal property, new and/or used, for sale or exchange and at which a fee is charged for the privilege of offering or displaying personal property for sale or exchange, and/or at which a fee is generally charged to prospective buyers for admission to the area where personal property is offered or displayed for sale or exchange.

(Ord. No. 852, § 5, 8-26-2014)

ORDINANCE NO. 17-O-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA AMENDING SECTIONS 19.10.020.A (Table 2-1 and Table 2-2) ALLOWED USES AND PERMIT REQUIREMENTS FOR SINGLE FAMILY AND MULTIFAMILY ZONES; 19.38.050.A (TABLE 3-4) OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES; 19.60.160 SECOND DWELLING UNITS; AND MODIFICATIONS TO DEFINITIONS IN SECTIONS 19.160.020, 19.160.050 AND 19.160.200 OF THE DUARTE DEVELOPMENT CODE RELATING TO THE REGULATIONS AND APPROVAL OF ACCESSORY (SECOND) DWELLING UNITS WITHIN THE CITY OF DUARTE

WHEREAS, the City of Duarte (“City”) seeks to ensure that the City’s zoning laws are consistent with the goals, policies and standards set forth in the City’s General Plan, federal law, and state law as it relates to the regulation and approval of second dwelling units within the City; and

WHEREAS, on September 27, 2016, Governor Brown approved California Assembly Bill 2299 (“AB 2299”) and California Senate Bill 1069 (“SB 1069”), which change the manner in which second dwelling units (now called “accessory dwelling units”) must be regulated and processed by local agencies;

WHEREAS, effective January 1, 2017, AB 2299 and SB 1069, codified at Gov. Code §§ 65852.2, 65582.1, 65583.1, 65589.4, 65852.150, and 66412.2, adopt new requirements for local agencies’ regulation of accessory dwelling units and approval of applications for accessory dwelling units; and

WHEREAS, AB 2299 and SB 1069 further provide that in the event a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of the new legislation, any conflicting provisions shall be null and void upon January 1, 2017, unless and until the agency adopts an ordinance that complies with AB 2299 and SB 1069; and

WHEREAS, the proposed amendments to the Duarte Development Code are intended to ensure the City’s procedural and substantive requirements for accessory dwelling units are consistent with the above-described recent changes to State law; and

WHEREAS, after the duly noticed public hearing, held on February 21, 2017, the Planning Commission adopted Resolution No. PC 17-08, recommending the City Council adopt and approve the proposed code amendments; and

WHEREAS, the proposed amendments to the Duarte Municipal Code are set forth in the attached Exhibit A to this Ordinance (the “Code Amendments”)

THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Recitals. The foregoing recitals are true and correct and are incorporated herein as through set forth in full.

SECTION 2: Adoption. Sections 19.10.020.A (Table 2-1 and Tale 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code are hereby amended to read as set forth in Exhibit A, attached to this Ordinance and incorporated herein by this reference.

SECTION 4: No Changes to Permitted Uses/Density. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City's Zoning Code and General Plan.

SECTION 5: CEQA Determination. In adopting this Ordinance, the City Council finds that the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines) because the project is categorically exempt from CEQA pursuant to Title 14 California Code of Regulations Sections 15061(b)(3); 15303; 15332; and 15378, in that it can be seen with certainty that the adoption of the Development Code amendments propose no activity that may have a significant effect on the environment and will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; pertain to new construction or conversion of small structures; and would qualify as infill development.

SECTION 6: Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

SECTION 7: Effective Date. This Ordinance shall become effective thirty (30) days after its passage and adoption. Within fifteen (15) days of the date of adoption of this Ordinance, the City Clerk shall post a copy of said Ordinance in places designated for such posting and shall certify to the same. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be published as required by law.

SECTION 8: That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

PASSED, APPROVED and ADOPTED, at a regular meeting of the Duarte City Council held this ____ day of _____, 2017 by the following vote:

NOES:

ABSENT:

ABSTAIN:

Mayor Margaret Finlay
City of Duarte, California

ATTEST:

City Clerk Marla Akana
City of Duarte, California

(CITY SEAL)

APPROVED AS TO FORM:

David B. Cosgrove, City Attorney
City of Duarte, California

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF DUARTE)

I, Marla Akana, City Clerk of the City of Duarte, County of Los Angeles, State of California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. ____ which was introduced at a regular meeting on the __ day of _____, 2017, and was adopted at a regular meeting held on the __ day of _____, 2017, not being less than 5 days after the date of introduction thereof.

City Clerk Marla Akana
City of Duarte, California



PLANNING COMMISSION STAFF REPORT

Date: December 19, 2016

To: Planning Commission

Subject: **MUNICIPAL CODE AMENDMENT 16-05:** A City initiated request to amend Sections: (1) 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; (2) 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; (3) 19.60.160 second dwelling units; and (4) modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code related to the regulation and approval of accessory (second) dwelling units within the City of Duarte.

SUMMARY

The State's Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of second units in single-family and multi-family residential zones, as specified.

The Duarte Development Code (DDC) provides development standards (Section 19.60.160) for property owners to construct accessory (second) dwelling units, with the intent of providing an alternative housing option for residents. The current development standards for accessory (second) dwelling units allow for their construction within single-family zones, subject to certain development standards, which do not meet all of the requirements of two recently approved laws relating to accessory dwelling units: Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069").

Municipal Code Amendment (MCA) 16-05 proposes modifications to various chapters within the Duarte Development Code, related to accessory (second) dwelling units, to align the City's development standards with new State laws that would otherwise take affect in the beginning of 2017.

BACKGROUND

On September 27, 2016, Governor Brown approved Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069"), which replace the term "second unit" with "accessory dwelling unit." These bills place concrete limitations on the restrictions local agencies can place on accessory dwelling units within their jurisdictions, to those expressly enumerated in and allowed by AB 2299 and SB 1069. Moreover, these bills require ministerial, nondiscretionary approval of accessory dwelling units. They also specify that a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction, and delineate circumstances under which parking standards may not be imposed.

Additionally, these bills provide that in the event a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of the new legislation, that ordinance shall become null and void upon the effective date of the bills, and that agency shall thereafter apply the standards established in AB 2299 and SB 1069 for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section. AB 2299 and SB 1069 become effective on January 1, 2017.

As currently written, the City's Second Dwelling Unit Ordinance (Section 19.60.160) does not meet the requirements of this new legislation. In order to bring the City's code into compliance with the state law, and avoid Section 19.60.160 being rendered null and void, the suggested amendments to the following Duarte Development Code Sections are necessary: (1) 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; (2) 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; (3) 19.60.160 second dwelling units; and (4) modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200.

ANALYSIS

The State of California recognizes the statewide housing crisis and has adopted accessory dwelling unit legislation (AB 2299 and SB 1069) to address these concerns. The accessory dwelling law imposes standards intended to create greater flexibility and to encourage the construction of affordable housing.

The City has allowed accessory (second) units since the adoption of Ordinance 686 in 1991. Subsequent revisions to the City's Zoning (Development) Code have maintained the same development standards and requirements for these types of units; however, a previous requirement to obtain conditional use permit approval was later eliminated. A majority of the development standards applicable to accessory units will remain unchanged from current regulations. The following sections provide further discussion on the areas of the accessory dwelling unit development standards being amended by MCA 16-05 in order to meet the new State laws.

Development Standards

The Duarte Development Code currently allows for attached accessory (second) dwelling units on properties zoned for single-family residences, up to 700 square feet and designed so that the unit can revert back to being used as an integral portion of the main residence in the event that the unit is no longer used as an accessory (second) dwelling unit. Income-restricted units were previously allowed up to 1,200 square feet with a deed restriction for low-income households.

Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069") require cities to modify their current zoning ordinances to permit accessory (second) dwelling units in all single-family and multi-family residential zones (which contains an existing single-family house), and allow for both attached and detached accessory (second) dwelling units up to 1,200 square feet but no more than 50 percent of existing living space. Staff proposes modifying the current development standards to permit both detached and attached accessory (second) dwelling units, not to exceed fifty percent of the total floor area, excluding garages, up to a maximum of 400 square feet. This will allow property owners an alternative housing option for relatives or

renters, in a reasonably sized dwelling unit that minimizes impacts and poses only small increases to land use intensity within existing neighborhoods.

Another modification to our current accessory dwelling unit regulations relate to approximately 100 to 200 homes within the City that remain on private sewage disposal systems. Staff has added a development standard that requires the local health officer to review accessory (second) dwelling units to ensure proper private sewage system sizing.

Parking

Off-street parking requirements for accessory (second) dwelling units currently require one additional space for the unit, in addition to maintaining required parking associated with the existing residence. Staff recommends that this requirement remain, in order to reduce on-street parking. However, additional off-street parking requirements for accessory (second) dwelling units would not be required for the following exceptions, based upon the new State laws: (a) the accessory dwelling unit is located within one-half mile of public transit; (b) the accessory dwelling unit is located within an architecturally and historically significant historic district; (c) the accessory dwelling unit is part of the existing primary residence or an existing accessory structure; (d) when on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; and (e) when there is a car share vehicle located within one block of the accessory dwelling unit.

Other Modifications

In addition to the modifications to the development standards for accessory (second) dwelling units and off-street parking requirements, MCA 16-05 changes all references to “second” dwelling units with “accessory” dwelling units, and modifies the definitions in Sections 19.160.020, 19.160.050, and 19.160.200, to address the same (Exhibit A).

RECOMMENDATION

Staff recommends that the Planning Commission review and adopt PC Resolution 16-16 (Exhibit B) amending Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code and recommend that the City Council adopt Ordinance 17-O-01 (Exhibit C).

Respectfully Submitted,



Kristen Johnston
Associate Planner

ATTACHMENTS

Exhibit A: Duarte Development Code Sections: 19.10.020.A (Table 2-1 and Table 2-2),
19.38.050.A (Table 3-4), 19.60.160, 19.160.020, 19.160.050, and 19.160.200
Exhibit B: Resolution PC 16-16
Exhibit C: Draft Ordinance 17-O-01

RESOLUTION NO. PC 17-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL OF THE CITY OF DUARTE ADOPT ORDINANCE NO. 17-O-04 AMENDING SECTIONS 19.10.020.A (Table 2-1 and Table 2-2) ALLOWED USES AND PERMIT REQUIREMENTS FOR SINGLE FAMILY AND MULTIFAMILY ZONES; 19.38.050.A (TABLE 3-4) OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES; 19.60.160 SECOND DWELLING UNITS; AND MODIFICATIONS TO DEFINITIONS IN SECTIONS 19.160.020, 19.160.050, AND 19.160.200 OF THE DUARTE DEVELOPMENT CODE RELATED TO THE REGULATIONS AND APPROVAL OF ACCESSORY (SECOND) DWELLING UNITS WITHIN THE CITY OF DUARTE

WHEREAS, in accordance with Section 19.142.020 of the Duarte Development Code, an Ordinance (Ordinance No. 17-O-01) to amend Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code, as set forth in Exhibit "A," attached hereto and made part of this Resolution ("Code Amendments") has been proposed by the Director of Community Development; and

WHEREAS, the Planning Commission of the City of Duarte ("Planning Commission") has considered Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code, which provide, among other things, for the regulation and approval of accessory (second) dwelling units within the City; and

WHEREAS, notice of a public hearing on the proposed Code Amendments was given in accordance with applicable law; and

WHEREAS, on February 21, 2017, the Planning Commission held a duly noticed public hearing on the proposed Code Amendments (Ordinance No. 17-O-04), at which time oral and documentary evidence was introduced along with the written recommendation of the Planning Department of the City of Duarte and the Planning Commission received public testimony; and

WHEREAS, the Planning Commission has considered the staff report and all of the information, evidence, and testimony received at the public hearing.

NOW, THEREFORE, the Planning Commission of the City of Duarte resolves as follows:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. Based upon substantial evidence presented to the Planning Commission during the public hearing, including written staff reports and verbal testimony, the Planning Commission hereby finds and determines:

1. The proposed amendments to Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code are consistent with the General Plan and all applicable specific plans, and are specifically intended to comply with changes in State law re accessory residential units, specifically Assembly Bill 2299 (“AB 2299”) and Senate Bill 1069 (“SB 1069”);
2. The proposed amendments to Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; in that they are intended to keep the City’s Development Code consistent with State law; and
3. The proposed amendments to Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code are internally consistent with other applicable provisions of the Duarte Development Code.

SECTION 3. The Planning Commission finds and determines that the proposed amendments to Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code are in the best interests and welfare of the City and its residents.

SECTION 4. Based upon the substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the Planning Commission hereby recommends the City Council adopt and approve the proposed amendments to Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code.

SECTION 5. In recommending adoption of this Resolution (17-O-01) for the proposed amendments to Sections 19.10.020.A (Table 2-1 and Table 2-2) allowed uses and permit requirements for single family and multifamily zones; 19.38.050.A (Table 3-4) off-street parking requirements for residential uses; 19.60.160 second dwelling units; and modifications to definitions in Sections 19.160.020, 19.160.050, and 19.160.200 of the Duarte Development Code, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act pursuant to Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines) because the project is categorically exempt from CEQA pursuant to Title 14 California Code of Regulations Sections 15061(b)(3); 15303; 15332; and 15378, in that it can be seen with certainty that the adoption of the Development Code amendments propose no activity that may have a significant effect on the environment and will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; pertain to new construction or conversion of small structures, and would qualify as infill development.

SECTION 6. The chair shall sign this Resolution and the Secretary shall attest and certify to the passage and adoption of this Resolution.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a public meeting held on the 21st day of February 2017.

Paula Watson-Gardner, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.
CITY OF DUARTE

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Duarte held on December 19, 2016, by the following vote:

AYES:

NOES:
ABSTAIN:
ABSENT:

Craig Hensley, Community Development Director