



Resource Management Agency COUNTY OF TULARE AGENDA ITEM

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS

District Five

AGENDA DATE: November 6, 2018

Public Hearing Required Scheduled Public Hearing w/Clerk Published Notice Required Advertised Published Notice County Counsel Sign-Off Meet & Confer Required Electronic file(s) has been sent Budget Transfer (Aud 308) attached Personnel Resolution attached Agreements are attached and signature tab(s)/flag(s)	Yes	N/A □ N/A □
CONTACT PERSON: Celeste Perez PHC	NE: 5	559-624-7010

SUBJECT: General Plan Initiation No. GPI 18-003 – Lofstedt/Exeter

REQUEST(S):

That the Board of Supervisors:

Approve General Plan Initiation No. GPI 18-003 to authorize the applicant, Eric Lofstedt, to file an application for a General Plan Amendment to change the land use designation from "Agriculture" to "Rural Residential" on one 7.52-acre parcel located on the west side of Road 180 (Cornucopia) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter. Assessor Parcel Number 133-080-017.

SUMMARY:

The Tulare County Resource Management Agency (RMA) has received a request from the applicant to change the County's land use designation within the County Adopted Urban Area Boundary (CAUAB) of Exeter, from "Agriculture" to "Rural Residential" on 7.52 acres. The applicant also requests a change of zone from AE-10 (Exclusive Agriculture-10 acre minimum) to R-A-87 (Rural Residential – 87,000 sq. ft. minimum) on the same 7.52-acre parcel. The applicant proposes to submit a tentative parcel map to divide the property into two parcels: Proposed Parcel 1 = 5.02 acres; Proposed Parcel 2 = 2.5 acres, so that each residence can have their own tax assessment.

This parcel is located on the west side of Road 182 (Cornupia), approximately 1,100 feet south of Avenue 276 (Firebaugh), within the Urban Area Boundary of the City of Exeter on Assessor's Parcel Number (APN) 133-080-017. The site contains two residences and the applicant would like to divide the property so each residence

SUBJECT: General Plan Initiation No. GPI 18-003 – Lofstedt/Exeter

DATE: November 6, 2018

can have their own tax assessment. There already exist numerous parcels in the area that are five acres and less. The surrounding properties are zoned AE-10 and contain rural residences and agriculture. On the north side of Firebaugh the properties are zoned R-A-43 (Rural Residential – 43,000 sq. ft. minimum) and contain rural residences.

The project site is located within the CAUAB for the City of Exeter. It is noted that the City of Exeter Sphere of Influence (SOI) is located approximately 1,300 feet east, at Elberta (Road 184). It is also noted the site is approximately 3,000 feet west of the city limits of Exeter. As such, County staff has notified and will work closely with the City of Exeter.

County of Tulare - City of Exeter Memorandum of Understanding

Urban Area Boundary (UAB) Provisions

- 1. Development may occur on currently zoned non-agricultural land subject to PF 4.19 and 4.21 with exceptions listed in PF 4.18 of the proposed Tulare County General Plan (TCGP).
- 2. Any future development project is subject to the Rural Valley Lands Plan (RVLP) and subject to PF 4.19 and 4.21 with exceptions listed in PF 4.18 of the proposed TCGP.
- 3. The County will work with the City to tighten up exceptions to the AE Zone (PF 4.19 of the proposed TCGP).
- 4. Infrastructure planning as per PF 4.14 of the proposed TCGP will honor adopted City facility plans, plan lines, setback standards and facility plans.
- 5. Regionally Significant Projects Deleted from General Plan Discussion.

In keeping with the County of Tulare – City of Exeter Memorandum of Understanding (MOU) (October 17, 2012), Tulare County will work cooperatively with the City of Exeter to make this project mutually beneficial and consistent with the public interest to provide economic opportunity.

Tulare County General Plan Consistency

The County's General Plan Amendment Policy provides that the Board shall give consideration as to the public need or necessity of the amendment and whether the proposed amendment would further the goals, objectives, and policies of the general plan and not obstruct their attainment (Policies and Procedures 391).

As such, the General Plan Update and the Memorandum of Understanding (MOU) provide the land use mechanism for development projects within this area. As such, the project requires consistency with the GPU Policies in the Planning Framework Element and the MOU.

SUBJECT: General Plan Initiation No. GPI 18-003 – Lofstedt/Exeter

DATE: November 6, 2018

The following provides a summary analysis of consistency with the following General Plan Policies:

PF-4.19 Future Land Use Entitlements in a CACUAB

As an exception to the County policies that the Rural Valley Lands Plan (RVLP) does not apply within CAUDBs and is only advisory within CAUABs, the County may work with an individual city to provide that no General Plan amendments or rezonings will be considered to change the land use designation or zoning classification of any parcel within a CAUAB unless appropriate under the requirements of the RVLP or similar checklist or unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use designation or zoning reclassification.

A RVLP Parcel Evaluation was performed for the project site. After all the factors were applied to the parcel, the project received a preliminary RVLP evaluation of 13 points. According to **Policy RVLP-1.4** "**Determination of Agriculture Land**", if the number of points accumulated is between 12 to 16 points, then it shall be determined to have fallen within a "gray" area in which no clear-cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors shall make a decision based on the unique *circumstances pertaining to the particular parcel of land, including factors not covered* by this system. (See Attachment 2 - RVLP Checklist).

The proposed GPA and project are consistent with the Tulare County General Plan; would further the goals, objectives, and policies of that Plan, and would not obstruct their attainment.

Requested Land Use Designation – Rural Residential

This designation establishes areas for single family dwellings and farm worker housing located away from cities and communities in agricultural or rural areas where dispersed residential development on 1-5 acre parcels is set forth in community or sub-area plans. Typical allowed uses include: detached single-family dwellings and secondary dwellings; agricultural uses such as crop production, orchards and vineyards, grazing, and animal raising; and necessary public utility and safety facilities. This designation is primarily located at the edges of UDBs in the lower foothill and valley regions.

Tulare County Zoning Consistency

Applicants request that the zone district be changed concurrently with the General Plan Amendment. Currently, the parcel is zoned AE-10 (Exclusive Agriculture – 10 acre minimum). The proposed zone is R-A-87 (Rural Residential – 87,000 sq. ft. minimum). The Rural Residential Zone is intended for one-family dwellings of a permanent character placed in permanent locations and one-family manufactured homes installed on a foundation system. Private garages to accommodate not more than three (3) cars. Transitional/Supportive Housing. Growing and harvesting of field crops and the raising of farm animals.

SUBJECT: General Plan Initiation No. GPI 18-003 – Lofstedt/Exeter

DATE: November 6, 2018

The existing two residences would be compatible with the R-A Zone because they are one-family dwelling units.

Consultation Notices

As part of the preparatory process, the County sent a consultation notice on October 2, 2018 to the City of Exeter. This is part of a County-City cooperative process regarding the Memorandum of Understanding between the entities. The City of Exeter did not respond to the County's outreach.

Conclusion

Based on factors listed above, it can be concluded that the proposed GPI (1) will be consistent with Tulare County's General Plan; and (2) the proposed project will further the goals, objectives, and policies of the Tulare County General Plan; and will not obstruct their attainment.

Accordingly, it is respectfully submitted that the proposed GPI should be approved. However, approval of this GPI in no way guarantees that the ultimate project will be approved. Instead, approval of this GPI simply allows the application for the General Plan Amendment and Change of Zone to be processed according to the County's land entitlement procedures.

FISCAL IMPACT/FINANCING:

No Net County Cost to the General Fund.

The applicant cost for a General Plan Amendment and Zone Change is an initial deposit of \$5,000 to the Tulare County RMA. Additional fees of \$100 per hour may be charged, if actual cost of processing the application exceeds the deposits. CEQA documentation and compliance for the project is also charged at a full cost recovery basis.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the "Economic Well Being Initiative - to promote economic development opportunities, effective growth management and a quality standard of living". The authorization to initiate the requested general plan amendment application helps fulfill this initiative by the following:

- Providing effective growth management by allowing individual property ownership that is consistent and harmonious; and
- Providing a higher quality of life by allowing independent property ownership within the County.

SUBJECT:

General Plan Initiation No. GPI 18-003 - Lofstedt/Exeter

DATE:

November 6, 2018

ADMINISTRATIVE SIGN-OFF:

Aaron R. Bock, MCRP, JD, LEED AP Interim Assistant RMA Director

Economic Development & Planning

Michael Washam Associate Director

Reed Schenke, P.E.

Director

cc: County Administrative Office

Attachment 1 - Maps and Graphics

Attachment 2 - RVLP Checklist

Attachment 3 - Correspondence

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF GENERAL PLAN INITIATION NO. GPI 18-003 – LOFSTEDT/EXETER) Resolution No) Agreement No)
UPON MOTION OF SUPERVISO	OR, SECONDED BY
SUPERVISOR	_, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN O	OFFICIAL MEETING HELD November 6, 2018,
BY THE FOLLOWING VOTE:	
AYES: NOES: ABSTAIN: ABSENT:	
ATTEST:	JASON T. BRITT COUNTY ADMINISTRATIVE OFFICER/ CLERK, BOARD OF SUPERVISORS
BY:	
	Deputy Clerk
* * * * * *	* * * * * * * * * *

That the Board of Supervisors:

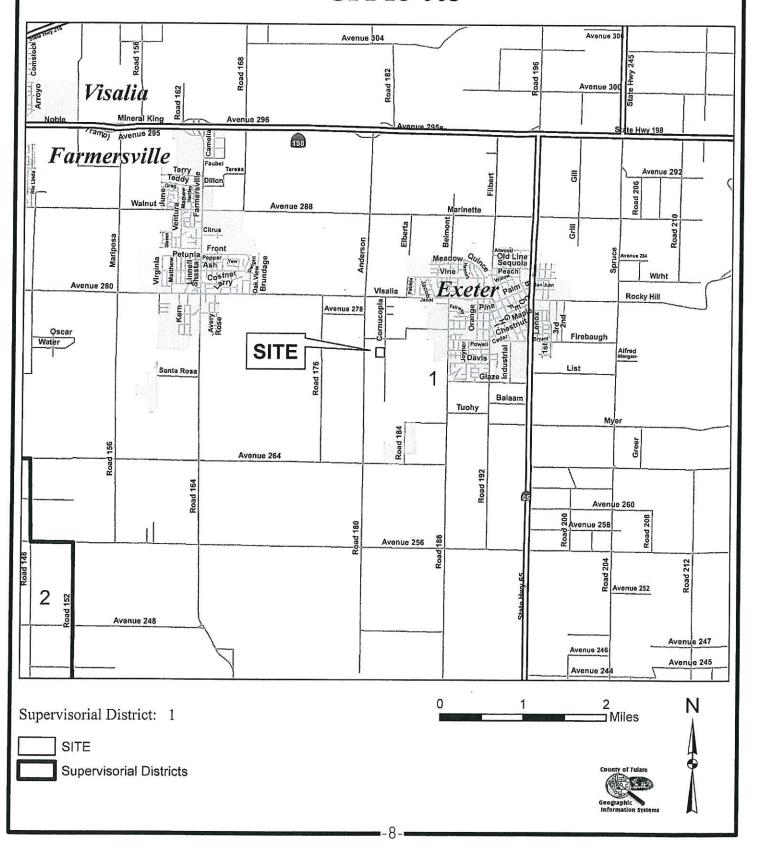
Approved General Plan Initiation No. GPI 18-003 to authorize the applicant, Eric Lofstedt, to file an application for a General Plan Amendment to change the land use designation from "Agriculture" to "Rural Residential" on one 7.52-acre parcel located on the west side of Road 180 (Cornucopia) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter. Assessor Parcel Number 133-080-017.

Attachment 1 Maps and Graphics



Vicinity Map for GPI 18-003

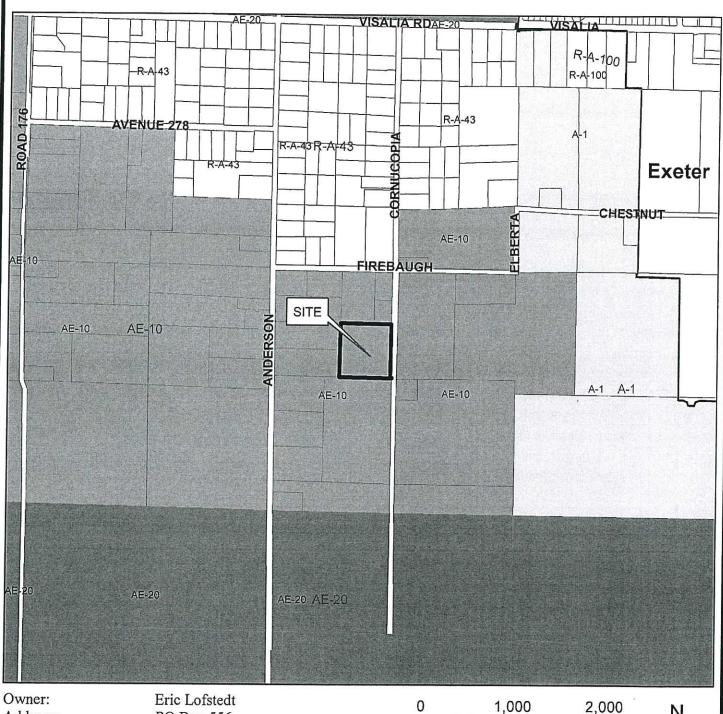






Existing Zoning Map for GPI 18-003



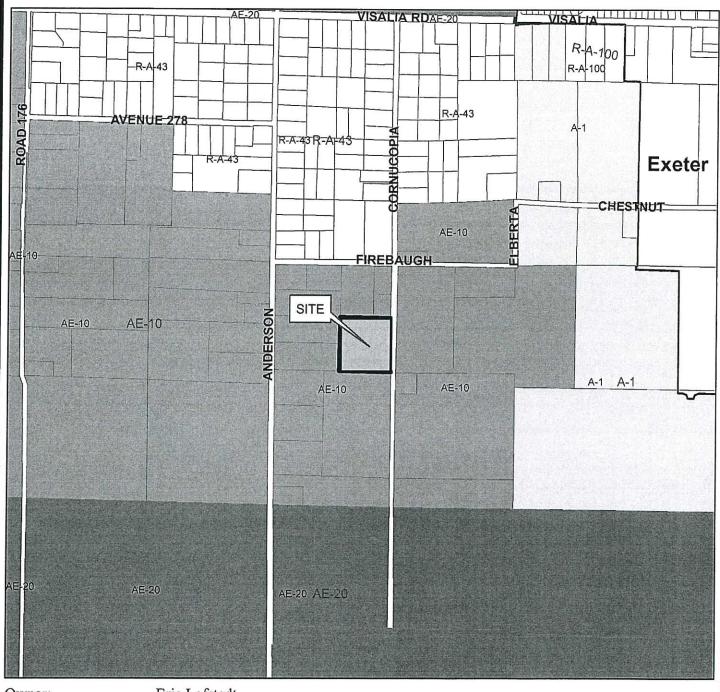


Owner: Address:	Eric Lofstedt PO Box 556,	8	0	1,000	2,000 Feet	Ŋ
City, State, ZIP: Applicant: Agent: Supervisorial District:	Exeter, CA 93221 Same N/A 1		SITE Parcels	AE-10	R-A-100	
Assessors Parcel:	133-080-017	-9-	A-1			



Proposed Zoning Map for GPI 18-003





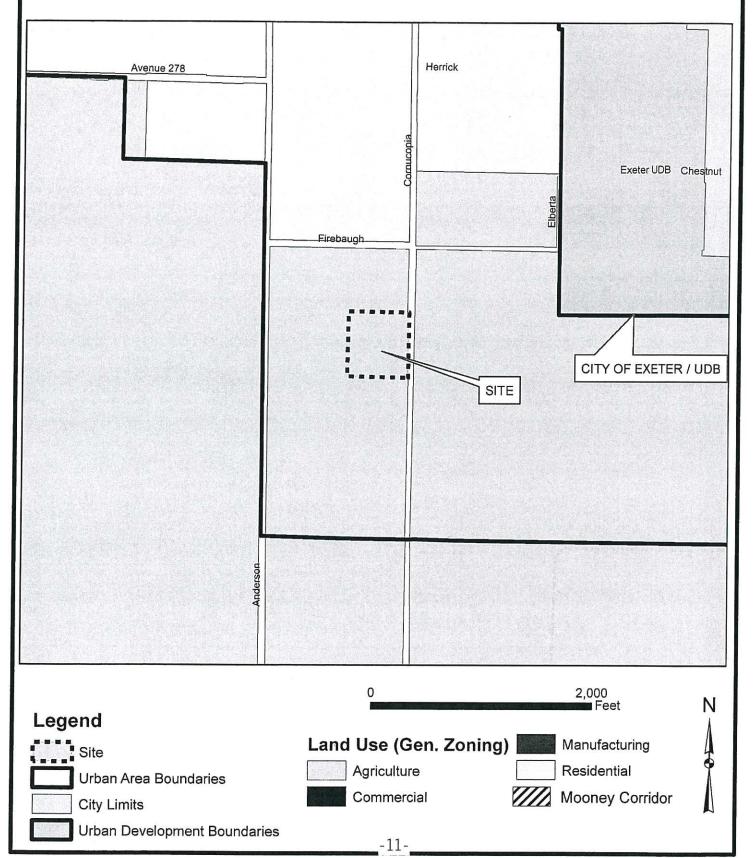
Owner: Eric Lofstedt 1,000 2,000 PO Box 556, Address: Feet City, State, ZIP: Exeter, CA 93221 Applicant: Same SITE AE-10 R-A-100 Agent: N/A Parcels AE-20 R-A-43 Supervisorial District: 1 Assessors Parcel: 133-080-017 A-1 R-A-87

-10



Existing Land Use Plan Map for GPI 18-003

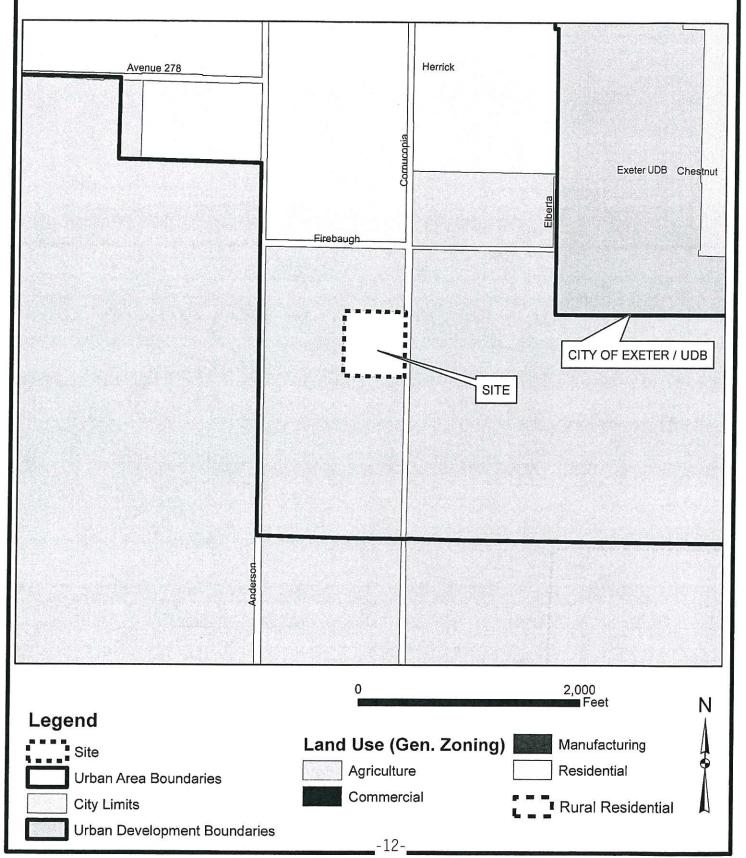






Proposed Land Use Plan Map for GPI 18-003

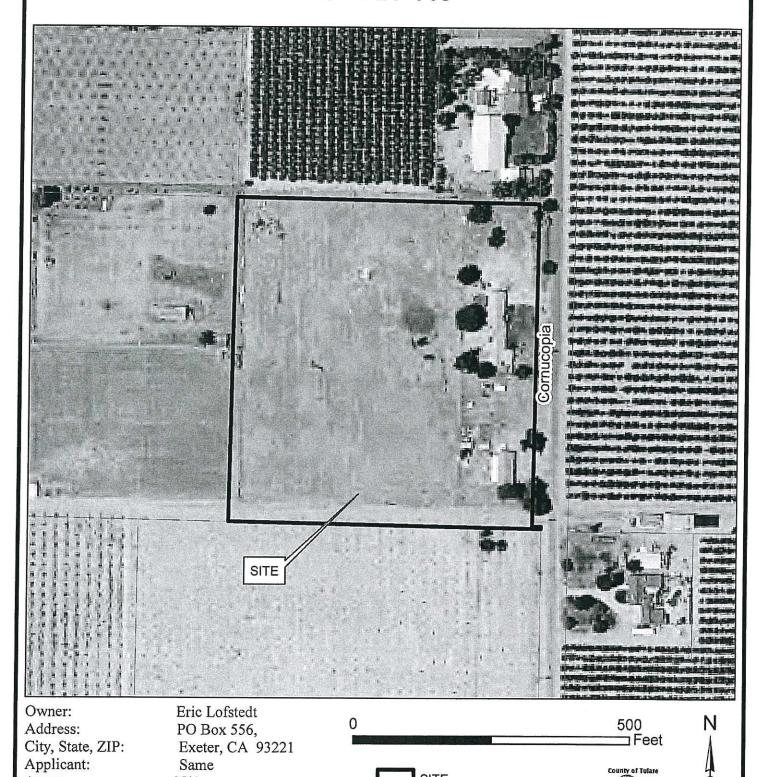






Aerial Photograph for **GPI 18-003**





SITE

Parcels

Same

N/A

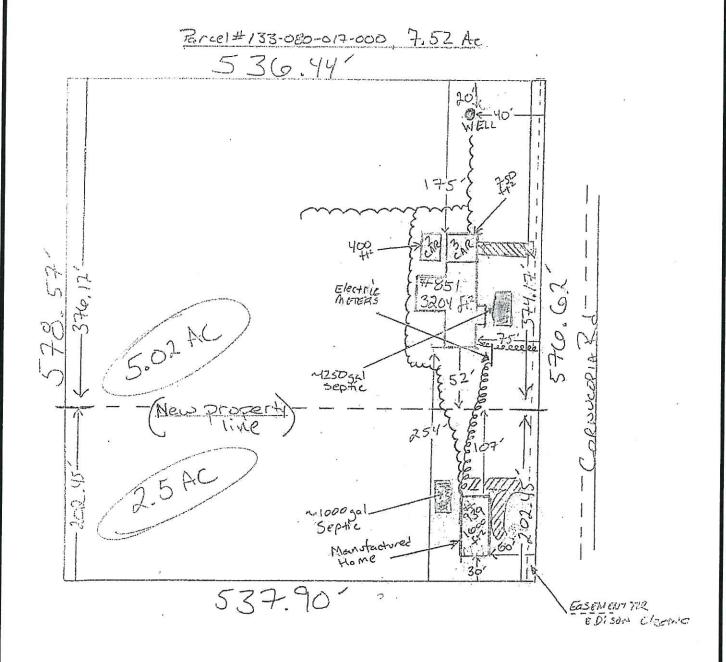
1

133-080-017

Agent:

Supervisorial District: Assessors Parcel:

Exhibit "B"



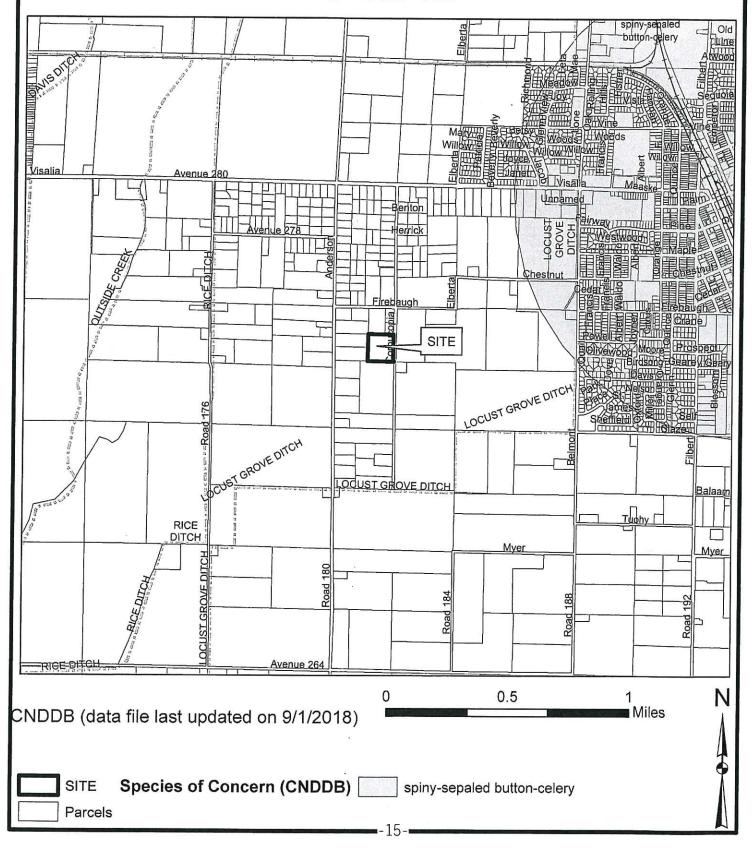
N No Scale

Site Plan Illustration GPI 18-003



Species of Concern for GPI 18-003

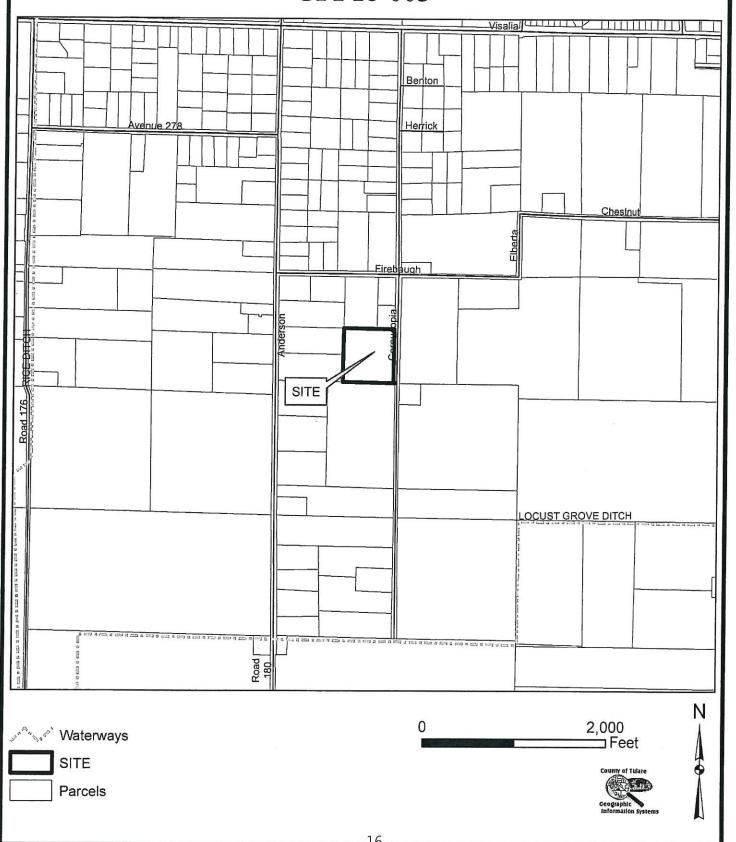






Waterways Map for GPI 18-003





Attachment 2

RVLP Checklist

В.

C.

A. RESTRICTED TO AGRICULTURE VALUES

If a following factor meets the "Restricted to Agriculture" criteria, place an "R" in the value column and stop the evaluation; if the factor meets the "Nonagricultural" criteria, place a "0" in the value column and continue the evaluation. VALUE 1. Agricultural Preserve Status [0] 2. Limitations for Individual Waste Disposal Facilities [0] VARIABLE POINT VALUE Each of the following land capability ratings (as per USDA Soil Conservation Service data) have been awarded a number value, as follows: LAND CAPABILITY **POINT VALUE** Class I, II, or III 4 points [4] Class IV 2 points [0] Class V, VI, or VII 0 points ioi For the following factor, determine the land capability rating(s) of the parcel under review and award its corresponding point value. Class I, II, or III (4 points) [0] Class IV (2 points) Non-Irrigated [2] Class V, VI or VII (0 points) [0] POINT VALUES If a following factor meets the highest relative suitability criteria, award the factor the number of points listed for the category; if the factor meets the lowest relative suitability criteria, award it a "0". FOUR POINT VALUE CATEGORY 1. Existing Parcel Size (use gross acreage figure) [4] 2. Existing Land Use/Suitability for Cultivation [0] THREE POINT VALUE CATEGORY Surrounding Parcel Size (do not evaluate this factor if the site received "0" points for 'Existing Land Use/Suitability for 1. [0] Cultivation'; enter a "0" in such cases) 2. Surrounding Land Use [0] 3. Proximity to Inharmonious Uses (NOTE: Flexible Point Value applicable in some cases) [0] Proximity to Lands in Agricultural Preserves 4. [3] TWO POINT VALUE CATEGORY 1. Level of Ground Water and Soil Permeability [0] ONE POINT VALUE CATEGORY 1. Proximity to Fire Protection Facilities (NOTE: Three Point Value applicable in some cases) [0] 2. Access to Paved Roads [0] 3. Historical Sites, Archaeological Sites, Wildlife Habitats, and/or Unique Natural Features [0] 4. Flood Prone Areas [0] Availability of Community Domestic Water/Fire Flow Requirements 5. [0] 6. Surface Irrigation Water [0] 7. Groundwater Recharge Potential (do not evaluate this factor if the site received "0" points for 'Surface Irrigation Water'; [0] enter "0" in such cases)

BACK-UP STATEMENT FOR RVLP EVALUATION CHECKLIST FOR GPI 18-003 – LOFSTEDT

ASSESSOR PARCEL EVALUATED: APN 133-080-017. The 7.00-acre site was evaluated under the RVLP point evaluation checklist system.

A. RESTRICTED TO AGRICULTURAL VALUES

1. Agricultural Preserve Status:

The subject site is currently under Williamson Act Contract #5500, Preserve #2003. However a Full Non-Renewal, FNR 09-122, was approved and became effective in 2010. The expiration date of the contract is January 1, 2019.

2. Limitation for Individual Waste Disposal Facilities:

No limitations.

B. VARIABLE POINT VALUE

1. Land Capability:

The Soil Conservation Service has rated the agricultural capability of the soil, Flamen Loam, as Class IIs-8 (irrigated) and Class IVe-8 (non-irrigated). It is determined to be in the Prime category. The subject site contains two residences and it has not been actively cultivated since at least 1994.

C. POINT VALUES

4 POINT VALUE

1. Existing parcel size:

The whole project area is 7.0 acres. This factor meets the criteria for highest relative suitability: 4 points allocated.

2. Existing Land Use/Suitability for Cultivation:

The subject site is not in agricultural production and contains two existing residences. The land has not been in cultivation since at least 1994. This factor meets the criteria for lowest relative suitability: 0 points allocated.

3 POINT VALUE

1. Surrounding Parcel Size:

Because this parcel received "0" points for Existing Land Use/Suitability for Cultivation, this factor is not to be evaluated. This factor meets the criteria for lowest relative suitability: 0 points allocated.

2. Surrounding Land Uses:

The site is abutted on two sides with non-agricultural uses and within one-quarter mile of the perimeter of the site, at least 20% of the area is devoted to non-agricultural uses; therefore, the site meets the criteria for the lowest relative suitability factor: 0 points allocated.

3. Proximity to Inharmonious Uses:

The site is not within one-half mile of any of the inharmonious uses listed. Lowest relative suitability has been met: 0 points allocated.

4. Proximity to Lands Within Agricultural Preserves:

The site is abutted on three sides with Agricultural Preserves and within ¼ mile of the perimeter of the site at least 20% of the area is land that is in agricultural preserves. Highest relative suitability has been met: 3 points allocated.

2 POINT VALUE

1. Level of Groundwater and Soil Permeability:

The site contains Flamen Loam soil; the soil permeability is moderate. The Ground to Water Surface Contours Map, 1995 established the water table at 60 feet. The water table is greater than 20 feet from the ground surface. Lowest relative suitability has been met: 0 points allocated.

1 POINT VALUE

1. Proximity to Fire Protection Facilities:

Exeter Station No. 11 is located approximately 1.5 miles northeast of the project site. This station is within the five-mile response distance from fire protection facilities. Lowest relative suitability has been met: 0 points allocated.

2. Access to a Paved County and/or State Maintained Road:

The site has direct access to Road 182 (Cornucopia), a County maintained road. Lowest relative suitability has been met: 0 points allocated.

3. Historical, Archaeological, Wildlife Habitat, and Unique Natural Features:

None of the aforementioned features exist on site. Lowest relative suitability has been met: 0 points allocated.

4. Flood Prone Areas:

The site is located within FEMA Flood Zone X. The subject site is not within an area that is subject to 100-year frequency floods. Lowest relative suitability has been met: 0 points allocated.

5. Availability of Community Domestic Water:

The site has an existing domestic well; the requirements of the Tulare County Fire Flow Ordinance can be met. Lowest relative suitability has been met: 0 points allocated.

6. Surface Water Irrigated Lands:

The site does not have rights to surface irrigation water. Lowest relative suitability has been met: 0 points allocated.

7. Groundwater Recharge Potential:

Because the site received 0 points for Surface Water Irrigated Lands, this criterion is not to be evaluated: 0 points allocated.

Attachment 3

Correspondence



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD VISALIA, CA 93277PHONE (559) 624-7000

FAX (559) 624-7000 FAX (559) 730-2653 Aaron R. Bock Reed Schenke Sherman Dix Economic Development and Planning Public Works

Fiscal Services

REED SCHENKE, P.E., DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

October 2, 2018

PROJECT PROCESSING -	CONSULTATION NOTICE
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To:

Interested Agencies (see next page)

From:

Dana Mettlen, Project Planner

Subject:

General Plan Initiation Case No. GPI 18-003

The Tulare County Resource Management Agency has received a request from the applicants to change the County's land use designation within the County Adopted Urban Area Boundary (UAB) of Exeter, from Agriculture to Rural Residential. The applicant also requests a change of zone from AE-10 (Exclusive Agriculture-10 acre minimum) to R-A-87 (Rural Residential -87,000 sq. ft. minimum). Thirdly, the applicant requests to divide the parcel in two: Parcel 1 = 5.02 acres; Parcel 2 = 2.5 acres so that each residence will have their own ownership and tax assessment (APNs 133-080-017).

The property is located on the west side of S. Cornucopia Road, approximately 560 feet south of Firebaugh, west of Exeter

Please review this proposal and provide any comments and/or recommendations that you feel are appropriate including any scientific or factual information that would be useful in our evaluation. Please indicate in your response which CEQA document this department should prepare:

☐ Categorical Exemption: Class15301	
☐ Negative Declaration:	
☐ Mitigated Negative Declaration	
☐ Environmental Impact Report	
Other:	

This stage of the proposal is a request to authorize the applicant to submit an application for a General Plan Amendment. If so authorized, a formal environmental review consultation will be sent to all interested agencies.

Please forward your comments and/or recommendations to our office by October 16, 2018 so that they may be considered during the review process. If you do not have recommendations and/or comments, please respond with "no comment."

Special Notice to Agencies: Notice of a public hearing for this project will be mailed at least ten (10) days prior to the hearing. If your agency will be significantly affected by this project with respect to your ability to provide essential facilities and/or services, and you wish to receive notice of the public hearing, please state this in your response.

Our office appreciates your time and assistance with this project review. Please direct all correspondence to the Project Planner and Case Number referenced above for this project.

-23-

CASE NO. <u>GPI 18-003</u> CONSULTING AGENCY LIST

TULARE COUNTY AGENCIES

W W	X	R.M.A Building Division R.M.A Code Compliance Division R.M.A Environmental Coordinator R.M.A Environmental Coordinator R.M.A Flood/Permits/Subdivisions Division R.M.A Parks and Recreation Division R.M.A Building Services Division R.M.A General Services Division R.M.A Transportation/Utilities Division R.M.A Solid Waste Division H.H.S.A Environmental Health Service H.H.S.A HazMat Division Traver Substation Fire Chief (2 copies) Sheriff's Department - Visalia Headquart Traver Substation Orosi Substation Porterville Substation Agricultural Commissioner Education Department Airport Land Use Commission Supervisor District Assessor Supervising Agricultural Standards Inspections	vision n ces Division ters
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	_	Levee Dist. No 1* Levee Dist. No 2*	
- 55		Kaweah Delta	Irrigation Dist*
30	_		Pub Utility Dist*
		C	omm. Service Dist*
	_		Town Council*
1			
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	X	City ofExeter City ofCounty of Tulare Lake Basin Water Storage Dist* Kaweah Delta Water Cons. District* SJV Air Pollution Control Dist DERAL AGENCIES Army Corps of Engineers Fish & Wildlife	_ High School Dist****Advisory Council* Fire District*
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STATE AGENCIES

Dept. of Fish & Wildlife Dist 4 Alcoholic Beverage Control Housing & Community Development Reclamation Board Regional Water Quality Control Board - Dist. 5 Caltrans Dist. 6* Dept. of Water Resources* Water Resources Control Board* Public Utilities Commission Dept. of Conservation State Clearinghouse (15 copies) Office of Historic Preservation Dept. of Food & Agriculture State Department of Health
State Lands Commission State Treasury Dept Office of Permits Assist.
OTHER AGENCIES
 U.C. Cooperative Extension Audubon Society - Condor Research Native American Heritage Commission
District Archaeologist (Bakersfield) TCAG (Tulare Co. Assoc. of Govts) LAFCo (Local Agency Formation Comm.) Pacific Bell (2 copies) GTE (General Telephone) (2 copies) P.G. & E. (2 copies) Edison International (2 copies) The Gas Company (2 copies) Tulare County Farm Bureau Archaeological Conservancy (Sacramento)

E:\PLN_FRM\Consultation letters\Consult.oth.doc

Jason T. Britt, M.S. Agency Director

Nilsa Gonzalez • Public Health Branch Deputy Director • Environmental Health Director

October 9, 2018

DANA METTLEN RESOURCE MANAGEMENT AGENCY 5961 SOUTH MOONEY BLVD VISALIA CA 93277

Re: General Plan Initiation, GPI 18-003

Dear Ms. Mettlen:

This office has reviewed the above referenced matter. Based upon our review, we offer the following comments for this project:

 Our office recommends that a ten foot (10') wide well/pipeline repair & maintenance easement, in favor of the smaller proposed parcel, shall be shown on the final map and incorporated into the legal description prepared for this division of land. However, the smaller proposed parcel is large enough to drill a domestic well.

Sincerely,

Ted Martin

Environmental Health Specialist

TOLAR

Environmental Health Services Division

RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

October 4, 2018

TO:

Dana Mettlen, Project Planner

FROM:

Craig Anderson, Engineer III

SUBJECT: General Plan Initiation Request – GPI 18-003

We have reviewed the project description and environmental checklist assessing the nature of and potential impacts associated with the proposed general plan amendment. We recommend that the applicant be authorized to initiate a General Plan Amendment.

No adverse impacts to the County road system are anticipated by the proposed action. However, as specific development proposals are presented in the plan area, we will reserve comment and recommendations for improvements or dedications at that time.

CA: