



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: March 26, 2019

Public Hearing Required	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010				

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZC 18-017 – O’Sullivan, Porterville

REQUEST(S):
That the Board of Supervisors:

1. Hold a Public Hearing at 9:30 a.m. or shortly thereafter.
2. Accept the Categorical Exemption as the appropriate environmental determination, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, pursuant to Title 14, Cal. Code Regulations Section 15061 (b) (3), Class 3, the General Rule.
3. Adopt an Amendment to Ordinance No. 352, the Tulare County Zoning Ordinance, for Change of Zone No. PZC 18-017 to change the zone on approximately 2.19 acres from AE-20 (Exclusive Agriculture – 20 acre minimum) to “C-3” (Service Commercial), located at 591 West Olive Avenue, approximately two miles east of Cotton Center and five miles west of Porterville, consistent with Planning Commission’s Recommendation and Findings of Approval for Planning Commission Resolution No. 9594.

SUMMARY:
Thomas J. O’Sullivan has applied for a change of zone to change the zoning of a 2.19-acre parcel from the AE-20 (Exclusive Agricultural – 20 Acre Minimum) to the C-3 (Service Commercial) Zone. The applicant intends to construct a convenience store and filling station on a 1.23-acre portion of the 2.19-acre parcel. A future parcel map will divide the parcel into two parcels. The agent is Dennis R. Forester, 1620 W. Mineral King Ave., Visalia CA 93291.

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZC 18-017 – O’Sullivan, Porterville

DATE: March 26, 2019

ENVIRONMENTAL SUMMARY:

This project will not have a significant effect on the environment and has been determined to be categorically exempt, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, pursuant to Title 14, Cal. Code Regulations, Section 15061 (b)(3), the General Rule. The basis for the exemption is that the project does not have the potential for causing a significant effect on the environment, and therefore, is not subject to CEQA. The subject site is not located in an environmentally sensitive area and must comply with state and local regulations.

ENTITLEMENT(S):

General Plan - The subject site is located outside any Urban Boundaries and is subject to the Rural Valley Lands Plan, with a Land Use Designation of Valley Agricultural. A Rural Valley Lands Plan (RVLP) Evaluation resulted in 11 points, indicating that the parcel may be considered for non-agricultural zoning. The existing Land Use Designation will remain on the site.

Zoning – The existing AE-20 Zoning on the site allows by right intensive agricultural uses. The requested C-3 zoning is intended for establishments such as a Super Service Station that dispenses diesel fuel and services trucks.

PROJECT HISTORY:

The parcel was created by Tentative Parcel Map No. PPM 82-090 in 1982. A single family dwelling on the site was demolished in 2009. An existing fruit stand will be removed.

FISCAL IMPACT/FINANCING:

No Net County Cost.

The applicants cost for a Change of Zone was an initial deposit of \$6,451 to the Tulare County Resource Management Agency. Additional fees of \$100 per hour are charged if actual cost of processing the Zone Change application exceeds the deposit. 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 requested zone change amendment helps encourage growth consistent with the County General Plan.

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZC 18-017 – O’Sullivan, Porterville

DATE: March 26, 2019

ADMINISTRATIVE SIGN-OFF:



Aaron R. Bock, MCRP, JD, LEED AP
Assistant Director
Economic Development & Planning



Michael Washam
Associate Director



Reed Schenke, P.E.
Director

cc: County Administrative Office

Attachment 1 – Ordinance and Zoning Map

Attachment 2 – Copy of Planning Commission Resolution No. 9594

Attachment 3 – Notice of Exemption

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

IN THE MATTER OF AMENDMENT TO THE) Resolution No. _____
TULARE COUNTY ZONING ORDINANCE)
NO. 352 FOR ZONE CHANGE NO.)
PZC 18-017 – O’SULLIVAN, PORTERVILLE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE BOARD
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD ON MARCH 26, 2019 BY THE
FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Held a Public Hearing at 9:30 a.m. or shortly thereafter.
2. Accepted the Categorical Exemption as the appropriate environmental determination, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, pursuant to Title 14, Cal. Code Regulations Section 15061 (b) (3), Class 3, the General Rule.
3. Adopted an Amendment to Ordinance No. 352, the Tulare County Zoning Ordinance, for Change of Zone No. PZC 18-017 to change the zone on approximately 2.19 acres from AE-20 (Exclusive Agriculture – 20 acre minimum) to “C-3” (Service Commercial), located at 591 West Olive Avenue, approximately two miles east of Cotton Center and five miles west of Porterville, consistent with Planning Commission’s Recommendation and Findings of Approval for Planning Commission Resolution No. 9594.

Attachment No. 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 352, THE ZONING ORDINANCE OF TULARE COUNTY, BEING AN ORDINANCE ESTABLISHING AND REGULATING LAND USES WITHIN CERTAIN ZONES IN THE COUNTY OF TULARE.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE DO ORDAIN AS FOLLOWS:

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of a portion of the Section 26, Township 21 South, Range 26 East, Mount Diablo Base and Meridian, being a subdivision of Part 346 of the Official Zoning Maps. A map showing Change of Zone No. PZC 18-017 approved for approximately 2.19 acres is attached hereto and incorporated herein by reference. The new zoning will be C-3 (Service Commercial).

Section 2. The property affected by the zoning reclassification from AE-20 (Exclusive Agricultural – 20 Acre Minimum), filed as is briefly described as follows: Being a 2.19-acre site, located on Tulare County Assessor Parcel Number (APN) 236-140-063. The subject property is located outside any Urban Boundary, at the northwest corner of Avenue 152 and Road 208, approximately one-mile north of State Route 190, two miles east of Cotton Center and five miles west of the City of Porterville.

Section 3. This Ordinance shall take effect thirty (30) days from the date of the passage hereof, or if published more than 15 days after the date of passage, then 30 days after publication, whichever is later, and, shall be published once in the The Sun-Gazette, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the 26th day of March, 2019, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

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Exhibit "A"

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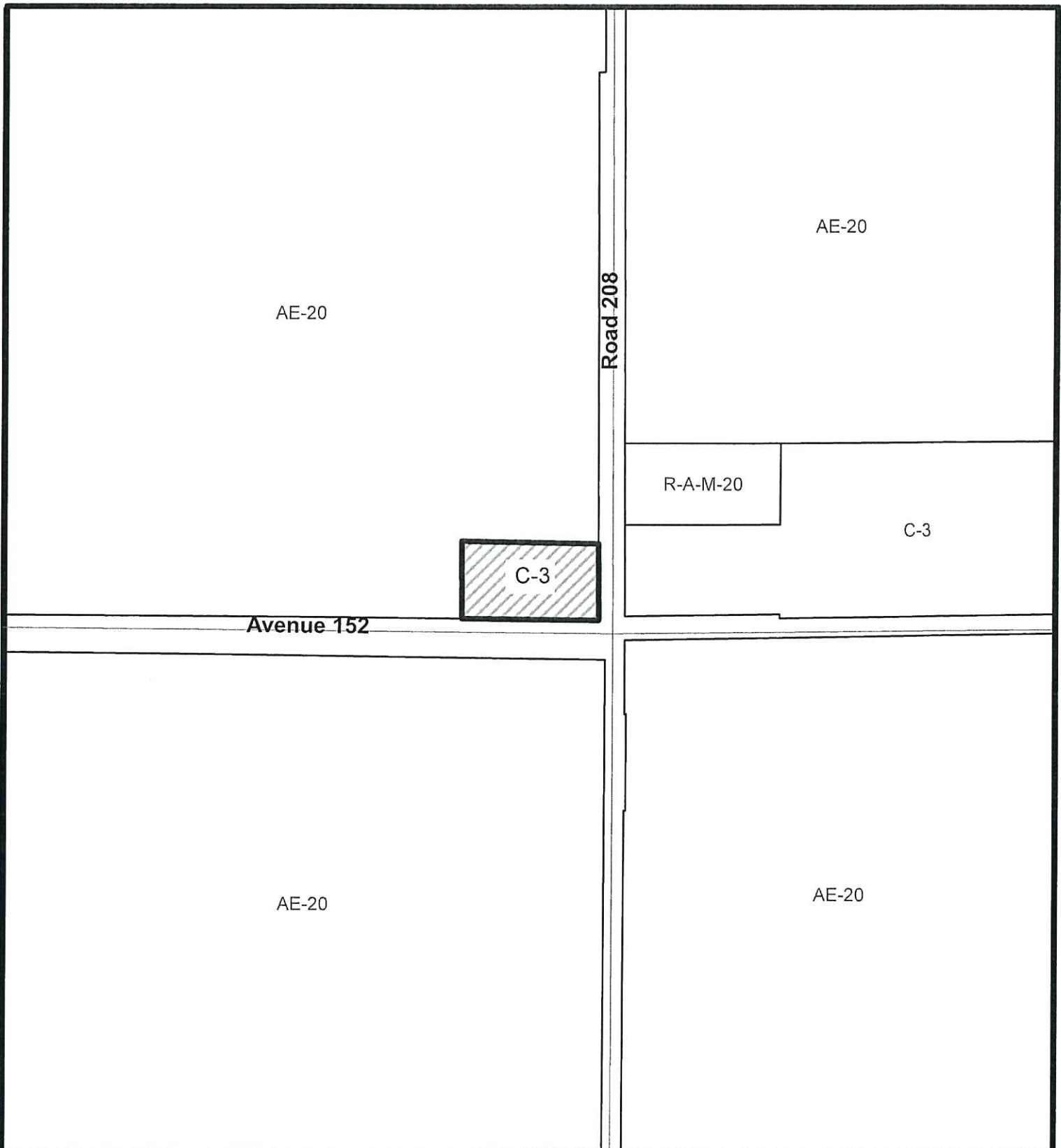
NOES:

ABSENT:

Chairman, Board of Supervisors

ATTEST: Jason T. Britt
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy



AE-20

AE-20

Road 208

R-A-M-20

C-3

C-3

Avenue 152

AE-20

AE-20



APN: 236-140-063 ,
 APROX. 2.19 AC.
 Zone Change from AE - 20 to C - 3
 (PZC 18-017)



ORDINANCE NO. _____
 AMENDING A PORTION OF
 SEC. 25, T 21 S, R 26 E, M.D.B.& M.
 OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.
 TULARE COUNTY BOARD OF SUPERVISORS
 ADOPTED: ____/____/____

Attachment No. 2

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE)
GENERAL PLAN AND ZONING ORDINANCE,)
CASE NO. PZC 18-017 - O'SULLIVAN) RESOLUTION NO. 9594

Resolution of the Planning Commission of the County of Tulare recommending that the Board of Supervisors approve a petition by Thomas J. O'Sullivan, 1279 West Henderson Avenue, #340, Porterville CA 93257 (Agent: Dennis R. Forester, 1620 W. Mineral King Avenue, Visalia CA 93291) for a Change of Zone on a 2.19-acre parcel located on the northwest corner of Avenue 152 and Road 208, approximately 2 miles east of Cotton Center, from the AE-20 (Exclusive Agricultural – 20 Acre Minimum) Zone to the C-3 (Service Commercial) Zone.

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17: Amendments, of Ordinance No. 352, the Zoning Ordinance; and

WHEREAS, the Planning Commission has given notice of the proposed change of zone boundaries as provided in Section 18 of said Ordinance No. 352 and in Section 65354 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report (made a part hereof), and recommended approval of this application; and

WHEREAS, all attached exhibits are incorporated by reference herein; and

WHEREAS, on February 13, 2019, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in The Sun-Gazette, a newspaper of general circulation in Tulare County to consider the proposed Project; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on February 27, 2019; and

WHEREAS, at that meeting of the Planning Commission, public testimony was received and recorded from the agent, Randy Forester, in support of the project. No one spoke in opposition to the project. The Commissioners discussed the conservation of agricultural land and commented on the strip of businesses across Road 208 from the subject site, along Avenue 152 in Jones Corner. Aaron Bock, RMA Interim Assistant Director, spoke of the project's Rural Valley Lands Plan (RVLP) analysis score of eleven (11) points, which qualifies the parcel as being considered for non-agricultural zoning, per General Plan Update Policy No. RVLP-1.4. In addition, the subject parcel is across Road 208 from Jones Corner, which contains C-3 and C-2 (General Commercial) Zoned properties dating to 1987 and is identified as a "disadvantaged unincorporated community" (DUC) in the County's Senate Bill 244 Disadvantaged Communities

Assessment of the Tulare County Housing Element. Senate Bill 244 requires counties to identify DUCs within their jurisdiction and address infrastructure needs. The subject property may be included in a future Legacy Community Plan for Jones Corner.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the staff report for Change of Zone No. PZC 18-017, together with any comments received during the public review process, in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, prior to taking action on the Change of Zone.

B. This Planning Commission hereby determines the following findings were relevant in evaluating this application:

1. The applicant has requested Change of Zone No. PZC 18-017 to change the existing AE-20 Zone to the C-3 Zone, on a 2.19-acre parcel located on the northwest corner of Avenue 152 and Road 208, near the unincorporated community of Jones Corner, approximately two miles east of Cotton Center and five miles west of the City of Porterville. (APN 236-140-063, in Section 25, Township 21S, Range 26E, MDB&M.)
2. The site currently contains a fruit stand and previously contained a single family residence, which was demolished in 2009. The applicant intends to construct a convenience store and filling station (gasoline and diesel), on a 1.23-acre portion of the 2.19-acre parcel. A future parcel map will divide the parcel into two parcels.
3. The AE-20 Zone is intended for all types of agricultural uses and limited residential uses. Certain other uses are permitted upon approval of a Special Use Permit.
4. The proposed C-3 (Service Commercial) Zone is intended for wholesale establishments and establishments engaged in repairing and servicing equipment, materials and products, but which do not involve the manufacturing, assembling, packaging or processing of articles of merchandise for distribution and retail sales. The C-3 Zone allows by right a "Super Service Station, including dispensing of diesel fuel and complete truck service". The Zone also allows by right uses in the C-1 (Neighborhood Commercial) and C-2 (General Commercial) Zones, such as retail stores and restaurants. In the C-3 Zone, a Special Use Permit is required for above ground fuel tanks, which are described in the Zoning Ordinance Section 16 as "flammable liquids stored above ground in quantities of more than 10,000

gallons.” The concept plan for the project shows underground fuel storage tanks, which do not require additional entitlements.

5. Surrounding properties to the north, west and south are zoned AE-20 and contain agriculture, with scattered rural residences. Parcels on the opposite/east side of Road 208 from the subject site, along Avenue 152, are zoned C-3 (Service Commercial) and C-2 (General Commercial) and are part of the unincorporated community of Jones Corner. Non-agricultural zoning was considered appropriate due to the uses established on the sites and the parcel sizes. Ordinance No. 2811 (PZ 86-024) was adopted by Board of Supervisors Resolution No. 87-1549, on December 1, 1987 to change the zoning of properties on 62-acres of the northeast corner of the subject intersection to C-2 (General Commercial), C-3, R-A-M 20 (Rural Residential – Special Mobilehome – 20,000 Square Foot Minimum) and R-1 (Single Family Residential). A second Zone Change (PZ 89-013) resulted in Ordinance No. 3048 being adopted by Board of Supervisors Resolution No. 93-0887, on August 10, 1993, to change the zoning of a 3.32-acre parcel on the northeast corner of the subject intersection from C-2 to C-3.
6. As noted earlier, the subject property may be included in a future Legacy Community Plan for Jones Corner, which is listed in the Tulare County Housing Element as a Disadvantaged Unincorporated Community.
7. The site is located outside any Urban Development Boundary, Urban Area Boundary or Hamlet Development Boundary and is subject to the Rural Valley Lands Plan (RVLP), with a land use designation of “Valley Agricultural.” A Rural Valley Lands Plan (RVLP) Evaluation resulted in 11 points, indicating that the parcel may be considered for non-agricultural zoning. A General Plan Amendment was not required and the existing “Valley Agricultural” Land Use Designation will remain on the site.
8. The project is consistent with relevant elements of the General Plan, as follows: Planning Framework Element Policy PF-1.2 Location of Urban Development; Agriculture Element Policy AG-1.14 Right-to-Farm Noticing; Land Use Element Policies LU-1.3 Prevent Incompatible Uses, LU-1.10 Roadway Access and LU-4.3 Commercial Service Locations; Economic Development Element Policy ED-2.5 Small Business; Scenic Landscape Element Policy SL-1.2 Working Landscapes; Air Quality Element – Policy AQ-1.5 California Environmental Quality Act Compliance; Health and Safety Element Policies HS-1.9 Emergency Access; HS-4.1 Hazardous Materials, HS-4.4 Contamination Prevention, HS-5.1 Development Compliance with Federal, State and Local Regulations, HS-6.5 Fire Risk Recommendations, HS-6.7 Water Supply System, HS-8.6 Noise Level

Criteria, and HS-8.18 Construction Noise; Water Resources Element Policy WR-2.1 Protect Water Quality; Transportation and Circulation Element Policy TC-1.15 Traffic Impact Study (not required); Public Facilities and Services Element Policies PFS-2.2 Adequate Systems, PFS-3.1 Private Sewage Disposal Standards, PFS-4.2 Site Improvements, PFS-5.8 Hazardous Waste Disposal Capabilities, and PFS-7.2 Fire Protection Standards. As noted earlier, General Plan Update Policy No. RVLP-1.4 states that, if the number of points accumulated is 11 or less, the parcel may be considered for non-agricultural zoning.

9. Access to the subject parcel is direct from Avenue 152 and Road 208, which are county-maintained. Safety improvements are currently under construction for the intersection, including traffic signals. The Public Works/Engineering Branch reviewed the preliminary site plan for the proposed gas station and noted that the location of the proposed driveway on Avenue 152 may need to be adjusted due to the location of a proposed section of guard railing located approximately 250 feet west of Road 208. At this point, the County of Tulare does not anticipate any requests for right-of-way dedications. The Engineering Branch may have recommendations for specific improvements when the site is developed.
10. Avenue 152 between Road 192 and Road 222, near the subject site, is classified as a two-lane "Arterial" with 4,800 Average Annual Daily Trips and a "C" Level of Service (LOS), per The County General Plan 2030 Update Recirculated Draft Environmental Impact Report (EIR). Road 208 is not listed in the EIR. Average vehicle trips were estimated for a "convenience market with gasoline pumps", based on the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 8th Edition. The average vehicle trips per vehicle fueling position is 542.6 on a weekday. During the weekday morning peak hours of between 7 and 9 a.m, the average vehicle trips are 16.57. The average is 19.07 trips during evening peak hours of between 4 and 6 p.m. For the proposed six (6) pump station, 3,255.6 trips are anticipated during a weekday, 99.42 trips are anticipated during morning peak hours and 116.82 trips are anticipated during evening peak hours.
11. Per the ITE Manual calculations, the average daily peak hour trips are more than the 100 trips that would require a detailed traffic analysis. However, the project to change the zone to C-3 (Service Commercial) would allow a variety of uses, with varying numbers of average vehicle trips. In a rural area such as the subject site, the numbers are likely to be less than in an urban area. The Public Works/Engineering Branch recommended that, if the proposed use triggers the need for a traffic impact study, that a queuing analysis be included, to verify that the driveway locations do not conflict with vehicles queued up at the signalized intersection.

12. Based on the ITE Manual calculations, the project exceeds the Small Project Analysis Level (SPAL) with regard to assessing Air Quality Impacts. In addition, construction of the 4,000 square convenience store exceeds the 2,000 square foot threshold for commercial space set by the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510). The applicant is advised to consult the Air District and to abide by all applicable Rules and Regulations.
13. Comments were provided by County agencies, the local irrigation district and Caltrans. However, the recommendations will apply at the development stage and will not be conditions of approval for the Change of Zone. Fire flow standards shall meet 2016 California Fire Code (CFC) standards based on a hazard analysis. Building Permit Plans shall include vehicle impact protection (bollards or guard posts), overflow prevention, spill containment, vents, vapor recovery, dispensers, emergency controls, and other equipment and accessories. The Engineering Branch requested that the on-site drainage basin be sized to accommodate half the street runoff from Road 208 and Avenue 152 along the project frontage, with diked frontage directing flow to the on-site basin. Installation of new on-site septic systems will require a site evaluation and soils testing by a qualified professional. The future septic system will be subject to the Local Agency Management Program (LAMP) requirements per Part VII, Chapter 1, Articles 1-9, Ordinance of Tulare County, pertaining to Sections 7-01-1320 through 7-01-1740. Installation of underground storage tanks requires regulation through the Underground Storage Tank Permit Program.
14. Planning Commission-adopted Development Standards recommend that five percent (5%) of the net area of a commercial development be devoted to landscaping, with a four foot wide landscaping strip by the public right-of-way and landscaping around the base of buildings.
15. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution No. 2010-2927, a Notice of Intent to Collect Tulare County Public Facilities Fees, also known as Developer Impact Fees; therefore, new development may be subject to County Development Impact Fees.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Zoning Map (Exhibit "B") to be consistent with the purpose of Ordinance No. 352.

AND, BE IT FURTHER RESOLVED as follows:

D. This Commission hereby recommends that the Board of Supervisors find that there is no substantial evidence that said Change of Zone will have significant effect on the environment. This Planning Commission hereby certifies and finds, based on substantial evidence, that the Categorical Exemption approved by the Environmental Assessment Officer has been completed in compliance with the California Environmental Quality Act (CEQA) and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970. The project is considered Categorically Exempt, pursuant to Title 14, Cal. Code Regulations Section 15061(b)(3), the General Rule, which applies because the project does not have the potential for causing a significant effect on the environment, and therefore, is not subject to CEQA. The subject site is not located in an environmentally sensitive area and must comply with state and local regulations. Therefore, the use of Section 15061(b) (3) is applicable and appropriate.

E. This Commission hereby recommends that the Board of Supervisors accept a Categorical Exemption from the California Environmental Quality Act, per Section 15061 (b) (3), the General Rule, and approve Change of Zone No. PZC 18-017, an Amendment to Ordinance No. 352, the Tulare County Zoning Ordinance. The Zone Change is from the AE-20 Zone to the C-3 (Service Commercial), on a 2.19-acre parcel. The Draft Ordinance is attached as Exhibit "A," and the draft Official Zoning Map as Exhibit "B."

The foregoing resolution was adopted upon motion of Commissioner Whitlatch, seconded by Commissioner Aguilar, at a regular meeting of the Planning Commission on February 27, 2019, by the following roll call vote:

AYES: Elliott, Aguilar, Whitlatch, Millies, McElroy, Dias
NOES: None
ABSTAIN: None
ABSENT: Pitigliano

TULARE COUNTY PLANNING COMMISSION



Michael Washam, Secretary

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 352, THE ZONING ORDINANCE OF TULARE COUNTY, BEING AN ORDINANCE ESTABLISHING AND REGULATING LAND USES WITHIN CERTAIN ZONES IN THE COUNTY OF TULARE.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE DO ORDAIN AS FOLLOWS:

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of a portion of the Section 26, Township 21 South, Range 26 East, Mount Diablo Base and Meridian, being a subdivision of Part 346 of the Official Zoning Maps. A map showing Change of Zone No. PZC 18-017 approved for approximately 2.19 acres is attached hereto and incorporated herein by reference. The new zoning will be C-3 (Service Commercial).

Section 2. The property affected by the zoning reclassification from AE-20 (Exclusive Agricultural – 20 Acre Minimum), filed as is briefly described as follows: Being a 2.19-acre site, located on Tulare County Assessor Parcel Number (APN) 236-140-063. The subject property is located outside any Urban Boundary, at the northwest corner of Avenue 152 and Road 208, approximately one-mile north of State Route 190, two miles east of Cotton Center and five miles west of the City of Porterville.

Section 3. This Ordinance shall take effect thirty (30) days from the date of the passage hereof, or if published more than 15 days after the date of passage, then 30 days after publication, whichever is later, and, shall be published once in the The Sun-Gazette, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the 26th day of March, 2019, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

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Exhibit "A"

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NOES:

ABSENT:

Chairman, Board of Supervisors

ATTEST: Jason T. Britt
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy

EXHIBIT NO. B

AE-20

AE-20

Road 208

R-A-M-20

C-3



C-3

Avenue 152

AE-20

AE-20



APN: 236-140-063 ,
APROX. 2.19 AC.
Zone Change from AE - 20 to C - 3
(PZC 18-017)

0 200 400 600 Feet



ORDINANCE NO. _____

AMENDING A PORTION OF
SEC. 25, T 21 S, R 26 E, M.D.B. & M.

OF

**OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.**

TULARE COUNTY BOARD OF SUPERVISORS

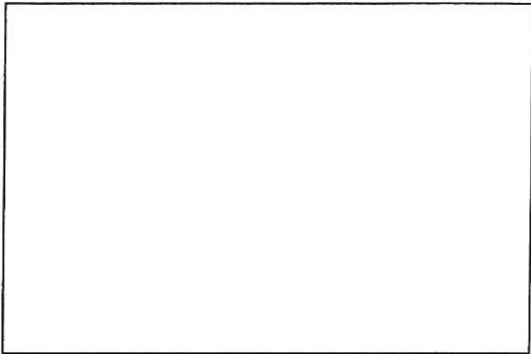
ADOPTED: ____/____/____

Attachment No. 3

Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Tulare County Clerk
Room 105, Courthouse
221 South Mooney Boulevard
Visalia, California 93291



Lead Agency: Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, Ca 93277; (559-624-7000)

Applicant(s): Thomas J. O'Sullivan, 1279 West Henderson Avenue, #340, Porterville CA 93257 (559-781-5999)

Project Title: Zone Change No. PZC 18-017

Project Location - Specific: 591 West Olive Avenue, on the northwest corner of Avenue 152 and Road 208.

Project Location- Section 25, Township 21S, Range 26E, MDB&M (APN 236-140-063)

Project Location – City: N/A – Near unincorporated Jones Corner. Project Location – County: Tulare


Description of Nature, Purpose, and Beneficiaries of Project: A Change of Zone from AE-20 (Exclusive Agricultural – 20 Acre Minimum) to C-3 (Service Commercial), on a 2.19-acre parcel. The proposed project would allow a proposed convenience market with fueling station and similar uses by right. Nearby properties across Road 208 from the site are also zoned C-3.

Exempt Status: (check one)

- Ministerial (Sec. 21080 (b) (1); 15268);
- Declared Emergency (Sec. 21080 (b) (3); 15269(a));
- Emergency Project (Sec. 21080 (b) (4); 15269(b) (c));
- General Rule: CEQA guidelines 15061 (b) (3)
- Categorical Exemption:
- Statutory Exemptions:

Reasons why project is exempt: The use of Section 15061(b) (3) (The General Rule) applies because the project does not have the potential for causing a significant effect on the environment, and therefore, is not subject to CEQA. The subject site is not located in an environmentally sensitive area and must comply with state and local regulations. Therefore, the use of Section 15061(b) (3) are applicable and appropriate.

Name of Public Agency Approving Project: County of Tulare, Resource Management Agency
Activity / Project Representative: April Hill Area Code/Telephone: 559-624-7108

Signature:  - Hector Guerra Date: 2/6/19 Title: Chief Environmental Planner
Signature: _____ - Reed Schenke Date: _____ Title: Environmental Assessment Officer
Director, RMA

Signed by Lead Agency

Statement Regarding
Zone Change No. PZC 18-017

Categorical Exemption from the California Environmental Quality Act (CEQA)

per Section 15061 (b) (3), the General Rule

Aesthetics – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the aesthetics of the area. Based on a search for County and Caltrans Scenic highways on January 14, 2019, the project is not located within a scenic corridor and would not impact scenic resources 15300.2 (d). See http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm. The subject site is located outside any Urban Boundaries and is subject to the Rural Valley Lands Plan, with a Land Use Designation of Valley Agricultural. Other “Service Commercial” businesses exist on the east side of Road 208. Planning Commission-adopted Development Standards recommend that 5% of the net area of a commercial development be devoted to landscaping. A standard condition of approval requires exterior lighting to be directed away from public roadways and adjacent properties. Therefore, the project would result in No Impact to the Aesthetics resource.

Agriculture – No Impact. The project will authorize a Zone Change from the AE-20 (Exclusive Agricultural) to the C-3 (Service Commercial) Zone. The subject 2.19-acre parcel was created in 1983 for a homesite and was developed with a single family residence until 2009 when the residence was demolished. It is currently utilized as a fruit stand. The acreage is smaller than the 5 acres that is considered large enough to sustain agriculture. The soil type is Tagus Loam, prime Class I if irrigated; however, it has not been used for agriculture since 1983, approximately 36 years ago. The subject site is not under a Land Conservation Contract. The proposal will not interfere with existing agricultural operations in the surrounding area and would be allowed by right with a Zone Change to the C-3 Zone.

Based on a search of Department of Conservation, Farmland Mapping and Monitoring Program (FMMP) maps on January 14, 2019, the project site is located on Prime Farmland, which is described as having the best combination of physical and chemical features able to sustain long-term agricultural production. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. As noted earlier, the 2.19-acre subject parcel was used for a single family residence’s homesite between 1983 and 2009. See ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/tul10_so.pdf. The project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have an impact on the Agricultural resources.

Air Quality - No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the air quality resources of the area.

Following approval of the property’s Change to the C-3 Zone, the applicant proposes constructing a 4,000 square foot convenience market and fueling station. The construction square footage exceeds the 2,000 square foot threshold for commercial space set by Rule 9510 – Indirect Source Rule and the applicant will be advised to work with the San Joaquin Valley Air Pollution Control District and abide by all applicable District Rules and Regulations.

The average vehicle trips were estimated for a “convenience market with gasoline pumps”, based on the Institute of Transportation Engineers’ (ITE) Trip Generation Manual, 8th Edition, Category 853. The

average vehicle trips per vehicle fueling position is 542.6 on a weekday. For the proposed six (6) pump station, 3,255.6 trips are anticipated during a weekday. Because the project could generate more than 1,506 vehicle trips per day, it has the potential of exceeding the Small Project Analysis Level (SPAL) with regard to assessing Air Quality Impacts.

The ITE Manual also states that during the weekday morning peak hours of between 7 and 9 a.m, the average vehicle trips are 16.57. The average is 19.07 trips during evening peak hours of between 4 and 6 p.m. For the proposed six (6) pump station, 99.42 trips are anticipated during morning peak hours and 116.82 are anticipated during evening peak hours. The average daily peak hour trips for a convenience store with fuel pumps are more than the 100 trips that would require a detailed traffic analysis. However, the project to change the zone to C-3 (Service Commercial) would allow a variety of uses, with varying numbers of average vehicle trips. In a rural area such as Road 208 and Avenue 152, the numbers are likely to be less than in an urban area.

The Public Works/Engineering Branch recommended that, if the proposed use triggers the need for a traffic impact study, that a queuing analysis be included, to verify that the driveway locations do not conflict with vehicles queued up at the signalized intersection. If the applicant proposes changing to above-ground fuel tanks with more than a 10,000 gallon capacity, rather than underground tanks, an approved Special Use Permit and traffic impact analysis would be required.

The project is not a source of toxic air contaminants and does not store hazardous materials, per the applicant. Conditions of approval for a use permit might include an Environmental Health Services Division (EHSD) recommendation that equipment storage areas be properly managed to prevent nuisance of dust or odors and the County Public Works Branch requirement that all on-site parking areas and driveways be surfaced for all-weather conditions and be continually maintained to prevent dust and mud from creating conditions detrimental to the surrounding roadways.

After reviewing the operations of this project, and all temporary construction and operational activities, there were no emissions that will have a significant effect. The facility is required to comply with applicable San Joaquin Valley Air Pollution Control District (Air District) rules and regulations, including Rule 4102 (Nuisance), including odors; Regulation VIII (Fugitive PM10 Prohibitions) and associated Rules 8021, 8031, 8041, 8051, 8061, and 8071; Rule 4002 (National Emission Standards for Hazardous Air Pollutants), Rule 4103 (Open Burning); Rule 4601 (Architectural Coatings); Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations); Rule 4702 (Internal Combustion Engines – Phase 2).

Based on these analyses, the project will result in No Impact to Air Quality.

Biological Resources – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the biological resources of the area. The California Natural Diversity Database of November 2018 shows no Species of Concern in the area. There are no signs of special status species on the site. As noted earlier, the site has been utilized as a homesite for approximately 36 years. The project site does not contain wetlands, creeks, waterways, a waterfowl refuge or riparian habitat. The Project will result in No Impact to the Biological resource.

Cultural Resources – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the cultural resources of the area. No cultural resources assessment has been conducted for this site. No

cultural resources are known to be on or near the site. The property and surroundings have been under agricultural and residential use for decades. The site is not near a natural watercourse or on a bluff or hill with rock outcrops, where a California Historical Resource Information System (CHRIS) search would be warranted, or where archaeological or paleontological resources could occur. Therefore, there will be No Impact on the Cultural resources.

Geology/Soils – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the geology / soils of the area. Based on a search of the Tulare County Seismic Safety Element in the County General Plan on January 14, 2019, the Project is not located in a seismic hazard zone. No earthquake faults are known near the site. The subject site is level, typical of valley land. The applicant proposes the construction of a 4,000 square foot convenience store and six fueling stations on asphalt or concrete surfaces. Installation of new on-site septic systems will require a site evaluation and soils testing by a Qualified Professional. The report of this evaluation must be submitted to Tulare County Environmental Health Services Division (TCEHSD) for review before approval can be granted for any building permits. At any rate, construction will require little or no grading or fill. The on-site soil type is Tagus Loam, prime Class I if irrigated, with low shrink-swell and moderate septic tank absorption. The requirements of the Uniform Building Code Zone II are adequate for normal facilities on these soils. Therefore, there will be No Impact on the Geology/Soils resource.

Greenhouse Gas Emissions – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will introduce green house gas (GHG) emissions. The project complies with AB32, the California Air Resources Board's (CARB) Scoping Plan, the Tulare Council of Governments Blueprint, and the Countywide General Plan and Climate Action Plan (see Climate Action Plan page 57). The project will not generate temporary, or vehicle miles traveled, or operational emissions in excess of CARB's thresholds. Since CEQA does not apply to this project, it is not required to reduce its Climate Action Plan Consistency Reduction Target of 6% per the Tulare County Climate Action Plan. Any construction emissions are considered temporary emissions that would not occur after the CARB Scoping Plan 2020 target year. Therefore, project construction or operational emissions would result in No Impact to GHG.

Hazards & Hazardous Materials – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will introduce hazards or hazardous material to the area. An online Cortese Act / Envirostor search conducted by County staff on January 14, 2019 indicated that there are no known hazardous or toxic sites in the vicinity of the project. (See <http://www.envirostor.dtsc.ca.gov/public/>.) The applicant stated that no hazardous materials will be stored on the site.

Installation of the proposed underground storage tanks requires regulation through the Underground Storage Tank Permit Program. Installation of above-ground storage tanks with a capacity of 1,320 or more gallons of a petroleum product will cause the site to be subject to the California Above-Ground Petroleum Storage Act, which requires preparation of a Spill Control and Countermeasure (SPCC) Plan. Before construction begins, an 180,000 gallon water storage tank for fire suppression must be on the site. Fire flow standards shall meet 2016 California Fire Code (CFC) standards based on a hazard analysis. Building Permit Plans shall include vehicle impact protection (bollards or guard posts), overfill prevention, spill containment, vents, vapor recovery, dispensers, emergency controls, and other equipment and accessories.

No public or private airstrips are located within two miles of the subject site. The subject site has direct access to Avenue 152 and Road 208 and does not impair the implementation of any adopted emergency response plan or evacuation plan. The site is not located in an area designated by the California Department of Forestry as a “wildland” fire area. Therefore, the project will result in No Impact by Hazard and Hazardous Materials.

Hydrology & Water Quality – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the hydrology /water quality of the area. The subject site has an existing domestic well. Liquid waste disposal will be via proposed septic tank-leach line system(s). The future septic system will be subject to the Local Agency Management Program requirements per Part VII, Chapter 1, Articles 1-9, Ordinance of Tulare County, pertaining to Sections 7-01-1320 through 7-01-1740. As noted in the Geology section, installation of new on-site septic systems will require a site evaluation and soils testing by a Qualified Professional. The report of this evaluation must be submitted to Tulare County Environmental Health Services Division (TCEHSD) for review before approval can be granted for any building permits.

The County does not have any roadway drainage other than sheet flow off the road bed. The Engineering Branch requested that the on-site drainage basin be sized to accommodate half the street runoff from Road 208 and Avenue 152 along the project frontage, with diked frontage directing flow to the on-site basin.

The Lower Tule River Irrigation District currently has irrigation conveyance facilities that are adjacent to this property. The District will not accept any discharge of surface or subsurface drainage water from this project into any waterway operated by the District. The District participates in a Groundwater Management Plan per AB3030. Additional groundwater pumping and/or drilling of new wells resulting from the proposed action must be addressed in the environmental assessment process. The project will not impact the quality or quantity of water or waterways above any known threshold for water quality or affect water rights, including impacting water ways of the United States under Section 404, and 401 of the Clean Water Act. A search of the United States Geographic Survey (USGS) quadrant maps on January 14, 2019 shows that there are no areas marked as blue (signifying wetlands) that will be impacted by this project. See County GIS Wetlands Map.

Tulare County Public Works/Engineering Branch staff provided correspondence on 11/15/18 indicating that the subject property is within Flood Hazard Zone Zone X, per Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 065066 dated June 16, 2009, Panel No. 1630. Construction of buildings within a Zone X requires no specific flood mitigation measures. Based on the above discussion of the project improvements and requirements and the low-level use of the site, there will be No Impact to Hydrology or Water Quality.

Land Use & Planning – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the land uses, zoning, or planning of the area. As noted earlier, the project is a Change of Zone from the AE-20 (Exclusive Agricultural – 20 Acre Minimum) to the C-3 (Service Commercial) Zone, on a 2.19-acre parcel.

The site is located outside any Urban Development Boundary, Urban Area Boundary or Hamlet Development Boundary and is subject to the Rural Valley Lands Plan (RVLP), with a land use

designation of “Valley Agricultural.” A Rural Valley Lands Plan (RVLP) Evaluation resulted in 11 points, indicating that the parcel may be considered for non-agricultural zoning. Specifically, the parcel is smaller than the five acres considered viable for agricultural use, 62 acres across Road 208 contain non-agricultural uses, and few nearby properties are in Agricultural Preserves. A General Plan Amendment was not required and the existing “Valley Agricultural” Land Use Designation will remain on the site.

The property may be included in a future Legacy Community Plan for Jones Corner. The subject site is on the northwest corner of Avenue 152 and Road 208. The area on the opposite side of Road 208, on the northeast corner of the intersection, is known as “Jones Corner”. Jones Corner is listed in the Tulare County Housing Element as a Disadvantaged Community (DAC).

Surrounding properties to the north, west and south are zoned AE-20 and contain agriculture, with scattered rural residences. Parcels on the opposite/east side of Road 208 from the subject site, along Avenue 152, are zoned C-3 (Service Commercial) and C-2 (General Commercial) and are part of the unincorporated community of Jones Corner. Northwards along the opposite/east side of Road 208 are properties zoned R-A-M (Rural Residential-Special Mobilehome). Ordinance No. 2811 (PZ 86-024) was adopted by Board of Supervisors Resolution No. 87-1549, on December 1, 1987 to change the zoning of properties on 62-acres of the northeast corner of the subject intersection to C-2 (General Commercial), C-3, R-A-M 20 (Rural Residential – Special Mobilehome – 20,000 Square Foot Minimum) and R-1 (Single Family Residential). Non-agricultural zoning was considered appropriate due to uses established on the sites and parcel sizes. A second Zone Change (PZ 89-013) resulted in Ordinance No. 3048 being adopted by Board of Supervisors Resolution No. 93-0887, on August 10, 1993, to change the zoning of a 3.32-acre parcel on the northeast corner of the subject intersection from C-2 to C-3.

Per Section 9.6 of the Zoning Ordinance, the AE-20 Zone existing on the property is an exclusive zone for intensive agricultural uses and for those uses which are a necessary and integral part of the agricultural operation. The purpose of this zone is to protect the general welfare of the agricultural community from encroachments of unrelated agricultural uses which, by their nature, would be injurious to the physical and economic well-being of the agricultural community.

Per Section 12.5 of the Zoning Ordinance, the requested C-3 Zone is intended for wholesale establishments and establishments engaged in repairing and servicing equipment, materials and products, but which do not involve the manufacturing, assembling, packaging or processing of articles of merchandise for distribution and retail sales. The C-3 (Service Commercial) Zone allows by right a “Super Service Station, including dispensing of diesel fuel and complete truck service”. Other uses allowed by right in the C-3 Zone include business schools, contractors’ storage yards, laundries, machine shops, mini-warehouses, and similar uses. The Zone also allows by right uses in the C-1 (Neighborhood Commercial) and C-2 (General Commercial) Zones, such as retail stores and restaurants. The C-3 Zone does not allow manufacturing or residences, except for a caretaker mobilehome. In the C-3 Zone, a Special Use Permit is required for above ground fuel tanks in quantities of more than 10,000 gallons.

With an approved Change of Zone, the proposed project will be consistent with the zoning regulations for the subject site and the Development Standards applicable to the proposed use.

The project is consistent with relevant elements of the General Plan, as noted in the General Plan Consistency Attachment, as follows: Planning Framework Element Policy PF-1.2 Location of Urban Development; Agriculture Element Policy AG-1.14 Right-to-Farm Noticing; Land Use Element Policies LU-1.3 Prevent Incompatible Uses, LU-1.10 Roadway Access and LU-4.3 Commercial Service

Locations; Economic Development Element Policy ED-2.5 Small Business; Scenic Landscape Element Policy SL-1.2 Working Landscapes; Air Quality Element – Policy AQ-1.5 California Environmental Quality Act Compliance; Health and Safety Element Policies HS-1.9 Emergency Access; HS-4.1 Hazardous Materials, HS-4.4 Contamination Prevention, HS-5.1 Development Compliance with Federal, State and Local Regulations, HS-6.5 Fire Risk Recommendations, HS-6.7 Water Supply System, HS-8.6 Noise Level Criteria, and HS-8.18 Construction Noise; Water Resources Element Policy WR-2.1 Protect Water Quality; Transportation and Circulation Element Policy TC-1.15 Traffic Impact Study (not required); Public Facilities and Services Element Policies PFS-2.2 Adequate Systems, PFS-3.1 Private Sewage Disposal Standards, PFS-4.2 Site Improvements, PFS-5.8 Hazardous Waste Disposal Capabilities, and PFS-7.2 Fire Protection Standards.

Surrounding properties to the north, west and south are zoned AE-20 and contain agriculture (orchards and row crops) with scattered rural residences. As noted earlier, properties to the east that are zoned C-3, C-2, and R-A-M 20 contain businesses and residences. The property and surroundings have been under agricultural and residential use for decades. Therefore, the project will result in No Impact to Land Use and Planning.

Mineral Resources – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the mineral resources of the area. Based on a search of the CGS Mineral Zone website and the County General Plan, the area is not delineated as a resource zone; and hence, it is unlikely that there are important mineral reserves in the vicinity. No valuable minerals or mature timber trees are in the vicinity (per the County’s Environmental Resources Management Element). Therefore, there will be No Impact to Mineral Resources as a result of the Project.

Noise – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on noise levels in the area.

The segment of Avenue 152 near the subject site, between Road 192 and Road 222, is in a noise corridor, measuring 118 feet from the roadway centerline to the 60 Ldn contour, per the County General Plan 2030 Update Recirculated Draft EIR. Road 208 is not in a noise corridor. Service commercial businesses are not sensitive uses, but generate noise. Normally acceptable noise in a business commercial area is up to 70 Ldn or CNEL (Db), per the State of California Land Use Capability for Community Noise Environment table in the General Plan 2030 Update Recirculated Draft EIR. By comparison, normally acceptable noise in the surrounding agricultural areas is higher, up to 75 Ldn.

The nearest residences are approximately 610 feet east of the proposed gas station. Noise generated by the project will have a minimal effect on nearby residences.

As the Project does not exceed operational noise standards outlined in the General Plan, there will be No Impact to the Noise resource.

Population/Housing – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the population, or housing of the area. As noted earlier, nearby land uses are agricultural, service commercial and residential. The project will not displace an existing population or induce population growth. Therefore, there will be No Impact to Population/Housing.

Public Services – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the public services of the area. The site is outside any utility service district, has an existing water well, and will provide their own septic system. The project design includes an 180,000 gallon water storage tank for fire suppression and an access road around the site’s perimeter. Based on a review of the project’s demands, the project will not significantly impact the capacity of the following services: Police, Fire, Schools, Parks or other Public Facilities. Therefore, there will be No Impact to Public Services.

Recreation – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the recreational facilities in the area. This project will not affect the amount of new housing in order to generate the need for new recreational facilities, under the Quimby Act. Therefore, there will be No Impact to Recreation.

Transportation / Traffic - No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the Countywide, or Statewide roadway facilities in the area. Access to the subject parcels is direct from Avenue 152 and Road 208, which are county-maintained. Avenue 152 has an 80 foot existing right of way (30 feet on the north side and 50 feet on the south side). The ultimate right of way on Avenue 152 is 84 feet. The existing pavement width on Avenue 152 is 32 feet and pavement type is asphalt concrete. The ultimate right of way of Road 208 is 60 feet north of the intersection. The pavement width is approximately 24 feet and type is road mix asphalt surface.

The County General Plan 2030 Update Recirculated Draft Environmental Impact Report (EIR) classifies Avenue 152 between Road 192 and Road 222, near the subject site, as a two-lane “Arterial” with 4,800 Average Annual Daily Trips and a “C” Level of Service (LOS). Road 208 is not listed in the EIR.

Safety improvements are currently under construction for the intersection, including traffic signals. The ditch along Avenue 152 has been undergrounded. The Public Works/Engineering Branch reviewed the preliminary site plan for the proposed gas station and noted that the location of the proposed driveway on Avenue 152 may need to be adjusted due to the location of a proposed section of guard railing located approximately 250 feet west of Road 208. At this point, the County of Tulare does not anticipate any requests for right-of-way dedications. As noted earlier, in the Hydrology section, the County does not have any roadway drainage other than sheet flow off the road bed. The Engineering Branch requested that the on-site drainage basin be sized to accommodate half the street runoff from Road 208 and Avenue 152 along the project frontage, with diked frontage directing flow to the on-site basin. The Branch may have additional recommendations for specific improvements when the site is developed.

Per the Institute of Transportation Engineers Trip Generation Manual, 8th Edition, a “Convenience Market with Gasoline Pumps” (Category 853) may generate 845.60 daily trips for each 1,000 square feet gross floor area. The proposed 4,000 square foot mini-mart may generate 3,382.4 daily trips, with 175.6 morning peak hour trips (at 43.90 trips/1000 s.f.) and 238.76 evening peak hour trips (at 59.69 trips/1,000 s.f.). However, the location is rural and more traffic is expected to use State Route (SR) 190, which is located one mile south of the site. The California Department of Transportation responded to a consultation request and determined that the proposed use will have a minimal impact to SR 190 and “No Comment.” Therefore, there will be No Impact to Transportation/Traffic.

Utilities / Service Systems – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant

effect on the infrastructure / facilities in the area. As noted earlier, the subject site contains an existing domestic water well. Liquid waste disposal will be via septic system(s), which shall comply with LAMP regulations. The proposed project will not have an impact on Water (Quality or Quantity), Wastewater, Storm Drainage, or Solid Waste. The project will not generate enough demands on the facilities or infrastructure to impact the infrastructure level of service thresholds. This project will not impact the level of service provided by any utility agencies or franchises operating in the area. Therefore, there will be No Impact to Utilities/Service Systems.

Mandatory Findings of Significance – The Project does not 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 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 major periods of California history or pre-history. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the environment, directly or incrementally. This project will not adversely impact the public health and safety resulting in a consequence to the proposed project.