

### ESOURCE MANAGEMENT AGENCY

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Services

HENRY HASH, DIRECTOR

THOMAS W. SHERRY, ASSOCIATE DIRECTOR

#### **AGENDA ITEM**

ITEM NO	
	District 2

**SUBJECT:** Preliminary review of GPI 06-001 (Rancho Sierra), an amendment to the Visalia Land Use Plan General Plan Amendment (GPA) 81-01 and Visalia Land Use Plan GPA 92-07 B/C.

**REQUEST(S):** Allow GPI 06-001 to proceed as a General Plan Amendment to: 1) include the entire project area within an Urban Development Boundary; 2) change the land use designation of Assessors Parcel Numbers (APN's) 126-170-005, 011 and 025 from Rural Residential to Planned Residential; 3) change the land use designation of APN 150-060-008 from Agriculture to Planned Residential, and 4) change the policy III B in GPA 81-08 and GPA 92-07 B/C to remove text requiring residential development in conjunction with the existing golf course.

**SUMMARY:** The Tulare County Resource Management Agency has received a request from Mr. Stephen J. Peck, AICP, of Quad Knopf, to allow an amendment to GPA's 81-08 and 92-07B/C to be filed. The project site (114.6 acres) consists of APN's 126-170-005, 011, 025 and 150-060-008. Currently the site is an existing golf course facility located on both sides of Liberty Avenue (Avenue 264), east of Road 124, south of the City of Visalia. There are 30 existing homes within the golf course area but not a part of this application. The intended use is to subdivide the site into 175 single family residential lots. The zoning is PD-R-A (Planned Development-Rural Residential). Currently the land use designation for APN's 126-170-005, 011 and 025 are Rural Residential while the designation for APN 150-060-008 is Agriculture. The northern parcels are within the Visalia UAB, whereas, the southern parcel is not.

**BACKGROUND:** A history of County actions which affected the subject site consists of the following:

- On March 5, 1957, the Planning Commission conditionally approved Special Use Permit No. 343 that established the Sierra View Public Golf Course, in two phases.
- On March 29, 1962 the Planning Commission approved Tract No. 354 for the 31 lot residential subdivision (1 lot remains vacant as open space).

- On May 26, 1964, the Board of Supervisors adopted the Tulare County Area General Plan Land Use Element, which included the Visalia Area, designating the subject site as "Park and Recreation."
- On August 2, 1977, the Board of Supervisors adopted General Plan Amendment GPA 77-2 which contained a new land use element for Visalia. It retained a "parks" designation for the golf course, but established a rural residential designation for the 31 lot residential subdivision.
- On October 19, 1982, by Resolution No. 82-1744, the Board of Supervisors approved General Plan Amendment No. GPA 81-08 to change the Land Use designation of the golf course north of Avenue 264 from "Parks" to "Planned Residential." The Board of Supervisors subsequently adopted the implementing zoning by Ordinance No. 2505, approving Change of Zone No. PZ 81-18 to rezone the site from the AE-20 to PD-R-A. This rezoning included the portion of the golf course south of Avenue 264 which was found to conform with the RVLP Exception system with 11 points.
- On October 19, 1982, the Board of Supervisors conditionally approved Planned Unit Development No. PUD 81-06, as recommended by Planning Commission Resolution No. 5850, for a zero-lot line residential development that proposed to redesign the existing golf course and integrate 206 zero-lot line residential units within the confines of the existing golf course site. An Environmental Impact Report (EIR) was certified for the project, however, the project was never built.
- On April 23, 1996, by Resolution No. 96-0335, the Board of Supervisors adopted General Plan Amendment No. GPA 92-007 (B)/(C) which considered new Land Use and Urban Boundaries Elements for the Visalia Area that included a change of the land use designation of the subject site north of Avenue 264 from "Planned Residential" to "Rural Residential."
- On November 18, 1997, the Planning and Development Director approved (recorded on January 7, 1998 by Document No. 98-000863), Lot Line Adjustment Map No. PLA 97-045, creating the subject site as Parcel 1.
- PDA 01-001, Final Site Plan Review No. PSR 01-010 and Tentative Parcel Map No. PPM 01-039 were approved to create four parcels for single-family residential development along the east side of Mulanax Drive, north of Avenue 264. A parcel map was recorded for this project.

**ANALYSIS:** The text in GPA 81-08 indicates it was intended for residential development on the site in conjunction with the existing golf course. The proposed project would completely convert the existing golf course to residential development, therefore, an amendment is required to remove this language from the text before this project can proceed in compliance with the General Plan.

Parcels 126-170-005, 011 and 025 are within the Visalia UAB and thus subject to the policies of the Urban Boundaries Element and GPA 92-07 B/C. The Urban Boundaries Element (1974) Policy B-3 defines the area between an Urban Improvement Boundary (UIA) and an UAB as a Holding or Transitional Zone. Such areas are designated either as a holding zone awaiting when more intensive development is justified or is designated for large lot, suburban development (1 to 5 acres). The Urban Boundaries Element as amended by GPA 88-01 also determines where urban type development is appropriate in the County. In this case, the portion of the site within the UAB cannot be considered for urban development unless it's within an UDB. The intended project density of six dwelling units per acre is urban intensive and more suited to the Planned Residential Land Use designation (which follows the City's Low Density Residential Designation) than Rural Residential.

GPA 92-07 B/C recognized the existing residential node and golf course as Rural Residential. This designation was applied to this site and other existing developed areas between the Visalia Urban Development Boundary and the Urban Area Boundary and those areas designated Rural Residential by the City of Visalia's General Plan. The project's residential unit density does not conform to either of these criteria. The proposed subdivision is not an existing residential development, (though it surrounds one) and it is not shown as rural residential in the City of Visalia's General Plan. The City's Rural Residential designation allows up to two (2) dwelling units per acre and is intended for very low intensity residential development where all urban services may not be required (Visalia General Plan Land Use Element 1991 pg 1-11). The relationship between County designations adopted for the Visalia area and those General Plan Land Use designations adopted by the City of Visalia, via their 2020 Plan is established in the Land Use Designation Matrix (GPA 92-07B/C). Furthermore, the Planned Residential designation is not applied to any portion of the Visalia Urban Area Outside of the County Urban Development Boundary. Therefore in order to designate the site for urban use, an UDB would be needed around the project area.

The California Water Service Company, in a letter dated July 1, 2005, has stated that it can serve proposed lots with extensions provided by the developer. Furthermore, the developer had sought sewer service from the City of Visalia (City Council action required); however, the request has been withdrawn. At this time the project proposes using septic tanks with dry service lines in anticipation of sewer service connection at sometime in the future. Though not discussed, a package sewer plant could also be used to serve the site.

At this time the City of Visalia and Tulare have not provided comments regarding this request. However, the City of Tulare did comment on Preliminary Subdivision No. PRE 05-019 (please see attached) a prior review of the subdivision project. The City's concerns were the departure from a boundary separation area between Visalia and Tulare, the loss of recreational opportunities, lack of infrastructure, consistency with County policies allowing rural subdivision and recommended that an EIR be prepared for the project.

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

At this time the Urban Boundaries Element, Visalia Land Use Plans GPA 81-08 and 92-07 B/C are the principle County General Plan document that would be applicable to site. GPA 81-08 was adopted by the Board on October 19, 1982 by Resolution Number 82-1744 and GPA 92-07B/C on April 23, 1996 by Resolution No. 96-0335. The Urban Boundaries Element (1974 and as amended by GPA 88-01) also contains applicable policies. Please see the General Plan policies in Exhibit A.

**FINDINGS:** This project site is not contiguous to the City of Visalia city limits; therefore, annexation is not possible. Also, the project site surrounds a previously approved subdivision tract, Tract No. 354. The proposed lots of this development proposal are comparable in size to those of TM 354; therefore, development of the site is consistent with the development in the area.

In addition to the text amendment, the applicants are requesting the land use designation be changed from Rural Residential to Planned Residential (Low Density Residential). The project's residential density of six units per acre would not comply with the Rural Residential Land Use designation, as defined in the UBE.

However, it would be compatible with a Planned Residential Land Use designation. Intensive urban development and the Planned Residential designation are required to be within an Urban Development Boundary according to the UBE and GPA 92-07 B/C. These changes would require an Urban Development Boundary amendment be included in the project to ensure conformance with the Urban Boundaries Element and GPA 92-07 B/C.

Policy III. 2; of the UBE requires consultation with the City of Visalia and that serious consideration be given to their comments. Although the project site's established land use as a recreation area (Sierra View Public Golf Course) has been in existence since 1957, the City of Visalia's 1991 adopted General Plan land use designation of "Agriculture" does not recognize it, thereby, the proposed project may not be compatible with the City's adopted general plan.

The applicant anticipates the preparation of an Environmental Impact Report to analyze any impacts the project may have.

**FINANCING:** If authorized to file an amendment, the applicant will pay an initial application fee of \$4,328.00 to the Tulare County Resource Management Agency. Upon completion of the amendment and prior to submittal to the Planning Commission for action, the Department will bill the applicant for the actual cost of preparing the amendment if in excess of the fee plus 10%. Payment will be required prior to setting the Planning Commission public hearing date. The preparation of any EIR, including cost of County review, would be paid for by the applicant.

#### **ALTERNATIVES:** That the Board of Supervisors:

- 1. Allow GPI 06-001 to proceed as General Plan Amendment, but direct the application to include the option to remove the entire site outside from the Visalia UAB so that the project can be considered under the RVLP.
- 2. Direct that GPI 06-001 be held until the General Plan 2025 Update is complete.
- 3. Not Allow GPI 06-001 to proceed as a General Plan Amendment.

#### INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

Environmental Health Division, California Water Service Company, City of Visalia, City of Tulare, Caltrans, Air District were notified of the proposal.

#### **SIGNATURE REQUIREMENTS:**

County Administrative Officer/Clerk of the Board of Supervisors or authorized Deputy to attest to the Resolution.

#### **ADMINISTRATIVE SIGN OFF:**

#### RESOURCE MANAGEMENT AGENCY

**George Finney Assistant Director – Long Range Planning** 

Henry Hash, Director

cc:

Applicant
Caltrans
City of Visalia
City of Tulare
Planning Commission

Submittal Date: March 15, 2006

California Water Service Company Fire Department Sheriffs Department Environmental Health Roads Division

#### BEFORE THE BOARD OF SUPERVISORS

#### COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF PRELIMINARY	)
REVIEW OF GPI 06-001 (A GENERAL	)
PLAN AMENDMENT TO THE	)
VISALIA AREA PLAN 92-07 B/C AND	)
81-08 A CHANGE TO THE URBAN	) RESOLUTION NO
DEVELOPMENT BOUNDARY AND A	)
CHANGE OF THE LAND USE	)
DESIGNATION FROM AGRICULTURE	)
AND RURAL RESIDENTIAL TO	)
PLANNED RESIDENTIAL TO	)
PARCELS 126-170-005, 011, 025 and	)
150-060-008)	)
UPON MOTION OF SUPERVISOR	, SECONDED BY SUPERVISOR WING WAS ADOPTED BY THE BOARD OF
SUPERVISORS, AT AN OFFICIAL MEET BY THE FOLLOWING VOTE:	ΓING HELD ON THE 28 <sup>th</sup> DAY OF MARCH, 2006
AYES:	
NOES:	
ABSTAIN:	
ABSENT:	
	ATTEST: C. BRIAN HADDIX COUNTY ADMINISTRATIVE OFFICER CLERK, BOARD OF SUPERVISORS
	BY: Deputy Clerk
* * *	* * * * * * * *

Allowed GPI 06-001 to proceed as a General Plan Amendment to: 1) include the entire project area within an Urban Development Boundary; 2) change the land use designation of Assessors Parcel Numbers (APN's) 126-170-005, 011 and 025 from Rural Residential to Planned Residential; 3) change the land use designation of APN 150-060-008 from Agriculture to Planned Residential, and 4) change the policy III B in GPA 81-08 and GPA 92-07 B/C to remove text requiring residential development in conjunction with the existing golf course.

#### Exhibit A

#### Excerpts from the County's General Plan Policies and Zoning Ordinance

#### GPA 81-08 Visalia Land Use Plan (1982)

- III. Modification to Adopted Elements
  - B. Section IV, A of GPA 77-2 is hereby amended by the addition of the following paragraph.

Another area, containing 67 acres, located east of Road 124 and north of the southern boundary of the Visalia Urban Area is designated "Planned Residential" replacing the City's designation of "Agriculture" The site is the northern half of the existing Sierra View Golf Course. The intent of the designation is to provide residential development in conjunction with the existing golf course facility. (Pg 2)

#### GPA 92-07 B/C Visalia Land Use Plan and Urban Boundaries (1996)

This plan amendment supersedes, insofar as General Plan Land Use Designations are concerned, GPA 77-2 (Visalia Land Use and Circulation). This amendment also supersedes GPA 78-3C (Visalia Area Road 86-Highway 198 Land Use) as the subject is now annexed to the City of Visalia. GPA 81-08 (Visalia Land Use Plan) and GPA 83-06 are retained....(Pg. 2).

- V. Land Use Designations: The relationship between County Land Use Designations adopted for the Visalia Area and those General Plan Land Use designations adopted by the City of Visalia via their 2020 Plan is established by the attached Land Use Designation Matrix. Where this amendment adopts land use designations reflective of the City 2020 Plan, the County land use designations which correspond to such City land use designations are shown in the matrix.... The following paragraphs refer to unincorporated areas:
  - B. Rural Residential: This designation is applied to that area shown as "Rural Residential" by the City of Visalia's Land Use Element and within the County-adopted UDB for Visalia. This designation is also applied to the following areas between the Visalia UDB and Urban Area Boundary:

The Sierra View Golf Course and associated residential parcels (Reference: GPA 81-08) (pg. 3-4).

#### VI. Policies:

#### A. Residential:

- 1. Multi-family dwelling units shall be permitted only with PUD.
- 2. The minimum size of a residential PUD shall be 5 acres.

- 3. The minimum size of a PUD containing a neighborhood commercial center shall be 40 acres, except where it can be demonstrated that the goals of this plan can be substantially achieved with PUD on parcels smaller then 40 acres this policy shall not be applicable to any PUD of less than 40 acres which was approved prior to the adoption of this amendment (GPA 77-2).
- 4. Single family conventional development, not designated as a part of residential PUD, shall have a minimum lot size of 6,000 square feet.
- 5. Single family development if designed as a part of a residential PUD, may have a minimum lot size smaller than 6,000 square feet.
- 6. No industrial uses shall be permitted within a residential PUD.
- 7. The maximum height of any residential structure shall be 2 ½ or 35 feet to the uppermost part of the roof (pg. 7-8).

#### E. Site Plan Review:

All application for use permits, subdivisions, parcel maps shall be subject to review by the Site Plan Review Committee to ensure that development occurs consistent with the availability of water and sewer services and the existence of Scenic Corridors within the Visalia Urban Area (pg. 9).

#### **Urban Boundaries Element 1974**

B-3. Holding and Transitional Zones. Where there is a gap between the Urban Improvement Area and the Urban Boundary Area, the land lying therein is considered to be either in a holding zone (awaiting the time when more intensive development may be justified), or is designated as appropriate for large-lot, suburban development (1-5 acres). Suburban development zones could be applied at the outer reaches of Urban Area Boundaries to provide a transition between urban and rural uses, where such uses re compatible with the land sue plan of the community. However, if the land use plan designates the area for more intensive use in the future, then agricultural zoning should be employed to "hold" the land for more appropriate use. (Pg. 19)

#### **Urban Boundaries Element GPA 88-01**

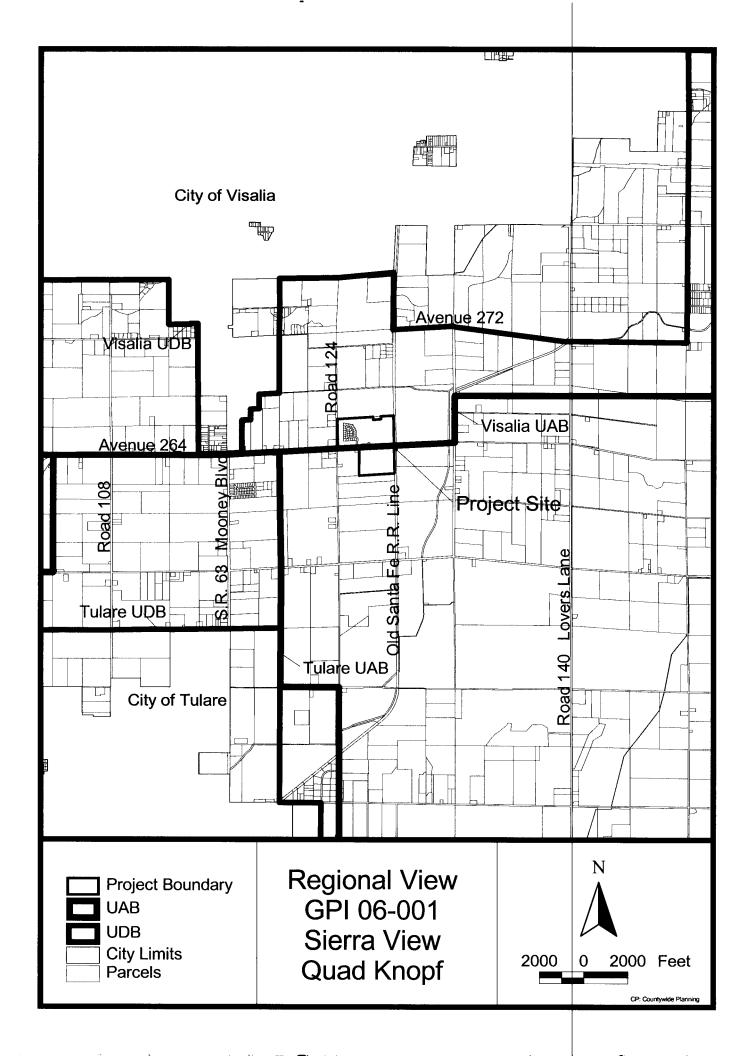
- I. Urban Development Policies
- 4. This plan element establishes the policy that urban development shall only take place in the following areas:
  - (1) within incorporated cities. As an exception to this policy, the County may consider proposals for urban development within the Urban Development Areas adjacent to cities if all of the following criteria are met:
    - a. One of the following has occurred:

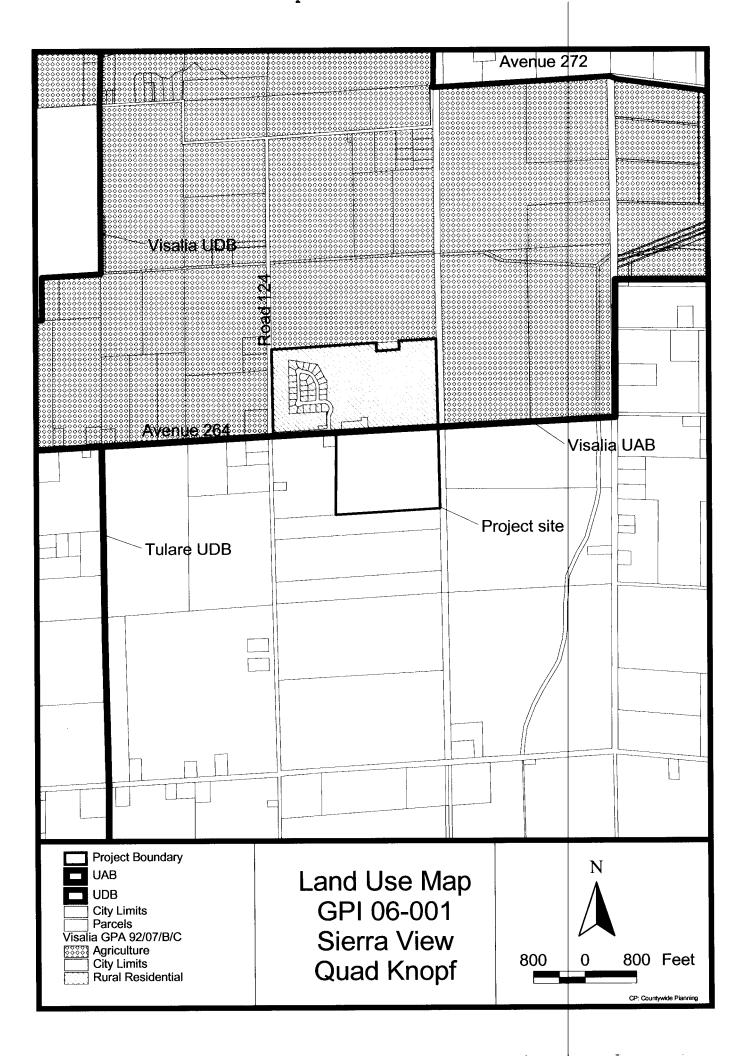
- (1) The adjacent city does not consent to annex the property for development (as evidenced through pre-zoning, development agreements, etc.); or
- (2) Annexation is not possible under the provisions of State law, but it is determined by the County that development of the site does not constitute leapfrog or non contiguous development; and
- b. The County finds that the public service impacts of the development are within the service capabilities of the County and affected special districts; and
- c. The use and density proposed are determined to be consistent with the adopted general plan of the County and compatible with the adopted general plan of the affected city.
- (2) within the urban development boundaries of unincorporated communities;
- (3) within Foothill Development Corridors; and
- (4) within other areas suited for non-agricultural development, as determined by the procedure set forth in the Rural Valley Lands Plan.
- III. Policies Regarding Communication and Project Review.
- 2. A city shall be afforded the right of review and comment whenever the County Planning Commission or Board of Supervisors considers matters affecting the unincorporated areas within each city's Urban Area Boundary. Opinions and recommendations voiced by the city on such referral matters should be given serious consideration in rendering final decisions.

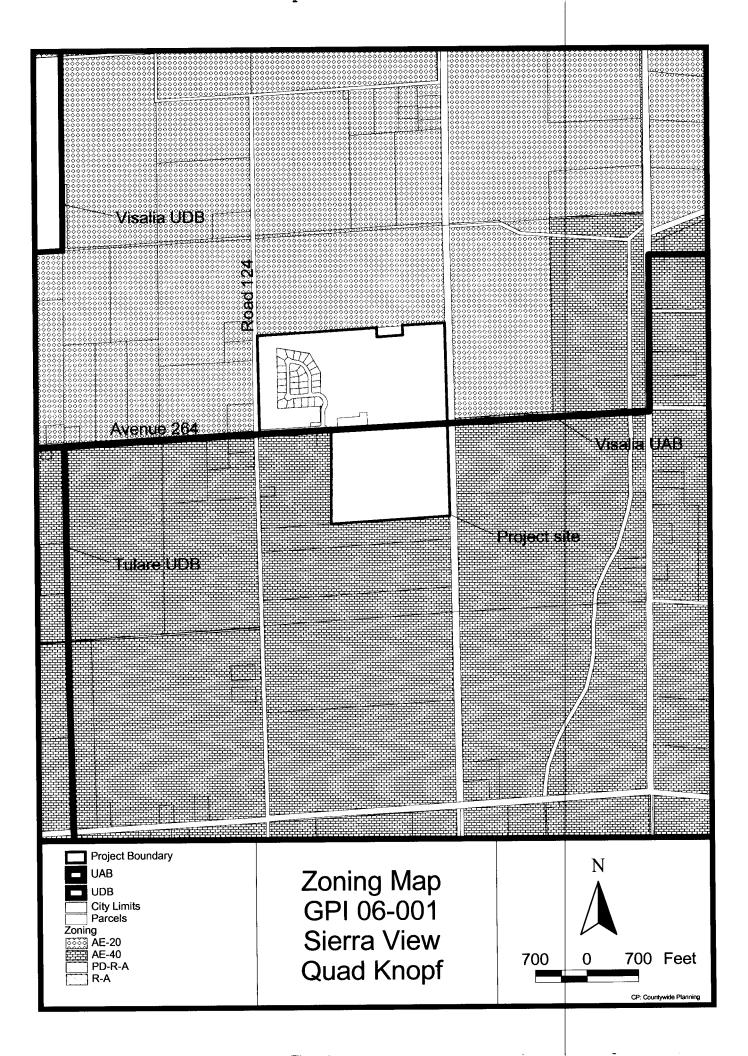
#### Zoning

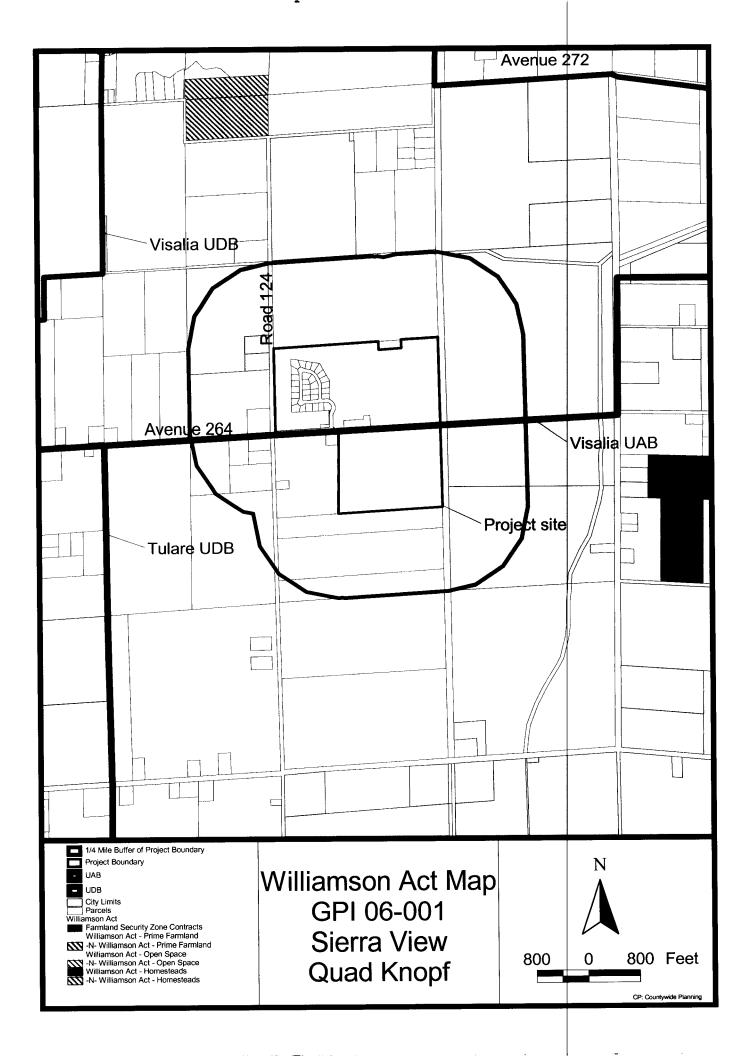
Planned Unit Development: In certain instances the objectives of the Zoning Ordinance may be achieved by the development of planned units which do not conform in all respects with the land use pattern designated on the zoning map or the zoning regulations prescribed in this Ordinance. A planned unit development may include a combination of different dwelling types and/or a variety of land uses which complement each other and harmonize existing and proposed land uses in the vicinity (Tulare County Zoning Ordinance Section 18.5, page 1).

Rural Residential Zone (R-A) is intended for one-family dwellings of a permanent character placed in permanent locations (Tulare County Zoning Ordinance Section 4, page 1).









# RESOURCE MANAGEMENT AGENCY



#### INTEROFFICE MEMORANDUM

March 9, 2006

TO:

Chuck Przybylski, Project Planner

FROM:

Craig Anderson, Engineer III

SUBJECT:

General Plan Initiation Request - GPI 06-001 - Rancho Sierra

I have reviewed the project description and environmental checklist assessing the nature of and potential impacts associated with the proposed general plan amendment. I recommend that the applicant be authorized to submit an application for 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:ta

# RESOURCE MANAGEMENT AGENCY DEVELOPMENT SERVICES BRANCH CODE COMPLIANCE DIVISION

## INTEROFFICE MEMORANDUM

DATE:

March 9, 2006

TO:

Chuck Przybylski

FROM:

Lissa Davis

RE:

GPI 06-001

Thank you for the opportunity to comment on this project.

Code Compliance does not have any violations on any of the parcels listed. We, therefore, have no comments.



1 4 1116.= CK# 90982 Rec.# ROGO0107 1-9-CK RT

January 9, 2006

RECEIVED
TULARE COUNTY

George E. Finney, Assistant Director, Long Range Planning County of Tulare Resource Management Agency 5961 S. Mooney Blvd. Visalia, CA 93277

JAN 09 2006

RESOURCE MANAGEMENT AGENCY

Subject:

Request to Initiate a General Plan Amendment

Job # 050744; Rancho Sierra/Tulare Co./Mangano Homes

Dear Mr. Finney:

Please schedule the above item for the next available Board of Supervisors hearing. The subject property consists of three parcels totaling approximately 113 acres generally located on the northeast corner of Avenue 264 and Road 124, and on the east side of Sierra View golf course. There is an existing housing development and other homes and buildings within the project area. The subject APN's are 126-170-05, -11, -25, and 150-060-08.

The proposed project will involve the development of a subdivisions project that will be 6.5 units to the acre. The text of GPA 81-08 specifies that the project shall be a residential development with a related golf course. The current operators of the golf course have determined that continuance of this is not economically or financially feasible. The expansion of the Visalia Municipal course, and the Tulare Municipal course absorb most of the demand for golf services in the region, and are better located and municipally subsidized. The cost of water, energy and other factors have also rendered the golf course infeasible and its continuance is not feasible. Reversion to agricultural acreage is also not feasible since the reclamation and cultivation costs for reversion to agricultural acreage could not be supported by crops grown in the vicinity at current and historical market prices. A significant portion of the project site is also committed to residential development and reversion to agricultural acreage would not be compatible with those land uses.

The applicants wish to change the County General Plan land use designation to Low Density Residential, and to remove the requirement for a "golf course oriented development" from the approved General Plan amendment 81-08. If the Board of Supervisors is favorable to this request, the applicants plan to file formal applications for a GPA and a tentative subdivision map to develop a 175 single- family lot subdivision. This would result in about 6.5 units per acre. An EIR for the project will also be submitted.

Our copy of the Tulare Co. Comprehensive Policy Plan references GPA 81-08, involving the Sierra View golf course site. (Section 4-59, subsection 417.035). In summary, it states the "portion of the Sierra View Golf Course which lies within the Visalia Urban Area Boundary (was changed) from 'Park' to 'Planned Residential." Please let me know if you need any additional information, and the scheduled hearing date as soon as you know it. Thank you ahead of time for your assistance.

Sincerely,

Stephen J. Peck, AICP

Vice President

Attachments: Three

1. Quad Knopf check for \$1,116

2. Preliminary Tentative Subdivision map for Rancho Sierra project.

3. Tulare County Assessor's Maps (reduced photocopies)

