

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 the west half of the northwest quarter and the west half of the southwest quarter of Section 15 and the east half of Section 16, Township 19 South, Range 26 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, Being a subdivision of Map Part No. 429. The map showing the AE-20 (Exclusive Agricultural-20 acre minimum) Zone approved for the 187.94 acre site is attached hereto and incorporated herein by reference.

Section 2. The property affected by the zoning reclassification filed as Change of Zone Case No. PZ 08-010 is briefly described as follows:

Being approximately 187.94 acres located on the east side of Highway 99 and the south side of Avenue 272 (APN 119-140-078, 119-130-021, 119-140-077), approximately 4,080 feet west of Road 100, south of Visalia.

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 _____, 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 ____ day of _____, 2009, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

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AYES:

NOES:

ABSENT:

Chairman, Board of Supervisors

ATTEST: JEAN M. ROUSSEAU
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy

ATTACHMENT NO. 1

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE)

RESOLUTION NO. 8415

ZONING REGULATIONS, CASE NO. PZ 08-010)

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve a petition by Sarjit Malli, 233 North M Street, Tulare, CA 93274 (agent: California Planning and Engineering, 724 N. Ben Maddox Way, Visalia, CA 93292) for a zone change from AE-40 (Exclusive Agricultural-40 acre minimum) to AE-20 (Exclusive Agricultural 20-acre minimum, on a 187.94 -acre site located on the east side of Highway 99, and the south side of Avenue 272, south of Visalia.

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

WHEREAS, the Planning Commission has given notice of the proposed Ordinance amendment as provided in Section 18 of said Ordinance No. 352 and Section 65854 of the Government Code of the State of California, and

WHEREAS, Staff has performed necessary investigations, prepared a written report (made a part hereof), of this proposed Ordinance amendment, and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on January 14, 2009, and.

WHEREAS, at that meeting of the Planning Commission public testimony was received and recorded from Ed Canvasser (agent) and Dr. Malli, in support of the proposal and no one spoke in opposition to the proposal.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that the Planning Commission has reviewed and considered the information contained in the Negative Declaration for the proposed Change of Zone together with any comments received during the public review process, in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970 prior to taking action on the Zone Change.

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

1. The Zone Change will not change the land use of the site. It will still be used for agricultural/residential use. The Visalia Area Land Use Plan designates this site as Agriculture.
2. The Urban Boundaries Policy VI. states that the County and each city shall continue to determine appropriate zoning for unincorporated areas within city Urban Area Boundaries.
3. The site is located within the Urban Area Boundary of Visalia. The site is adjacent to Highway 99, which is listed as a noise impacted corridor. Agricultural zones are not noise sensitive and do not require noise avoidance measures.
4. The site is composed of three parcels; one of the parcels, where the residence is located is a financing parcel.
5. A Negative Declaration was prepared for the project and approved for public review by the Environmental Assessment Officer indicating that the project will not have a significant effect on the environment.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Ordinance amendment as petitioned to be consistent with the purpose of Ordinance No. 352 and further finds the petition is in conformance with the adopted General Plan for the County of Tulare.

AND, BE IT FURTHER RESOLVED as follows:

1. This Commission hereby recommends that the Board of Supervisors find there is no substantial evidence that said Change of Zone will have a significant effect on the environment and determine that the Negative Declaration for said Zone Change reflects the independent judgment of the county and has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970.

2. This Commission hereby recommends that the Board of Supervisors approve Amendment to the Zoning Regulations Case No. PZ 08-010, as petitioned, to the AE-20 Zone.

The foregoing resolution was adopted upon motion of Commissioner Gong, seconded by Commissioner Whitlatch, at a regular meeting of the Planning Commission on the 14th day of January, 2009, by the following roll call vote:

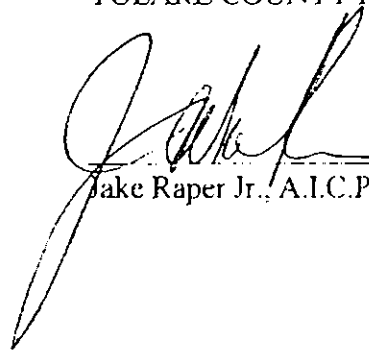
AYES: Whitlatch, Millies, Gong

NOES: Pitigliano, Dias

ABSTAIN: None

ABSENT: Ellison

TULARE COUNTY PLANNING COMMISSION



Jake Raper Jr., A.I.C.P., Secretary



5961 S. Mooney
Blvd
Visalia, CA
93277
733-6291 Phone
730-2653 Fax

ATTACHMENT NO. 2
RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
PLANNING COMMISSION
AGENDA

PLANNING COMMISSION

CHAIRMAN: John Elliott
VICE-CHAIR: Nancy Pitigliano

COMMISSIONERS:
Bill Whillatch
Wayne Millies
Ed Dias
Melvin Gong

AIRPORT LAND USE
COMMISSIONERS (ALUC)
Doug Silveria
Jack Ritchie

SUBJECT: PZ 08-010 – Malli- Rezone property from AE-40 to AE-20	AGENDA DATE:	1/14/09
	AGENDA ITEM NUMBER:	7c
Located on the east side of Highway 99, and the south side of Avenue 272, south of Visalia, Negative Declaration filed.	AGENDA ITEM TYPE:	
	Presentation	X
	Consent Agenda	
	Unfinished Business	
	New Business	
	Public Hearing	X
	Continued Public Hearing	
	Other:	
	ACTION REQUESTED:	
	Minute Action Motion Reflected in the Planning Commission Minutes	
Resolution	X	
Recommended Ordinance Amendment:		
CONTACT PERSON: Maureen Hopkins		

REQUEST(S):

That the Planning Commission: Deny the request for a zone change and move as directed by staff to adopt the Resolution.

PLANNING COMMISSION ACTION:

Option No. 1: Move to deny the project.

Option No. 2: Move to recommend to accept the Negative Declaration as the appropriate environmental document and recommend approval of PZ 08-010.

Option No. 3: Refer Back to Staff for further study and report

PROJECT SUMMARY: The applicant is requesting a zone change from AE-40 (Exclusive Agricultural 40-acre minimum) Zone on 187.94 acres to AE-20 (Exclusive Agricultural 20-acre minimum) Zone.

The parcels are located within the Urban Area Boundary of Visalia. The surrounding properties are all zoned AE-40. The AE-40 Zone is designated for intensive and extensive agriculture. It also acts as a holding zone within urban area boundaries where land may be retained in agricultural use until such time as conditions warrant conversion of such land to urban use. The

SUBJECT: PZ 08-010
DATE: January 14, 2009

parcels creating multiple parcelization; which could be problematic in the event that the land is converted to urban use.

The applicant is proposing to create nine-20 acre parcels and one 4.3 acre parcel for the existing residence.

ENVIRONMENTAL SUMMARY:

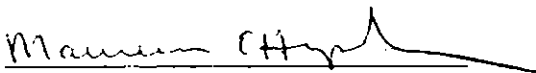
Option No. 1. No environmental document is required for denial.

Option No. 2. That the Planning Commission accepts the Negative Declaration as the appropriate environmental documentation for the project.

ATTACHMENTS:

1. Planning Commission Resolution
2. Environmental Documents
3. Staff Research and Background Reports.
4. Maps and Graphics
5. Consultation and Other Agency Comments and Recommendations
6. Public Notice Information

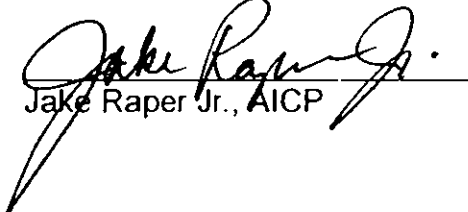
PROJECT PLANNER:


Maureen O'Hara

CHIEF PLANNER:


Beverly Cates

ASSISTANT DIRECTOR RMA -- PLANNING BRANCH


Jake Raper Jr., AICP

Project: PZ 08-010

Applicant: Sarjit Malli

Agent: California Planning and Engineering

Date Prepared: 11/10/08

NEGATIVE DECLARATION

DESCRIPTION OF PROJECT:

Proposal, Zoning and Parcel Size: The rezoning of 187.94 acres from AE-40 (Exclusive Agricultural 40-acre minimum) Zone to AE-20 (Exclusive Agricultural 20-acre minimum) Zone. The intent is of the zone change is to create nine -20 acre parcels and one 4.3 acre parcel.

Location: The site is located on the east side of Highway 99, and on to the south side of Avenue 272, south of Visalia.

APN: 119-140-078, 119-130-021, 119-140-077

Section 15, Township 19 South, Range 24 East MDB&M

Project Facts:

Refer to Initial Environmental Study for a) project facts, plans and policies, b) discussion of environmental effects and mitigation measures and c) determination of significant effect.

Attachments: .. --

Initial Environmental Study (X)

Maps (X)

Mitigation Measures ()

Letters (X)

Staff Report (X)

DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

- (a) 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 below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or

restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory.

- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Negative Declaration has been prepared by the Tulare County Resource Management Agency, in accordance with the CEQA 1970, as amended. A copy may be obtained from the Tulare County Resource Management Agency, 5961 South Mooney Blvd., Visalia, CA 93277-9394, telephone (559) 733-6291, during normal business hours.

APPROVED
DAVID CLAXTON
ENVIRONMENTAL ASSESSMENT OFFICER

BY: _____



DATE APPROVED: 11/20/08

REVIEW PERIOD: 20 days

NEWSPAPER:

- (X) Visalia Times-Delta
- () Porterville Recorder
- () Tulare Advance-Register

**TULARE COUNTY RESOURCE MANAGEMENT AGENCY
PLANNING BRANCH
Environmental Assessment/Staff Report/Initial Study
Change of Zone No. PZ 08-010**

I. GENERAL:

1. **Applicant:** Sarjit Malli
 233 N. M Street
 Tulare, CA 93274

2. **Property Owner:** Same

3. **Agent:** California Planning & Engineering
 724 N. Ben Maddox Way
 Visalia, CA 93292

4. **Proposal:**

A Change of Zone of 187.94 acres from the AE-40 (Exclusive Agricultural -40 acre minimum) Zone to AE-20 (Exclusive Agricultural 20-acre minimum) Zone.

Applicant's proposal: The intent of the zone change is to create nine 20- acre parcels and one 4.3 acre parcel for the existing residence.

5. **Location:**

On the east side of Highway 99, and the south side of Avenue 272, south of Visalia.

Section 15, Township 19 South, Range 24 East, MDB&M – APN 119-140-78, 119-130-021, 119-140-077

II. COMPATIBILITY WITH EXISTING PLANS, POLICIES AND STANDARDS:

1. **General Plan:**

Applicable Land Use & Circulation Element: Visalia General Plan Land Use

Land Use Designation: The Visalia General Plan Land Use designates this site as Agriculture.

Circulation: The parcel is situated east of Highway 99, on Avenue 272. Avenue 272 is listed as a minor road.

Open Space: The Tulare County Open Space Plan designates this site as "Intensive Agricultural".

Noise Element: The 1988 Noise Element indicates the subject site is located

within the Highway 99 noise impacted corridor. Noise avoidance measures are not required for agricultural use.

The County is undergoing a General Plan update, and the 2030 General Plan policies are to be considered for evaluation:

AG-1.12: The County shall discourage the creation of ranchettes in areas designated Valley Agriculture and Foothill Agriculture

1974 Urban Boundaries Element, as amended: The 1974 Urban Boundaries Element (last amended 1988) indicates the subject site is located within the Urban Area Boundary of Visalia.

The Urban Area Boundaries Policy VI, 1. states that the County and each city shall continue to determine appropriate zoning for unincorporated areas within city Urban Area Boundaries.

2. Zoning and Land Use:

Existing Zoning Classification:

Zoned AE-40 (Agricultural-40 acres minimum) – The subject site contains a single-family residence, garage, swimming pool, spa, well and septic system located at the southeast corner of the property and the remainder of the site is cultivated with crops. A metal ag. building is located on the west portion of the site.

- Property to the north is zoned AE-40, contains row crops, rural residential
- Property to the east is zoned AE-40, contains row crops
- Property to the west is zoned AE-40, contains row crops
- Property to the south is zoned AE-40, contains row crops, packing facility

The AE-40 Zone is an exclusive zone for intensive and extensive agricultural uses and for those uses which are necessary and integral part of intensive and extensive agricultural operations. One single family residence is allowed for the entire contiguous property. In addition to the residence allowed one additional residence or mobilehome for each twenty acres in the entire property. Under the current zoning the applicant can have 10 houses on 187 acres for relatives, or farmworkers.

The AE-40 Zone purpose states: To provide for a minimum parcel standard which is appropriate for areas where soil capability and cropping characteristics are such that a breakdown of land into units of less than 40 acres would adversely affect the physical and economic well-being of the agricultural community and the community at large. An additional purpose of the AE-40 Zone is to function as a holding zone within urban area boundaries as designated by the General Plan whereby land may be retained in agricultural use until such time as conditions warrant conversion of such land to urban use.

Proposed Zoning Classification:

The AE-20 (Exclusive Agricultural 20-acre minimum) Zone is an exclusive zone for intensive agricultural uses and for those uses which are a necessary and integral part of the agricultural operation. It is the purpose of the zone to prevent or minimize the negative interaction between various agricultural uses. A related purpose of this zone is to disperse intensive animal agricultural uses to avoid air, water, or land pollution otherwise resulting from compact distribution of such uses. One single family residence or mobilehome for the entire contiguous property is permitted. In addition, to the existing residence, one additional residence or mobilehome for each twenty acres is permitted. Therefore 18 residences will be allowed by right on the 9 parcels. The yard area requirements for the AE-20 Zone are as follows: Front and rear yard areas requirements are 25 feet. The side yard area requirement is 10 feet.

Avenue 272 requires a building line setback of 50 feet. The Building Line Setback Ordinance requires the space between such building line setback and the nearest edge of the right of way shall be kept free of all structures as provided in section 7-19-1005, subject to some exceptions. Where there is a conflict between two ordinance requirements, the greater setback shall apply.

Issues to Consider:

An issue to consider with the proposed zone change is spot zoning. The 187-acre parcel to be rezoned AE-20, is surrounded by AE-40 zoned parcels. This will set precedence in the area of establishing smaller agricultural parcels in the AE-40 zone.

~~Determination as to the appropriate minimum parcel size for a particular area were made on the basis of factors relevant to the protection and maintenance of existing and or potential agricultural uses of the land. Agricultural uses reflect the minimum acreages necessary to support commercial agriculture for the predominant types of crops grown in an area--- for example orchards and vineyards are zoned AE-20; field crops are AE-40.~~

According to the applicant's agent proposed parcels 2, 9, 8, 7, 6 and 5 which make up the frontage of the property are 39-acres of vineyards. A portion of Parcels 1, 2, 9 and 8 have 14 ½ acres of oranges. Parcel 5 has 13 ½ acres of orchards. Parcels 3 and 4 have 42.5 acres of walnuts.

III. ENVIRONMENTAL SETTING:

1. Topographical Features:

Slope: Generally level, typical of most valley lands.

Water Courses: Packwood Creek traverses the parcels.

2. **Flooding Potential:**

FEMA FIRM Flood Hazard Map designation: Zones A & B (Federal Emergency Management Agency, Flood Insurance Rate Maps, Panel 650 C. An elevation certificate and associated flood avoidance measures will be required on all proposed buildings within FEMA Zone A. FEMA Zone A is contained within the Packwood Creek channel. Flood Zone B requires no specific flood avoidance measures; however, it is recommended that all finished floor levels are elevated one foot above the adjacent natural grounds.

3. **Soils**

TYPE	CAPABILITY, CLASS	SHRINK/SWELL POTENTIAL	SEPTIC TANK ABSORPTION FIELDS
Nord fine sandy loam, 0 to 2 % slopes	I(Prime)	Low	Moderate

4. **Biological Habitat:** The California Natural Diversity Data Base (CNDDB 2008) shows the property to be within the range of the San Joaquin kit fox, federally listed as endangered and state listed as threatened. The subject site contains a single family residence and the rest of the site is cultivated. Packwood Creek meanders through the property.

5. **Agricultural Preserve:** The subject site is not within an Agricultural Preserve.

DESCRIPTION OF PROJECT PROPOSAL:

1. **History:**

In 1972 the site was rezoned from A-1 to AE by PZ 72-21 which was adopted on November 21, 1972 by Ordinance No. 1537. Ordinance No. 1998 established the AE-40 Zone on this site on February 1, 1977. Ordinance 2326 amended and regulated land uses to zones within this area and was adopted on April 1, 1980.

PPM 82-077AW was approved by Resolution 6219 on October 8, 1982, and recorded March 4, 1983, it created the division of 276 acres into two parcels (Parcel 1= 267 acres, Parcel 1A=9.67 acres),

PLA 91-052 was approved by Decision No. 91-052 on September 30, 1991. The lot line read adjusted Parcel 1 was 267 acres and became 189 acres; Parcel 2 was 9.67 acres and became 88.64 acres.

PPM 96-004C was approved by Decision No. 96-066 on June 28, 1996 and was recorded October 23, 1996. This created a financing parcel. Parcel 1= 186.54 and Parcel 1A= 1.45 acres.

Building permit 9503832 metal ag. building on parcel 119-130-21

Building permit A0501587 for a swimming pool and spa on parcel 119-140-78

2. Vehicular Access:

The site has access from Avenue 272. Avenue 272 is a County maintained road with a 60 ft. wide right-of-way.

3. Water Service and Sewage Disposal Service:

The site has a domestic well that has 7.5 hp, and has an output of 65 gallons per minute. A septic tank provides sewage disposal; the tank size is 1,500 gallons and the leach lines extend 600 feet. Future development would have wells and septic systems.

4. Agencies Notified:

Agency	Date	Comments
Countywide Planning Division	10-22-08	Traffic analysis required.
Agricultural Commissioner	No response	
RMA Engineer/Flood/Traffic Division	10-23-08	No conditions recommended
HHS Environmental Health Services	9-30-08	No conditions recommended
Tulare County Fire Department	9-30-08	No conditions recommended
Tulare County Airport Land Use Commission	10-13-08	No conditions recommended
Sheriff's Department	No response	
Visalia Unified School District	No response	
Kaweah Delta Water Cons. District	No response	
State Lands Commission	No response	
District Archaeologist	No response	
City of Visalia	No Response	
Caltrans Dist. 6	10/13/08	Additional right of way required by Caltrans to be implemented during further review processes.

5. Other Facts:

- a. Fire Protection: Tulare County Fire Department – in Visalia
- b. Police Protection: Tulare County Sheriff's Station – Visalia
- c. Public Utilities: Electricity: Southern California Edison Company
Gas: The Gas Company
Solid waste collection: Allied Disposal

V. ENVIRONMENTAL IMPACTS CHECKLIST/DISCUSSION: (see attached documents)

VI. DETERMINATION: The Environmental Assessment Officer has approved a Negative Declaration for public review for the project, indicating that the proposal will not have any environmental impacts.

VII. SUBSEQUENT ACTIONS:

1. Appeals:

Planning Commission action to approve a change of zone is advisory only, with final action to be taken by the Tulare County Board of Supervisors. Planning

Commission action for denial of the change of zone is final unless appealed, in writing, to the Board of Supervisors, 2800 W. Burrel, Visalia, CA 93291-4582 within 10 days from the date the action is taken. The written appeal shall specifically set forth the grounds for the appeal and shall be accompanied by the appropriate appeals fee.

2.Fish and Game Fees:

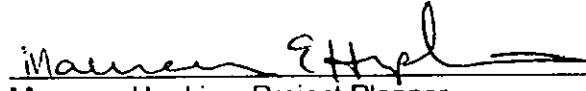
A Negative Declaration has been prepared for this project by the Environmental Assessment Officer indicating that the project will not have a significant effect on the environment. However, the Negative Declaration does indicate that there will be minor impacts, either individually or cumulatively, on wildlife resources, and as such, Section 711.4 of the Fish and Game Code requires that the applicant pay a fee of \$1,993.00 a user fee to allocate the transactional costs of fish and wildlife protection to those who consume those fish and wildlife resources through urbanization and development.

The Fish and Game Code also requires that the applicant pay to the Tulare County Clerk's office a \$58 document handling fee for the required filing of the Notice of Determination. The Notice of Determination is required to be filed within five (5) days of project approval (after the 10 day appeal period has run) providing no appeal has been filed. If an appeal is filed within the 10 day appeal period, the Notice of Determination cannot be filed until the Board of Supervisors makes a decision on the appeal. The applicant shall pay the fee to the Tulare County Clerk's Office, Room 105, Tulare County Courthouse, Visalia, CA 93291-4593. Checks shall be made payable to: "County of Tulare". Applicants cannot avoid payment of the required \$58 Department of Fish and Game fee since a provision of AB 3158 declares that decisions on private projects are not "operative, vested, or final" until the fee is paid to the County Clerk. No building permits shall be issued until the fee is paid.

In order to apply to waive the Fish and Game user fee, the applicant may contact the California Department of Fish and Game (DFG) at 559-243-4014 to have the project reviewed. Fees are only waived for projects that meet strict requirements. DFG will require a copy of the Staff Report and Environmental Assessment/Initial Study.

VIII. CREDITS:

This Staff Report was prepared by:


Maureen Hopkins, Project Planner
Project Review Division

11-12-08
Date

This Staff Report was approved by:


Beverly Cates, Chief Planner
Project Review Division

11-12-08
Date

V. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

- A. The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" "unless mitigated" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

B. DETERMINATION:

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that a previous EIR or Negative Declaration may be utilized for this project - refer to Section E.

Maureen Hopkins
Signature

12-7-08
Date

Maureen Hopkins

Project Planner

C. EVALUATION OF ENVIRONMENTAL IMPACTS:

The following checklist contains an extensive listing of the kind of environmental effects that result from development projects. Evaluation of the effects must take account of the whole action involved, including off-site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts, in addition to reasonably foreseeable phases or corollary actions. The system used to rate the magnitude of potential effects is described as follows:

A **"Potentially Significant Impact"** is appropriate if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more **"Potentially Significant Impact"** entries when the determination is made, an EIR is required.

A **"Less Than Significant With Mitigation Incorporation"** applies where the incorporation of mitigation measures has reduced an effect from **"Potentially Significant Impact"** to a **"Less Than Significant Impact."**

A **"Less Than Significant Impact"** means that the environmental effect is present, but is minor in nature and/or not adverse, or is reduced to a level less than significant due to the application and enforcement of mandatory locally adopted standards.

"No Impact" indicates that the effect does not apply to the proposed project.

Using this rating system, evaluate the likelihood that the proposed project will have an effect in each of the environmental areas of concern listed below. At the end of each category, discuss the project-specific factors, locally adopted standards, and/or general plan elements that support your evaluation. A brief explanation is required for all answers except **"No Impact"** answers that are adequately supported by the information sources cited in the parentheses following each question. A **"No Impact"** answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one proposed (e.g., Zone C of the FEMA maps). A **"No Impact"** answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project specific screening analysis). The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than

significance

Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is **potentially significant, less than significant with mitigation**, or **less than significant**. "Potentially Significant" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "**Potentially Significant Impact**" entries when the determination is made, an EIR is required.

"Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The mitigation measures must be described along with a brief explanation on how they reduce the effect to a less than significant level (mitigation measures from Section E., "Earlier Analyses," may be cross-referenced).

Earlier analyses may be used where, pursuant to the tiering program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration Section 15063(c)(3)(D). In this case, a brief discussion should identify the following.

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
- b) **Impacts Adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) **Mitigation Measures.** For effects that are "Less Than Significant with Mitigation Measures Incorporated." describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site- specific conditions for the project.

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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D. ENVIRONMENTAL IMPACTS CHECKLIST

1. AESTHETICS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state or county designated scenic highway or county designated scenic road? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings that are open to public view? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis: According to the Scenic Highways Element of the Tulare County General Plan, the subject site is not located adjacent to or near a designated eligible Scenic Highway. The project will change the zone on 187.94 acres from AE-40 to AE-20, the intention of the proposal is to create nine 20-acre parcels and one 4.3 acre parcel. The creation of those parcels will require further discretionary processes and environmental analysis, if this project is approved. The proposed zone change will have the possibility of increasing residential density along Highway 99, with one residence per 20 acre parcel. The proposed tentative map depicts two parcels adjacent to Highway 99. The current use of the property is an orchard, most likely the trees will be retained alongside the residence closest to the freeway, therefore two residences along side Highway 99 will not degrade the visual character of the site or its surroundings that are open to public view and will have less than significant impact on aesthetics.

2. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the Rural Valley Lands Plan point evaluation system prepared by the County of Tulare as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

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| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use or if the area is not designated on the Important Farmland Series Maps, would it convert prime agricultural land as defined in Section 51201(C) of the Govt. Code to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agriculture use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or otherwise adversely affect agricultural resources or operations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Analysis: The site is currently zoned AE-40 and is listed as being prime farmland. Although the proposed zone is agricultural, the reduction to AE-20 zone reduces the agricultural viability of the land. The land will still be zoned for agricultural use, but two residences per 20 acres will be permitted, as well as the possibility of additional residences with approval of a special use permit. The possibility of increased density, and of creating ranchettes, whose main purpose is residential land use versus agricultural development can have the potential to convert farmland to non-agricultural use. Furthermore, the soil on the site is hard fine sandy loam, which is rated as prime for agricultural use. But, since the parcel is remaining agricultural and the applicant is not able to have any additional residences with this approval- than they are by right. This project is deemed to have less than significant impact to agriculture.

3. AIR QUALITY

Where available, the significance criteria established by the San Joaquin Valley Unified Air Pollution Control Dist. may be relied upon to make the following determinations. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter air movement, moisture, or temperature, or cause any substantial change in climate? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis: The San Joaquin Valley is considered to be a non-attainment area for air quality standards for ozone and respirable particulate matter (PM 10) under the Clean Air Act. Nearly all development projects have the potential to generate pollutants that will worsen air quality, so it is necessary to evaluate air quality impacts to comply with the California Environmental Quality Act. Greenhouse gas emissions and climate change is potentially one of the most significant environmental issues of our time. This project has the potential, although slight, to increase the carbon footprint of the County. Every effort should be made to increase energy efficiency and decrease the release of greenhouse gases. (See special section below.)

The project was evaluated under air quality emission thresholds set forth in the San Joaquin Valley Air Pollution Control District's "Guide for Assessing and Mitigating Air Quality Impacts." The Guide describes the level of quantitative emissions analysis recommended for various sizes and types of land use projects. The threshold for Small Project Analysis Level (SPAL) residential uses is 1,453 trips per day, or 152 units. The proposed zone change will not change the use of the land, but will have the potential to increase the density, thereby increasing the number of vehicles and trips. A tentative map was submitted that depicts 9-20 acre parcels and a 4.3 acre parcel, for a total of ten parcels. Ten residences are permitted by right on this property. The proposed project will generate 95 trips a day this does not meet the threshold of significance. The zone change does not address the process; it will be addressed in future discretionary processes, if the zone change is approved. The land use is zoned for agricultural development, and currently the site is developed with orchards. Most likely a good portion of the orchards will remain on each site, except for the area cleared for residential use.

The zone change will not change the current usage of the land, and therefore there will be no net increase in criteria air pollution (ozone and PM-10) from the process.

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Future uses will need to be reviewed separately to determine their impact on the environment.

* Greenhouse Gas (GHG) Emissions. The potential effect of greenhouse gas emissions on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to all other greenhouse gas producing activities around the world result in increases in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects.

The State of California has taken several actions that help to address potential global climate change impacts. Although not originally intended to reduce greenhouse gas emissions, California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods.

California Assembly Bill (AB) 1493 (Pavley) enacted on July 22, 2002, required the California Air Resources Board (CARB) to develop and adopt regulations that reduce GHG emitted by passenger vehicles and light duty trucks. Regulations adopted by CARB will apply to 2009 and later model year vehicles.

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels (CA 2005). The California Climate Action Team's (CAT) Report to the Governor contains recommendations and strategies to help ensure the targets in Executive Order S-3-05 are met (CAT 2006).

In 2006, the California State Legislature adopted AB 32, the California Global Warming Solutions Act of 2006. AB 32 describes how global climate change will impact the environment in California. The impacts described in AB 32 include changing sea levels, changes in snow pack and availability of potable water, changes in storm flows and flood inundation zones, and other impacts. The list of impacts included in AB 32 may be considered substantial evidence of environmental impacts requiring analysis in CEQA documents. AB 32 focuses on reducing GHG in California. The GHG emissions reductions found in AB 32 and Executive Order S-3-05 are consistent with the climate stabilization models produced by the International Panel on Climate Change (IPCC). These climate stabilization models show that if GHG emissions are reduced to the levels shown in Executive Order S-3-05, the climate will stabilize at approximately a 2 degree Celsius rise averting the worst impacts associated with global climate change. GHG as defined under AB 32 include: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 requires the CARB, the State agency charged with regulating statewide air quality, to adopt rules and regulations that would achieve greenhouse gas emissions equivalent to statewide levels in 1990 by 2020. On or before June 30, 2007, CARB was required to publish a list of discrete early action greenhouse gas emission reduction measures that can be implemented by 2010.

AB 32 required that by January 1, 2008, CARB would determine what the statewide greenhouse gas emissions level was in 1990, and approve a statewide greenhouse gas emissions limit that is

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equivalent to that level, to be achieved by 2020. While the level of 1990 GHG emissions has not yet been approved, reported emissions vary from 425 to 468 Tg CO₂ Eq. (CEC 2006). In 2004, the emissions were estimated at 492 Tg CO₂ Eq. (CEC 2006).

The actions described above provide a framework for reducing greenhouse gas emissions in California. The project must comply with Title 24 energy efficiency standards. Vehicles purchased by residents will produce fewer GHG emissions than those produced today with implementation of AB1493. Regulations stemming from AB 32 will result in reductions in emissions from major sources such as electrical power generation and cement production. It remains uncertain if these actions will be sufficient to counteract California's contribution to global climate change. However, additional analysis for this project will not increase the certainty of any impact determination. Although quantification methods are available to calculate the project's contribution, due to the relatively small size of this project and lack of a numeric threshold no quantification is provided.

The San Joaquin Valley is considered to be a non-attainment area for air quality standards for ozone and respirable particulate matter (PM-10) under the Clean Air Act. Nearly all development projects have the potential to generate pollutants that will worsen air quality so it is necessary to evaluate air quality impact to comply with CEQA.

Based on these analyses, potential impacts to air quality from this project are considered less than significant.

The San Joaquin Valley is considered to be a non-attainment area for air quality standards for ozone and respirable particulate matter (PM 10) under the Clean Air Act. Nearly all development projects have the potential to generate pollutants that will worsen air quality so it is necessary to evaluate air quality impacts to comply with California Environmental Quality Act.

Based on these analyses, the project will result in less than significant impacts to air quality.

4. BIOLOGICAL RESOURCES

Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Dept. of Fish and Game or U.S. Fish and Wildlife Service?

☐ ☐ ☐ ☒

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

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- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct filling, hydrological interruption, or other means? ☐ ☐ ☐ ☒
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ☐ ☐ ☒ ☐
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ☐ ☐ ☐ ☒
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☐ ☒

Analysis: The proposed zone change would implement the AE-20 Zone versus the AF-40 Zone that is currently established. The zone change has the possibility of, with further discretionary processes of creating a total of nine -20 acre parcels, plus a 4.3 acre parcel on the property, along with ten residences. The creation of the parcels will require further discretionary review and approval, if this zone change is approved. The site is listed as possibly having the San Joaquin kit fox located on it. According to the California Natural Diversity Data Base (CNDDB) 2008, the San Joaquin kit fox is listed as endangered on the federal level and threatened on the state levels. The site and surrounding areas have been utilized for agricultural development for many years, and although this type of development has impeded the habitat of the kit fox, the kit fox has been known to occur in agricultural development. The site has the potential to attract sensitive species since it has a creek which meanders through the parcels, therefore making it a likely habitat of the kit fox. The zone change will allow increased density if approved, and further discretionary processes will be required and will address any areas of concern with regard to Biological Resources. The impact to Biological Resources is less than significant.

5. CULTURAL RESOURCES

Would the project:

- a) Cause a substantial adverse change in the

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- significance of an historical resource as defined in Section 15064.5? ☐ ☐ ☐ ☒
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? ☐ ☐ ☐ ☒
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature of paleontological or cultural value? ☐ ☐ ☒ ☐
- d) Disturb any human remains, including those interred outside of formal cemeteries? ☐ ☐ ☐ ☒
- e) Disturb unique architectural features or the character of surrounding buildings? ☐ ☐ ☐ ☒

Analysis: The site has been developed with one residence and has been utilized for agricultural development for many years. There is a stream near the site, which may suggest the existence of archaeological resources. There will be no development with the approval of the zone change, but approval of the project, will permit the increase in density. Further discretionary review will be required in order to divide up the parcels. Issues related to Cultural Resources will be addressed during that phase of the process, if the zone change is approved. Therefore, this proposed project will result in less than significant impact to cultural resources.

6. GEOLOGY/SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication No. 42. ☐ ☐ ☐ ☒

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ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Subsidence?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion, siltation, changes in topography, the loss of topsoil or unstable soil conditions from excavation, grading or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use--of--septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in substantial soil degradation or contamination?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Analysis: According to the Seismic Safety Element of the Tulare County General Plan, the subject site is not located on or near a known earthquake fault. The site is generally level, on-site soils is nord fine sandy loam which has a slight shrink-swell potential (not considered expansive or unstable), and moderate permeability. The site has an existing structure, with an existing septic system. The zone change if approved, will incur additional residences which most likely will create typical ground disturbance of grading, orchard removal, etc. Further discretionary processes will be required for the tentative subdivision map.

The proposed parcels (nine -20 acre parcels and one 4.3-acre parcel) are adjacent to Packwood Creek. Further oversight with the discretionary process will address any concerns at that time to Geology/Soils. Therefore, the impact is considered less than significant to Geology/Soils with the

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zone change.

7. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

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| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment or risk explosion? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Limit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? ☐ ☐ ☐ ☒
- i) Expose people to existing or potential hazards and health hazards other than those set forth above? ☐ ☐ ☐ ☒

Analysis: The zone change will not impose hazards, nor is it located on a hazardous material site. The proposed project is located within the "C" Conical Zone of Visalia's Municipal Airport. There are no particular restrictions for this project, but the Airport Land Use Commission will review all future discretionary projects on this site.

8. HYDROLOGY AND WATER QUALITY

Would the project:

- a) Violate any water quality standards or waste discharge requirements? ☐ ☐ ☐ ☒
- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge or the direction or rate of flow of ground-water such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? ☐ ☐ ☐ ☒
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on-or off-site? ☐ ☐ ☐ ☒
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course or stream or river, or substantially increase the rate or amount of

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| surface runoff in a manner that would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade surface or groundwater quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis: The proposed zone change will allow a reduction of agricultural property. Physical changes on the property will most likely occur if both the zone change is approved, and the tentative subdivision map is approved. Issues of concern are with regards to water run-off into the creek, and the necessity of a bridge over the creek to access parcels. The site has both Flood Zones A & C, no structures are proposed with the zone change. Further discretionary approval will address any concerns specific to the processes noted above. The zone change will not create any physical changes to the site therefore, this project is less than significant to hydrology and water quality.

9. LAND USE AND PLANNING

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with | | | | |

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jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

☐ ☐ ☒ ☐

Analysis: The zone change will reduce viable agricultural land, to 20-acres parcels and increase the density. The property is now able to have 10 residences by right and with the approval of the zone change and tentative subdivision map they will be able to have 19. The proposal will not divide an established community.

An issue with the proposal is it will also create spot-zoning. The adjacent-parcels are all zoned AE-40. AE-40 and AE-20 are both zoned for agricultural use, but AE-20 is used as a buffer between agricultural land and surrounding uses. The parcels have the potential to remain in agricultural use. Therefore, it will not conflict with applicable land use plans and therefore, this proposal will be less than significant to land use.

10. MINERAL AND OTHER NATURAL RESOURCES

Would the project:

- a) Result in a loss of availability of a known mineral or other natural resource (timber, oil, gas, water, etc.) that would be of value to the region and the residents of the state?

☐ ☐ ☐ ☒

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

☐ ☐ ☐ ☒

Analysis: According to the Environmental Resources Management Element (ERME) of the Tulare County General Plan, the site does not contain any known mineral or natural resources. Therefore, the project will have no impact on mineral and other natural resources.

11. NOISE

Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

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| b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis: The site is located adjacent to Highway 99 and is identified as being in a noise exposure contour. The project site is zoned agricultural. A noise level of 60 dB Ldn, is acceptable in residential zones. Avoidance measures would be necessary within a distance of 1,930 feet from the centerline of Highway 99. Agricultural zones are not noise sensitive and a 65 dB is considered normally acceptable. Note* The noise study was conducted in 1984 when the speed limit was 55 m.p.h, it is now 70 m.p.h. This might alter the distance required for the same level of noise. Furthermore, there are no proposed structures with the zone change. Further discretionary processes and environmental analysis are required to divide the property. The site is located in Conical Zone C, and requires further oversight by the Airport Land Use Commission. The site is not located near a school and sensitive receptors. Therefore, this proposal will have a less than significant impact on noise.

12. POPULATION AND HOUSING

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cumulatively exceed official regional or local population projections? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially change the demographics in the | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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- area?
- c) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☒ ☐
- d) Substantially alter the location, distribution, or density of the area's population? ☐ ☐ ☒ ☐
- e) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☒ ☐
- f) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☒ ☐
- g) Conflict with adopted housing elements? ☐ ☐ ☒ ☐

Analysis: The change of the zone from AE-40 to AE-20 changes the density of the agricultural parcel. The AE-40 zone permits one residential unit plus an additional residence per 20-acres. This parcel can have 10 houses by right. The proposed zone change allows one residential unit, plus an additional residence per 20 -acres, but expands the density of the land to 18 residences by right for the 20-acre parcels and 1 residence for the 4.3 acre parcel. This will increase the residential units by 9. Therefore, the impact on population and housing will be less than significant.

13. PUBLIC OR UTILITY SERVICES

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

- a) Fire protection? ☐ ☐ ☐ ☒
- b) Police protection? ☐ ☐ ☐ ☒
- c) Schools? ☐ ☐ ☐ ☒
- d) Parks? ☐ ☐ ☐ ☒

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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- | | | | | |
|--------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Electrical power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Communication? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Other public or utility services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis: The area is located within the Urban Area Boundary of Visalia, so there are existing services already established in this area. Furthermore, the subdivision map will require additional review and approval and also additional initial studies. Therefore, the proposed project will have no impact on public or utility services.

14. RECREATION

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis: The proposed project changes the zone from AE-40 to AE-20, continuing with agricultural related land use, which does not require additional recreational facilities. Therefore, the project will have no impact on recreation.

15. TRANSPORTATION / TRAFFIC

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the County Circulation Element? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a change in air, rail or water-borne traffic patterns, including either a significant increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, hazards or barriers for vehicles, pedestrians, or bicyclists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Substantially accelerate physical deterioration of public and/or private roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Analysis: The proposed zone change will not have any impact to traffic and roads. The number of proposed residences is equal the number that would be permitted by right. So therefore there will not be any substantial change to the number of residences, or roads, just to viable agricultural land. Further discretionary processes will occur to divide the parcel. The zone change process will not bring any physical changes to the property that will come with further processes. Therefore, this proposal will have no impact on transportation and traffic.

16. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment or collection facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new | | | | |

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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storm water drainage facilities or expansion of existing facilities, the construction that could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- d) Have sufficient water supplies (including fire flow) available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Analysis: The project is a zone change, which will change the zone from AE-40 to AE-20. The applicant submitted a tentative map which depicts nine 20-acre parcels and one 4.3-acre parcel. There currently is a house on an existing homesite parcel, which is to be expanded to the 4.3-acre parcel. The house is served by a well and septic system. The area is outside the designated for mandatory trash pickup, but allied trash services provides pick up in this area.

17. MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened plant or animal species, or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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- b) Does the project have environmental impacts

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

☐ ☐ ☐ ☒

- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

☐ ☐ ☒ ☐

Analysis: Based on the analyses above, findings of "less than significant" Impact" are appropriate for the Mandatory Findings of Significance for this project. The zone change will reduce agricultural property from 40-acre to 20-acre parcels, but it is still zoned agricultural. The parcels can have 9 additional residences by right for a total of 19 residences. There is a possibility of additional residences which would require further discretionary approval. Currently, the parcel of land is large enough that they are able to have 9 additional residences by right for a total of 10, without further discretionary approval. Therefore 9 additional residences on 187 acres is considered to be less than significance impact to the environment.

CASE NO. P208-010
CONSULTING AGENCY LIST

TULARE COUNTY AGENCIES

___ R.M.A. - Building Division
___ R.M.A. - Code Compliance Division
~~XXX~~ R.M.A. - Countywide Division
___ R.M.A. - Community Dev./Redevelopment Division
~~XXX~~ R.M.A. - 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
~~XXX~~ H.S.A. - Environmental Health Services Division
~~XXX~~ H.S.A. - Haz Mat Division
~~XXX~~ Game Warden (CA Dept. of Forestry) (2 copies)
~~XXX~~ Sheriff's Department - Visalia Headquarters
___ Travel Substation
___ Cross Substation
___ Pixey Substation
___ Porterville Substation
~~XXX~~ Agricultural Commissioner
___ Education Department
~~XXX~~ Airport Land Use Commission
___ Supervisor
___ Assessor

LOCAL AGENCIES

___ Levee Dist. No 1*
___ Levee Dist. No 2*
___ Irrigation Dist*
___ Pub Utility Dist*
___ Comm. Service Dist*
___ Town Council*
~~XXX~~ Visalia Unified Elem. School Dist*
~~XXX~~ City of Visalia High School Dist*
___ County of
___ Tulare Lake Basin Water Storage Dist*
___ Advisory Council*
___ Fire District*
___ Mosquito Abatement*
~~XXX~~ Delta Water Cons. District*
___ SJV Unified Air Pollution Control Dist

FEDERAL AGENCIES

___ Army Corps of Engineers
___ Fish & Wildlife
___ Bureau of Land Management
___ Natural Resources Conservation Dist
___ Forest Service
___ National Park Service

STATE AGENCIES

___ Dept. of Fish & Game Dist 4
___ DFG Area Biologist
___ Alcoholic Beverage Control
___ Housing & Community Development
___ Reclamation Board
___ Regional Water Quality Control Board - Dist. 5
~~XXX~~ 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
~~XXX~~ State Lands Commission
~~XXX~~ State Treasury Dept. - Office of Permits Assist.

OTHER AGENCIES

___ U.C. Cooperative Extension
___ Audubon Society - Condor Research
___ Native American Heritage Commission
~~XXX~~ 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)

RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

September 30, 2008

TO: Maureen Hopkins, Project Planner
FROM: Craig Anderson, Engineer III *CA*
SUBJECT: Case No. PZ 08-010
OWNER: Sarjit Malli
APN: 119-140-077,078,119-130-021

The subject Case No. PZ 08-010 has been reviewed. The following comments and recommendations are submitted for consideration in processing this matter.

Based on the information provided in the consultation notice package, a Negative Declaration / Environmental Impact Report is recommended to assess impacts to the County road system.

The following flood zone information is based on our interpretation of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 065066 dated October 6, 1998, Panel No. 650 C. The subject site is located within Zone (s) A & B.

An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within a FEMA Zone A. The FEMA Zone A is contained within the Packwood Creek channel. No BFE study is required.

Construction of buildings within a FEMA Zone B requires no specific flood mitigation measures; however, we recommend that all finished floor levels be elevated one (1) foot above adjacent natural ground.

The subject site is not located within any Urban Improvement Area or Urban Development Boundary whichever is applicable.

The subject site is not located within the boundaries of any Specific Plan.

Existing right of way on Avenue 272 is 60 feet. Ultimate right of way on Avenue 272 is 60 feet. Avenue 272 is a County maintained road. The existing pavement width on Avenue 272 is 22.9 feet. The pavement type on Avenue 272 is RMAS. The 2004 Pavement Management System database is the source for the pavement width and pavement type.

No conditions are recommended for the subject case. Conditions will be recommended at such time that specific development proposals be presented on the subject parcel(s).

CA:vq



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONLY BLVD.
VISALIA, CA 93277
PHONE (559) 733-6291
Fax (559) 730-2653

Britt E. Fossel	Engineering
William H. Taylor	Comm. & Dev. Services
Jean P. Brown	Transportation
John Raper	Long Range Planning
Hal Cooper	Support Services
Roger Hunt	Administrative Services

HENRY HASH, DIRECTOR

October 22, 2008

To: Maureen Hopkins, Project Planner

From: Henry Dong, Countywide Planning Division

RE: Change of Zone No. PZ 08-010, Sarjit Malli

The Countywide Planning Division of the Tulare County Resource Management Agency appreciates the opportunity to comment upon the above referenced project. Below is a list of policies and comments that pertain to the project from adopted County Policy, for the site plan review of the PZ 08-010.

Air

- The 187.94 acres site currently is vacant open space. The division has the potential to increase the development to 10 total residences. Based on the projection of daily traffic to and from the proposed site at 10 vehicle trips per residence or 100 vehicle trips per day. This project was considered based on the air quality emissions thresholds set forth in the San Joaquin Valley Air Pollution District's Guide for Assessing and Mitigating Air Quality Impacts," and due to the small scale of the proposed use, it qualifies under the guide's "Small Project Level" (SPAL). The SPAL threshold of significance for 'Residential' project is 152 residential units or 1,453 vehicle trips per day (January 2002 revision) – the project's potential for 100 vehicle trips per day is thus under the air quality threshold of significance.

Agricultural Resources

- The site is not within an Agricultural Preserve.

Biological Resources

- According to the California Natural Diversity Database (CNDDB), the site is not within the range of any listed species.

Cultural Resources

- The site is currently vacant open space and there are no cultural resources present in the area at this time. A standard condition of approval will be imposed that requires cessation

of grading or construction if any archeological features or human remains are discovered during activities on the site.

Hydrology and Water Quality

- Based on the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 065006 dated September 29, 1986, Panel Number 0650 B, the site is located within Flood Zones A, B, and C. Zone C is not likely to flood and requires no specific flood avoidance measures. The flood zones are indicated on the preliminary map. (Flood Map)

Geology/Soils

The following information is from the United States Department of Agriculture: Soil Survey of Tulare County, California, Western Part (2003).

Soil Type	Sewage Disposal Limitations	Shrink/Swell Potential	Agricultural Capability Rating
1. Nord Fine Sandy Loam	Moderate	Low	Class 1; Prime Farmland if irrigated.

Land Use Planning

- The preliminary site plan is within the Visalia Urban Area Boundary.
- The site area has been zoned Exclusive Agricultural Zone - 40 acres minimum.
- 2030 General Plan policy AG-1.12: The County shall discourage the creation of ranchettes in areas designated Valley Agriculture and Foothill Agriculture.
- 2030 General Plan policy LU-3.5: The County shall not designate any new areas for rural residential development in the Rural Valley Lands Plan (RVLP) area, unless it can be shown that the other objectives, such as buffers, can be achieved.

Transportation / Traffic

- The division would increase the development to 10 total residences. Based on the projection of daily traffic to and from the proposed site at 10 vehicle trips per residence or 100 vehicle trips per day. This increases traffic to the surrounding roads by 100 more trips. A traffic analysis should be done to ensure the level of service is unaffected if the actual number of residences are increased on the site.

Thank you for the opportunity to comment on this project. If you should have any questions, comments or concerns please contact me at extension 4210 or email HDong@co.tulare.ca.us.

RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

October 16, 2008

TO: Maurcen Hopkins, Project Planner
Tulare County Resource Management Agency

FROM: Jason LoBue, Staff *(initials)*
Tulare County Airport Land Use Commission

RE: PZ 08-010(Malli)

Thank you for your recent submission of this project to the Airport Land Use Commission (ALUC). Staff has reviewed the project and has the following comments:

The subject site is located within the 'C' Conical Zone of Visalia Municipal Airport. The Tulare County Comprehensive Airport Land Use Plan (CALUP) policy applying to parcels within the 'C' Conical Zone is as follows:

CONICAL ZONE (C): No particular restrictions, however, projects such as stadiums, arenas, auditoriums, large transmission facilities or anything that would attract large numbers of people would be potentially hazardous. For this reason, projects within this zone are still subject to ALUC review.

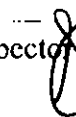
This project is located within the 'C' Conical Zone for Visalia Municipal Airport. The project is the change of zoning from AE-40 to AE-20 on 187.94 acres of land. Since there will be no change in the use of the land (continued farming and agricultural activities) the site and its land use will continue to be compatible with the CALUP. This project bears no impact to both aviation and the surrounding community and is consistent with CALUP policy. With this in mind, the Change of Zone PZ 08-010 will be listed as a correspondence/information item only item at the next Airport Land Use Commission meeting on **November 5, 2008 at 9:00 am**. Staff requests that the ALUC be notified if there is a change in either the land use or if there is any significant change/addition to the current plans. Thank you for submitting your proposal for review and consideration.

RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

September 30, 2008

TO: Maurcen Hopkins, Project Planner
FROM: Jerry Sterling, Tulare County Fire Inspector 
SUBJECT: Case No. PZ 08-010

The Fire Department has no recommendations in response to this item.

If you have any questions please call Jerry Sterling at 733-6291 extension 4105.

JS:vq



Tulare County
Health & Human Services Agency

John Davis, Agency Director

Ray Bullick, Director - Health Services Department

Health Services Department ■ Larry Dwoskin, Director ■ **Environmental Health Services**

September 30, 2008

MAUREEN HOPKINS
RESOURCE MANAGEMENT AGENCY
5961 SOUTH MOONEY BLVD
VISALIA CA 93277

Re: PZ 08-010 - Malli

Dear Ms. Hopkins:

This office has reviewed the above referenced matter. Based upon our review, we have no comments for this project at this time.

Sincerely,

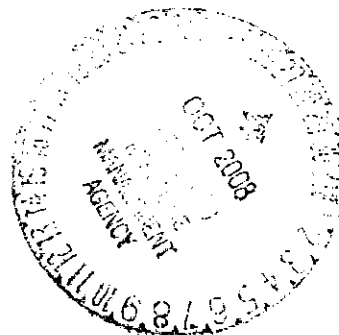
A handwritten signature in cursive script, appearing to read "Allison Shuklian".

Allison Shuklian
Environmental Health Specialist
Environmental Health Services Division

DEPARTMENT OF TRANSPORTATION

DISTRICT 6

1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-7306
FAX (559) 488-4088
TTY (559) 488-4066



*Flex your power.
Be energy efficient.*

October 27, 2008

2135-IGR/CEQA
6-TUL-99-36.41+/-
PZ 08-010
MALLI

Ms. Maurcen Hopkins
Project Planner
County of Tulare
Resource Management Agency
5961 S. Mooney Boulevard
Visalia, CA 93277

Dear Ms. Hopkins:

Thank you for the opportunity to review rezone application PZ 08-010 proposing to rezone approximately 187 acres from the AE40 to the AE-20 zone district. A tentative map is also referenced, which will divide the 2 existing parcels into 9 each 20-acre parcels. The project is located on the east side directly adjacent to State Route (SR) 99, south of Avenue 272, approximately 1.5 miles south of the SR 99/Avenue 280 interchange. Caltrans has the following comments:

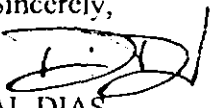
No significant or adverse impacts to the State facilities are anticipated by the proposed action. However, as specific development proposals are presented on the newly created parcels, Caltrans will reserve comments and recommendations for mitigation improvements or dedications until that time.

According to the current Transportation Concept Report, SR 99 adjacent to the project site has been revised to an 8-lane freeway and additional right of way will be needed along this segment, in the future.

As a point of information, Caltrans has a project to reconstruct the SR 99 interchange at Caldwell Avenue (Avenue 280). The Project Initiation Document (PID) for this improvement project was approved in November 2003 and is scheduled for construction in the summer of 2021.

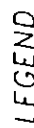
Please send a response to our comments prior to staff's recommendations to the Planning Commission and the City Council/Board of Supervisors. If you have any other questions, please call me at (559) 445-7306.

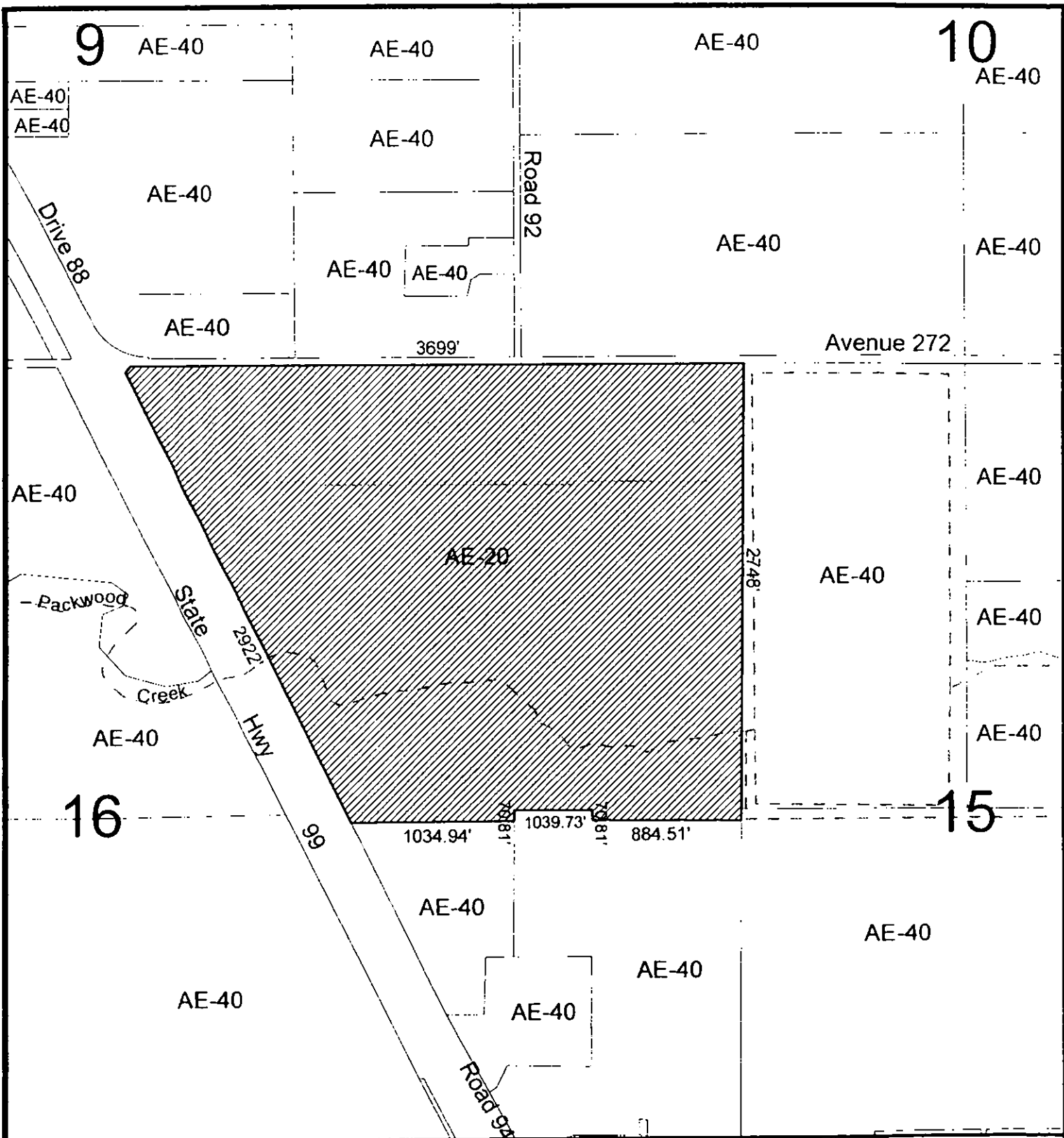
Sincerely,


AL DIAS

for
Central Planning Branch
District 6

No Scale





APN: 119-130-021, 119-140-077,
119-140-078
Zone Change from AE-40 to AE-20
(PZ 08-010)

400 0 400 800 Feet



ORDINANCE NO. ____
AMENDING A PORTION OF PART 429
NE 1/4 OF SEC. 16, & NW 1/4 OF SEC. 15,
T19S, R24E, M.D.B. & M.

OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.

TULARE COUNTY BOARD OF SUPERVISORS
ADOPTED: _/_/_

