



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

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: July 9, 2013

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

CONTACT PERSON: Celeste Perez PHONE: 559-624-7010

SUBJECT: General Plan Initiation No. GPI 12-001 AAA Quality Services, Inc.

REQUEST(S):

Request that the Board of Supervisors:

- 1) Receive staff's report for General Plan Initiation No. GPI 12-001 (AAA Quality Services) to initiate a general plan amendment to change the land use designation from Agriculture to Service Commercial and to initiate a change of zone from the AE-40 (Exclusive Agriculture – 40 acre minimum) to the C-3 (Service Commercial) zone on property located on the southwest corner of the intersection of Road 168 and State Highway 198, northeast of the City of Farmersville.
- 2) Approve General Plan Initiation No. GPI 12-001 to proceed with a general plan amendment to change the land use designation from Agriculture to Service Commercial, and to proceed with a change of zone from the AE-40 (Exclusive Agriculture – 40 acre minimum) to the C-3 (Service Commercial) zone.

SUMMARY:

PROJECT DESCRIPTION:

The Tulare County Resource Management Agency has received a request from AAA Quality Services to initiate a general plan amendment application on Assessor's Parcel Numbers 111-190-014 changing the land use from Agriculture to Service Commercial. The request will also change the zoning from AE-40 (Exclusive

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Agriculture – 40 acre minimum) to the C-3 (Service Commercial) zone. The project will allow the establishment of contractor's storage yard on the 38 acre site. The parcel site currently contains two storage buildings, a storage yard, and a rural residence. The current AE-40 zoning allows the rural residence and agricultural operations, but does not authorize the storage buildings and storage yard use associated with AAA Quality Services. The requested C-3 zoning allows for a contractor storage yard and commercial storage buildings.

SITE LOCATION AND EXISTING CONDITIONS

The subject site is a 38 acre parcel on APN 111-190-014 located on the southeast corner of State Highway 198 and Road 168, northeast of the City of Farmersville. The project site is located within the Urban Development Boundary (UDB) of the City of Farmersville. The project site currently contains a 4,000 square foot storage building, a 5,000 square foot storage building, a storage yard, rural residence, two shops, two 500 gallon diesel tanks, one 330 gallon gas tank, and one 500 gallon biodiesel tanks.

The surrounding property includes lands to the north zoned AE-20 (Exclusive Agriculture – 40 acre minimum) and currently contains Highway 198 and agriculture. Adjacent land to the west is within the City of Farmersville, and currently contains the AAA Quality Services facility and agriculture. Properties to the south contain agriculture with scattered residences and are zoned AE-40 (Exclusive Agricultural Zone – 40 Acre Minimum). The east is zoned AE-40 and contains agriculture and rural residences.

FLOOD ZONE

The project site is within Flood Zone A, based on the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NEIP) Flood Insurance Rate Map (FIRM) for Community Number 06107C dated June 16, 2009, Panel No. 0954E. The project area is subject to the 1% annual flood (100-year flood), also known as the base flood. Future development will be subject to flood elevation hazard requirements.

AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS

The project site is located within an Agricultural Preserve No. 3265 and under Williamson Act Contract No. 9610. Contractor storage yards are not an allowed use on Williamson Act contracted lands. The property has filed for a Full Nonrenewal of the Williamson Act Contract in 2006. The project will need an approved Williamson Act Cancellation prior to proceeding with the General Plan Amendment and Zone change.

The site is served by Tulare County Fire Department (Station #3, Farmersville) and Tulare County Sheriff's Department (Headquarters Substation, Visalia) and the Farmersville Police Department. At the time sewage disposal is required for the project site, the site shall be required to connect to the City of Farmersville sewer system as per requirements from the Tulare County Environmental Health Division.

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PROJECT HISTORY

- On July 26, 2000, a Record of Survey was recorded for the property as License Survey No. LS 25-3.
- On March 26, 2001, a building permit for a 4,000 square foot storage building was approved in the AE-40 zone.
- On September 25, 2003, a building permit for a 5,000 square foot personal agricultural storage building was approved, however the permit expired on September 11, 2004.
- On September 19, 2007, a Special Use Permit for a cellular tower was approved. The Special Use permit expired on August 25, 2009.
- On August 18, 2006, a Full Nonrenewal of the Williamson Act was filed for the property.
- On June 19, 2012, Violation No. V512-010 was issued for operating a contractor storage yard business in the AE-40 zone.
- On October 10, 2012, an application for General Plan Initiation No. GPI 12-001 was filed.

GENERAL PLAN POLICIES:

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

The principal Tulare County General Plan documents that are applicable to this project are the Tulare County General Plan, as amended, originally adopted in 1964, the Urban Boundaries Element (UBE), as amended, that was adopted by the Board of Supervisors on July 2, 1974 by Resolution No. 74-1924, and the 1976 Farmersville Land Use Plan adopted by your Board on December 28, 1976 by Resolution No. 76-344 as the primary policy sources regarding land use and rezoning requests on sites located within the adopted UDB. The goals, objectives and policies applying to the project are detailed in Exhibit "B."

The site is located within the Urban Development Boundary (UDB) and the Urban Area Boundary (UAB) adopted by the County for the City of Farmersville in the Urban Boundaries Element. On September 3, 1985, the Board of Supervisors adopted General Plan Amendment 85-02 which amended the Urban Area Boundary of the City of Farmersville to include the subject property. On June 26, 2001, the Board of Supervisors adopted General Plan Amendment No. 00-03 which amended

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the Urban Development Boundary of the City of Farmersville to include the subject property.

PROJECT ANALYSIS/FINDINGS:

The General Plan consistency findings for the proposed project are summarized in the following section. A more detailed analysis for the findings can be reviewed in Exhibit "A."

Farmersville Area Land Use Plan

The Farmersville Land Use Plan and the Urban Boundaries Element designate the site for agricultural use. The project meets the objectives of the Farmersville Land Use Plan and the Urban Boundaries Element by providing mutually land use designation and zoning for urban growth within the Farmersville Urban Area Boundary (GPA 77-2 & UBE). The project meets the criteria of the Urban Boundaries Element (UBE) that defines the criteria for urban development within Urban Development Boundaries (UDB).

The project is consistent with the Farmersville Area Land Use plan Section III: Objectives, and Section V: Planning Policy, by providing a suitable Service Commercial land use designation within the Urban development Boundary of Farmersville that is adjacent to existing Service Commercial development. The proposal will help to relieve the pressures of urban growth on incompatible agricultural resources surrounding the community by providing sufficient are to develop Service Commercial uses.

The proposed change of zone is consistent with Section VI: Implementation by providing appropriate zoning consistent with the proposed land use designation. The proposal is consistent with Urban Boundaries Element Amendment (GPA 85-02) for the Farmersville Area: Section IV providing consultation with the City and incorporating their comments into this report.

The proposal is consistent with GPA 76-7B Farmersville Land Use Plan Objective II, Objective VI, and Objective VI. The proposal is also consistent with City of Farmersville Urban Development Boundary Amendment No. GPA 00-03 policy VI.A. The proposal received an RVLP score of 13, which is considered in the "grey" area and subject to approval by your Board.

General Plan 2030 Update Consistency

The proposed Service Commercial land use designation and Change of Zone within the Farmersville UDB is consistent with Planning Framework policies PF-1.2 Location of Urban Development, PF-1.6 Appropriate Land Uses by Location, PF-2.1 Urban Development Boundaries - Communities, PF-2.7 Improvement Standards in Communities, PF-2.8 Inappropriate Land Use, and PF-2.9 Zoning in Communities of the General Plan 2030 Update.

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The proposal is consistent with Planning Framework Goal PF-4, General Plan Policies PF-4.4 Planning in CACUDBs, PF4.8 Updating Land Use Diagram in CACUDBs, General Plan Goal PF-4A, General Plan Policies PF-4.12 General Plan Designation Within City UDBs, PF-4.13 City Design Standards, PF-4.14 Compatible Project Design, PF-4.15 Coordination with Cities on Development Proposals, PF-4.17 Cooperation with Individual Cities, PF-4.18 Future Land Use Entitlements in a CACUDB, PF-4.19: Future Land Use Entitlements in a CACUAB, PF-4.24 Annexations to a City within the CACUDB, PF-6.3 Consultation on Annexation Proposals, and PFS-1.16: Joint Planning Efforts of the General Plan 2030 Update.

The project is consistent with Agricultural policies AG-1.4: Williamson Act in UDBs and HDBs, AG-1.8: Agriculture within Urban Boundaries, and AG-1.14: Right-to-Farm Noticing.

The proposal is consistent with Land Use policies LU-1.8: Encourage Infill Development, LU-4.3: Commercial Service Locations, LU-4.5: Commercial Building Design, LU-5.2: Industrial Park Developments, LU-5.3: Storage Screening, LU-5.4 Compatibility with Surrounding Land Use, LU-5.5: Access, LU-5.6: Industrial Buffer, and LU-7.6: Screening of the General Plan 2030 Update.

The project is consistent with Economic Development policies ED-2.2: Land Requirements, ED-2.11: Industrial Parks, and Scenic Landscape policies SL-2.1: Designated Scenic Routes and Highways, and SL-2.2: Gateways to the Sequoias of the General Plan 2030 Update.

City of Farmersville Consultation

The County has consulted the City of Farmersville for comments on the general plan amendment, zone change and proposed development. The County also provided the City of Farmersville with an opportunity for annexation of the subject property. The City advised annexation will not occur at this time.

The City advised that if in future the property was annexed to Farmersville, the City would apply an Industrial zoning to the site. The City also advised that the County's C-3 (Service Commercial) zone would be a compatible temporary zoning since the C-3 zone is more restrictive than the County's industrial zones. The City requested that any development of the site be required to adhere to City zoning standards, including:

- Paved parking
- Landscaping and screening – particularly screening of storage of materials – which must be screened completely from the public right-of-way, especially State Highway 198. The City's Highway 198 Specific Plan recommends a 40 foot landscaped setback along the highway.
- Development must be consistent with the Highway 198 Specific Plan, previously adopted by the Farmersville City Council.
- Provide a condition requiring the property to be annexed when it becomes feasible.

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City of Farmersville – Memorandum of Understanding

The proposed GPI's consistency with the Memorandum of Understanding with the City of Farmersville is based on compliance with policies PF-4.18, PF-4.19, PF-4.20, and PF-4.24. The County has met the requirements of PF-4.24 in the MOU with the City of Farmersville by referring the proposed project for annexation into the City. The City is unable to annex the property at this time, therefore the project will be conditioned on conformance with County adopted city development standards, and County Adopted City General Plan and zoning.

The County has met the requirements of PF-4.18 and PF-4.19 by consulting with the City to determine that the proposed GPA and zone change are compatible to the City's General Plan. The City confirmed that the proposed C-3 zoning would be compatible with the City's land use designation. The County will meet the requirements of PF-4.20 by incorporating the City's development standards for future development within the subject property.

An RVLP Checklist has been prepared based on cancellation of the Williamson Act contract on the property for reference purposes. The property received a score of 13 points, which is considered in the "gray" and subject to approval by your Board.

The property is adjacent to a portion of Highway 198 north of Farmersville, which is considered as a Candidate State Scenic Highways portion of Highway 198. The City of Farmersville Scenic Highway Element designates the property as Industrial. The City of Farmersville advised in their consultation response letter that the Service Commercial land use designation is compatible with the City's industrial land use designation of the subject property. The proposal is also consistent with the Scenic Landscapes policies of the General Plan 2030 Update and the Scenic Highway Element.

Responsible Agencies comments

Correspondence with other agencies noted no impacts from the proposed General Plan Amendment and zone change. The San Joaquin Valley Unified Air Pollution Control District and the Tulare County Environmental Health Division proposed requirements for future development on the project site.

All future development will be subject to applicable requirements and regulations of all local and state agencies. Comments received from the Native American Heritage Commission advised that local tribes should be consulted for comments on the General Plan Amendment and zone change. The tribal consultation process will be conducted during the GPA phase of the project.

The Department of Conservation advised the project should complete the nonrenewal process or obtain an approval for cancellation of the Williamson Act contract prior to finalization of the General Plan update and change of zone. This will help to ensure compliance with state statute and local rules regarding the Williamson Act while the

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contract is still in place. The applicant will be required to apply for cancellation of the Williamson Act contract prior to approval of the GPA and zone change.

Given the above policies, the project is consistent with the Tulare County General Plan, the City of Farmersville – Memorandum of Understanding, and the City of Farmersville General Plan. Staff recommends General Plan Initiation No. GPI 12-001 be approved so the applicant may proceed with a General Plan Amendment to change the land use designation from Agriculture to Service Commercial, and to change the zoning from AE-40 (Exclusive Agriculture 40-acre minimum) to C-3 (Service Commercial).

FISCAL IMPACT/FINANCING:

The applicant cost for a General Plan Initiation is an initial deposit of \$5,321. If authorized to file a General Plan Amendment Application, the applicant will pay an initial deposit of \$10,321 to the Tulare County Resource Management. Additional fees of \$100 per hour are charged if actual cost of processing the General Plan Initiation and Amendment application exceeds the deposits. The zone change application fee is included with the GPA if processed concurrently. CEQA documentation and compliance for the project is also charged at a full cost recovery basis.

Once the general plan amendment/change of zone, Williamson Act cancellation, staff report, and the environmental documentation are substantially complete and before submittal to the Planning Commission and Board of Supervisors for action, the Department will bill the applicant for the actual cost of processing plus an additional estimated amount for taking the application through the hearing process and for final filing and recording. Payment will be required prior to setting the public hearing dates. If final actual cost is less than the deposit, because the application is not approved or some other reason, then the difference will be refunded.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

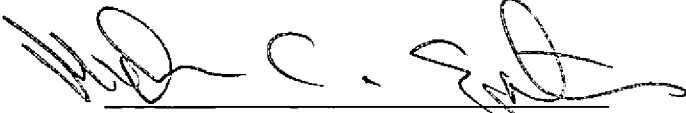
The County's five-year strategic plan includes the "Economic Well Being Initiative - to promote economic development opportunities, effective growth management and a quality standard of living". The authorization to initiate the requested general plan amendment application helps fulfill this initiative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

- Providing economic development during the construction phase as well and jobs creation in the commercial areas developed as part of this project;
- Providing effective growth management by allowing urban uses that are consistent and harmonious with the existing zoning of the City of Tulare's Zoning Map; and
- Providing a higher quality of life by providing jobs and services to the establishments of the County.

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ADMINISTRATIVE SIGN-OFF:

A handwritten signature in black ink, appearing to read 'Michael C. Spata', written over a horizontal line.

Michael C. Spata
RMA Assistant Director, Planning

cc: Auditor-Controller
County Counsel
County Administrative Office (2)

IN THE MATTER OF GENERAL PLAN)
INITIATION NO. GPI 12-001 AAA QUALITY) Resolution No. _____
SERVICES, INC.) Agreement No. _____

- 1) Received staff's report for General Plan Initiation No. GPI 12-001 (AAA Quality Services) to initiate a general plan amendment to change the land use designation from Agriculture to Service Commercial and to initiate a change of zone from the AE-40 (Exclusive Agriculture – 40 acre minimum) to the C-3 (Service Commercial) zone on property located on the southwest corner of the intersection of Road 168 and State Highway 198, northeast of the City of Farmersville.
- 2) Approved General Plan Initiation No. GPI 12-001 to proceed with a general plan amendment to change the land use designation from Agriculture to Service Commercial, and to proceed with a change of zone from the AE-40 (Exclusive Agriculture – 40 acre minimum) to the C-3 (Service Commercial) zone.

EXHIBIT A
Project Analysis
GPI 12-001

The project site is within the Urban Area Boundary and the Urban Development Boundary of Farmersville. The project site is located within an Agricultural Preserve No. 3265 and under a Land Conservation (Williamson Act) Contract No. 9610. The project will be required to terminate the Williamson Act contract prior to approval of the GPA and zone change. The site is served by Tulare County Fire Department (Station #3, Farmersville) and Tulare County Sheriff's Department (Headquarters Substation, Visalia) and the Farmersville Police Department. At the time sewage disposal is required for the project site, the site shall be required to connect to the City of Farmersville sewer system as per requirements from the Tulare County Environmental Health Division.

The project site is within Flood Zone A, based on the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NEIP) Flood Insurance Rate Map (FIRM) for Community Number 06107C dated June 16, 2009, Panel No. 0954E. The project area is subject to the 1% annual flood (100-year flood), also known as the base flood. Future development will be subject to flood elevation hazard requirements.

Farmersville Area Land Use Plan

The Farmersville Land Use Plan and the Urban Boundaries Element designate the site for agricultural use. The project meets the objectives of the Farmersville Land Use Plan and the Urban Boundaries Element by providing mutually land use designation and zoning for urban growth within the Farmersville Urban Area Boundary (GPA 77-2 & UBE). The project meets the criteria of the Urban Boundaries Element (UBE) that defines the criteria for urban development within Urban Development Boundaries (UDB). The project is consistent with the Farmersville Area Land Use plan Section III: Objectives, and Section V: Planning Policy, by providing a suitable Service Commercial land use designation within the Urban development Boundary of Farmersville that is adjacent to existing Service Commercial development. The proposal will help to relieve the pressures of urban growth on incompatible agricultural resources surrounding the community by providing sufficient area to develop Service Commercial uses. The proposed change of zone is consistent with Section VI: Implementation by providing appropriate zoning consistent with the proposed land use designation.

The objective of the Farmersville Land Use Plan and the Urban Boundaries Element is to provide mutually supportive plans and policies for urban growth within the Farmersville Urban Area Boundary (GPA 76-7B). The Urban Boundaries Element Amendment ((GPA 85-02) for the Farmersville Area: Section IV states that the city shall be afforded the right to review and comment on matters affecting the unincorporated areas within each city's UBA. Opinions and recommendations voiced by the city should be given importance in rendering final decisions.

The project is consistent with the GPA 76-7B Farmersville Land Use Plan Objective II by determining a guide to future development of commercial and industrial land uses. The project also improves the separation of incompatible uses by creating a designated area for Service Commercial land uses separate from residential and agriculture. The land use designation provides provisions public improvements and private investment, and protection and preservation of natural amenities by directing these types of land uses into the urban boundaries. The proposal is consistent with Objective V: Planning Policy by specifying desired land use categories and defining suitable areas for Service Commercial urban development consistent with the General Plan. The proposal is consistent with Objective VI: Implementation by providing a Change of Zone which is will implement the land use designation consistent with the General Plan.

The City of Farmersville Urban Development Boundary was amended by General Plan Amendment No. GPA 00-03 to include the project area. The property was incorporated into the City of Farmersville UDB by GPA 00-03. Based on Policy VI.A the requirement for the project to be evaluated by the RVLP point evaluation check list would no longer apply. However, an RVLP Checklist Evaluation was conducted for the project for background information purposes. The proposal received an RVLP score of 13, which is considered in the "grey" area and subject to approval by the Planning Commission. The City of Farmersville has been consulted for the proposed General Plan Initiation and comments have been incorporated in this report.

General Plan Consistency

The proposed commercial land use designation within the Farmersville UDB is consistent with policies PF-1.2 Location of Urban Development, PF-1.6 Appropriate Land Uses by Location, PF-2.1 Urban Development Boundaries - Communities, PF-2.7 Improvement Standards in Communities, PF-2.8 Inappropriate Land Use, and PF-2.9 Zoning in Communities of the General Plan, which requires that urban development be directed within the UDBs. The General Plan policies also require appropriate urban land use designations and zoning shall be provided within UDBs. The policies state that development within designated UDBs are required to meet urban standard for improvements.

The project area is within the UDB of the City of Farmersville. The County adopted Farmersville Area Land Use Plan has been considered along with the City of Farmersville General Plan policies. The proposed General Plan Amendment and Change of Zone will not conflict with the urban designation of both the County Adopted Farmersville Area Land Use Plan and the industrial designation of the City's General Plan. The City of Farmersville has provided a list of urban improvement standards which will be incorporated into the project.

The proposal is consistent with General Plan Goal PF-4, General Plan Policies PF-4.4 Planning in CACUDBs, PF4.8 Updating Land Use Diagram in CACUDBs, General Plan

Goal PF-4A, General Plan Policies PF-4.12 General Plan Designation Within City UDBs, PF-4.13 City Design Standards, PF-4.14 Compatible Project Design, PF-4.15 Coordination with Cities on Development Proposals, PF-4.17 Cooperation with Individual Cities, PF-4.18 Future Land Use Entitlements in a CACUDB, PF-4.19: Future Land Use Entitlements in a CACUAB, PF-4.24 Annexations to a City within the CACUDB, PF-6.3 Consultation on Annexation Proposals, and PFS-1.16: Joint Planning Efforts. These General Plan policies state the County shall maintain land use designations within a County Adopted City UDB (CACUDB), but outside a city's incorporated limits that are compatible with the City's adopted General Plan. The County may ensure that proposed development within CACUDBs is compatible with future infrastructure of the City. General Plan policies state urban development within CACUDBs may occur if the adjacent city does not consent to annex the property or annexation is not possible under the provisions of State law. If annexation is not possible, the County shall include a provision for future annexations when the City is capable. The County shall coordinate with cities on development proposals within CACUDBs including General Plan amendments and zone changes. Proposed development within CACUDBs shall meet the infrastructure and development standards of the City. The County will also work with the Cities to utilized the RVLP point evaluation system to evaluate urban development within CACUDBs when applicable.

The proposal will direct urban development within the UDB of the City of Farmersville by providing a land use designation and zoning that will accommodate commercial services within the Farmersville UDB. The County has met the requirements for consultation with the City to confirm that the proposed GPA and zone change are compatible to the City's General Plan. The City confirmed that the proposed C-3 zoning would be consistent with the City's zoning and land use designation. The County will meet the requirements of PF-4.20 by incorporating the City's development standards into development within the subject property. The County also provided the City with the opportunity to annex the property. The City advised they will not pursue annexation of the property at this time. Provisions will be provided for future development to annex into the City when the opportunity becomes available. An RVLP analysis was conducted as an advisory reference for the proposed project. The RVLP Checklist score of 13 points is considered in the "grey" area in which the Board of Supervisors shall make a decision to approve the proposal. The County is working concurrently with the City of Farmerville for the development of the subject property.

The project is consistent with agricultural policies AG-1.4: Williamson Act in UDBs and HDBs, AG-1.8: Agriculture within Urban Boundaries, and AG-1.14: Right-to-Farm Noticing. The policies encourage nonrenewal and cancellation of Williamson Act contracts within UDBs, and discourages the establishment of Agricultural Preservers with UDBs. AG-1.14 requires Right-to-Farm notices for discretionary permits adjacent to agricultural lands.

The proposal will require cancellation of the Williamson Act contract on the property prior to approval of the general plan amendment and zone change. The applicant

will also be required to sign a right to farm notice as part of the conditions for the general plan amendment and zone change.

The proposal is consistent with LU-1.8: Encourage Infill Development, LU-4.3: Commercial Service Locations, LU-4.5: Commercial Building Design, LU-5.2: Industrial Park Developments, LU-5.3: Storage Screening, LU-5.4 Compatibility with Surrounding Land Use, LU-5.5: Access, LU-5.6: Industrial Buffer, and LU-7.6: Screening.

The proposal will encourage infill development by providing Service Commercial zoned property to be used by the adjacent AAA Quality Services operation with the Farmersville UDB. The proposal will provide zoning for Commercial Service business within the UDB where they will not adversely affect surrounding properties. The location provides good access to highways as it is adjacent to Highway 198. The project buffers existing and planned residential areas from the industrial uses within the City of Farmersville to the west. Development on the proposed site will be required to meet the development standards of the City of Farmersville which requires improvements such as landscaping, screening, parking and other development standards. The proposed Service Commercial zoning will be compatible with the existing industrial zoning within the City of Farmersville to the west. The project will have access to Avenue 296 and Road 168.

The project is consistent with General Plan policies ED-2.2: Land Requirements, ED-2.11: Industrial Parks, SL-2.1: Designated Scenic Routes and Highways, and SL-2.2: Gateways to the Sequoias. The Economic Development policies state the County shall ensure there is capacity for new and expanding businesses and industrial development. The Scenic Highway policies state the County shall protect views of natural and working landscapes along County and State Scenic Highways.

The general plan amendment and zone change meet the economic development policies of the general plan by making land use designations available for future industries in the Farmersville UDB. The project is adjacent to Highway 198 which is considered an eligible State Scenic Highway. The project area will be required to meet the policies of the City of Farmersville in regards to proper screening along the Scenic Highway.

The property is adjacent to a portion of Highway 198 north of Farmersville, which is considered as a Candidate State Scenic Highways portion of Highway 198. The City of Farmersville Scenic Highway Element designates the property as Industrial. The City of Farmersville advised in their consultation response letter that the Service Commercial land use designation is compatible with the City's industrial land use designation of the subject property. The proposal is also consistent with the Scenic Landscapes policies of the General Plan 2030 Update and the Scenic Highway Element.

City of Farmersville Consultation

The County has consulted the City of Farmersville for comments on the general plan amendment, zone change and proposed development. The County also provided the City of Farmersville with an opportunity for annexation of the subject property. The City advised annexation will not occur at this time. The City advised that if the property was annexed to Farmersville, the City would apply an Industrial zoning to the site. The City advised that the County's C-3 (Service Commercial) zone would be a good temporary fit since they C-3 zone is more restrictive than the County's industrial zones. The City requested that any development of the site be required to adhere to City zoning standards, including:

- Paved parking
- Landscaping and screening – particularly screening of storage of materials – which must be screened completely from the public right-of-way, especially State Highway 198. The City's Highway 198 Specific Plan recommends a 40 foot landscaped setback along the highway.
- Development must be consistent with the Highway 198 Specific Plan, previously adopted by the Farmersville City Council.
- Provide a condition requiring the property to be annexed when it becomes feasible.

City of Farmersville – Memorandum of Understanding

The proposed GPI's consistency with the Memorandum of Understanding with the City of Farmersville is based on compliance with policies PF-4.18, PF-4.19, PF-4.20, and PF-4.24. The County has met the requirements of PF-4.24 in the MOU with the City of Farmersville by referring the proposed project for annexation into the City. The City is unable to annex the property at this time, therefore the project will be conditioned on conformance with County adopted city development standards, and County Adopted City General Plan and zoning. The County has met the requirements of PF-4.18 and PF-4.19, also consulted the City to determine that the proposed GPA and zone change are compatible to the City's General Plan. The City confirmed that the proposed C-3 zoning would be compatible with the City's land use designation. The County will meet the requirements of PF-4.20 by incorporating the City's development standards to development within the subject property. An RVLP Checklist has been prepared based on cancellation of the Williamson Act contract on the property for reference purposes.

Responsible Agencies comments

Correspondence with other agencies noted no impacts from the proposed General Plan Amendment and zone change. The San Joaquin Valley Unified Air Pollution Control District and the Tulare County Environmental Health Division proposed requirements for future development on the project site. All future development will be subject to applicable requirements and regulations of all local and state agencies. Comments received from the Native American Heritage Commission advised that local tribes should be consulted for comments on the General Plan Amendment and zone change. The tribal consultation process will be conducted during the GPA phase of the project.

The Department of Conservation advised the project should complete the nonrenewal process or obtain an approval for cancellation of the Williamson Act contract prior to finalization of the General Plan update and change of zone. This will help to ensure compliance with state statute and local rules regarding the Williamson Act while the contract is still in place. The applicant will be required to apply for cancellation of the Williamson Act contract prior to approval of the GPA and zone change.

FINDINGS:

Given the above policies, Staff has made a recommendation that the General Plan Initiation be approved so the applicant may proceed with a General Plan Amendment to change the land use designation from Agriculture to Commercial, and to change the zoning from AE-40 to C-3.

Exhibit "B"

Adopted General Plan Policies GPI 12-001

The principle Tulare County General Plan documents that are applicable to this project are the Tulare County General Plan, as amended, originally adopted in 1964, the Urban Boundaries Element (UBE), as amended, that was adopted by the Board of Supervisors on July 2, 1974 by Resolution No. 74-1924, and the 1976 Farmersville Land Use Plan adopted by your Board on December 28, 1976 by Resolution No. 76-344 as the primary policy sources regarding land use and rezoning requests on sites located within the adopted UDB. The goals, objectives and policies applying to the project are detailed in Exhibit D.

The site is located within the Urban Development Boundary (UDB) and the Urban Area Boundary (UAB) adopted by the County for the City of Farmersville in the Urban Boundaries Element. On December 28, 1976, the Board of Supervisors adopted General Plan Amendment 76-7B to amend the Land Use Element of the General Plan for policies concerning the Farmersville area. On September 3, 1985, the Board of Supervisors adopted General Plan Amendment 85-02 which amended the Urban Area Boundary of the City of Farmersville to include the subject property. On June 26, 2001, the Board of Supervisors adopted General Plan Amendment No. 00-03 which amended the Urban Development Boundary of the City of Farmersville to include the subject property.

GENERAL PLAN UPDATE 2030 POLICIES:

The General Plan Update 2030 provides a framework pertaining to development of unincorporated communities and fringe areas of cities throughout the County. The Goals and Policies Report reinforce, amend and expand policies with respect to development in the unincorporated area.

PF-1.2 Location of Urban Development

The County shall ensure that urban development only takes place in the following areas:

1. Within incorporated cities and CACUDBs;
2. Within the UDBs of adjacent cities in other counties, unincorporated communities, planned community areas, and HDBs of hamlets;
3. Within foothill development corridors as determined by procedures set forth in Foothill Growth Management Plan;
4. Within areas set aside for urban use in the Mountain Framework Plan and the mountain sub-area plans; and
5. Within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan.

PF-1.6 Appropriate Land Uses by Location

The County shall utilize the Land Use Element and adopted CAC General Plans, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, or Area Plans to designate land uses and intensities that reflect and maintain the appropriate level of urbanized development in each CAC General Plan, Community Plan, Hamlet Plan, Planned Community, Corridor Area, or Area Plan.

PF-2.1 Urban Development Boundaries – Communities

The County shall limit urban development to the area within the designated UDB for each community. Each community's UDB is defined as shown on Figures 2.2-2 thru 2.2-22.

PF-2.7 Improvement Standards in Communities

The County shall require development within the designated UDBs to meet an urban standard for improvements. Typical improvements shall include curbs, gutters, sidewalks, and community sewer and water systems.

PF-2.8 Inappropriate Land Use

Areas within UDBs are hereby set aside for those types of urban land uses which benefit from urban services. Permanent uses which do not benefit from such urban services shall be discouraged within the UDBs. This is not intended to apply to agricultural or agricultural supported uses, including the cultivation of land or other uses accessory to the cultivation of land, provided that such accessory uses are time-limited through special use permit procedures.

PF-2.9 Zoning in Communities

The County shall maintain zoning that is consistent with the adopted Community Plan Land Use Diagram in accordance with California Code § 65103.

Goal PF-4: To direct urban development within UDBs of existing incorporated cities and ensure that all development in unincorporated areas adjacent to incorporated cities is well planned and adequately served by necessary infrastructure and other facilities and further countywide economic development goals.

PF-4.2 CACUDBs for Cities – Twenty Year Planning Area

The County shall establish CACUDBs which define the anticipated twenty-year planning areas around incorporated cities in which the County and cities may coordinate plans, policies, and standards relating to building construction, subdivision development, land use and zoning regulations, street and highway construction, public utility systems, environmental studies, water supply availability and sufficiency, and other closely related matters affecting the orderly development of areas adjacent to incorporated cities. It is recognized that these boundaries provide an official definition of the interface between future urban and agricultural land uses.

Within this boundary, the County may also establish planning areas representative of shorter time periods in order to assist in more precise implementation of plans and policies.

PF-4.4 Planning in CACUDBs

The County acknowledges that the cities have an interest in planning for growth within a CACUDBs and will in the future become ultimately responsible for urban development and the provision of urban services within those areas upon annexation.

PF-4.8 Updating Land Use Diagram in CACUDBs

Following city adoption of a General Plan update or amendment that reflects the area within a CACUDB, the County shall update Part III (Community Plans, Kings River Plan, Mountain Sub-Area Plans, and CAC General Plans), if applicable, to reflect the city's modified plan. Any unresolved conflicts between the County and city plans shall be identified for the Board of Supervisors. The County shall establish and maintain land use controls on unincorporated lands within the UDB consistent with the policies of the County General Plan.

Goal PF-4A: To provide the means to further manage urban development within CACUDBs and CACUABs of existing incorporated cities while ensuring that the limitation on development is in the best interests of the County and its residents in both the incorporated and unincorporated areas and enhances the County's ability to provide adequate County facilities and countywide social, health, safety and welfare services impacted by development in the cities and County.

PF-4.12 General Plan Designations Within City UDBs

On land that is within a CACUDB, but outside a city's incorporated limits, the County may maintain General Plan land use designations that are compatible with the city's adopted General Plan.

PF-4.13 City Design Standards

Where the Board of Supervisors finds that it is consistent with General Plan objectives to approve development within the UDBs of incorporated cities, the County may require the project to substantiate sufficient water supply and meet the County adopted city development standards of the city in question.

PF-4.14 Compatible Project Design

The County may ensure proposed development within CACUABs is compatible with future sewer and water systems, and circulation networks as shown in city plans.

PF-4.15 Coordination with Cities on Development Proposals

The County shall ensure that urban development only take place in CACUDBs if one of the following has occurred:

1. The adjacent city does not consent to annex the property for development purposes (as evidenced through pre-zoning, development agreements, etc.); it shall be conclusively presumed that a city has not consented if it has not submitted an annexation proposal to LAFCo within six months from the date a request to annex is submitted to the city; or
2. Annexation is not possible under the provisions of State law, but it is determined by the County that development of the site does not constitute incompatible development

PF-4.17 Cooperation with Individual Cities

The County may use the policies set forth under this goal (PF-4A: Cities: Continued) to work with individual cities to further manage development within that CACUDB or CACUAB to the extent that the financial needs of the County are met and the County's ability to provide facilities and County services used by all of the residents in the County and cities is enhanced. The County and Cities will establish a working committee to facilitate the policies identified in this section 4A.

PF-4.18 Future Land Use Entitlements in a CACUDB

The County may work with an individual city to limit any General Plan amendments to change the land use designations of any parcel or any amendments to the County zoning ordinance to add uses to a current zoning classification or change the zoning district designation of any parcel within a CACUDB except as follows:

9. This policy would not apply where the County has worked with the city to identify and structure a mutually acceptable alternative General Plan land use designation or zoning classification.

The County has contacted the City of Farmersville to identify and structure mutually acceptable General Plan land use designation and zoning for the property that will meet both the County and City standards.

PF-4.19 Future Land Use Entitlements in a CACUAB

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

classification. This policy will not apply to amendments or changes to a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area boundary line, including where the boundary line may increase an overlap area with a CACUDB area, or to any General Plan amendment adopting a new UDB, an HDB, or Corridor Plan area that may fall within a CACUDB area. This policy shall not apply within a County unincorporated UDB, an HDB, or Corridor Plan area where that area overlaps a CACUAB area. Development of County corridor development nodes in an affected city's UAB would only occur after the County has provided written consultation and has allowed for a reasonable timed response from the affected city prior to decision making and before the adoption of the Corridor Plan. New development in a city's UAB would be subject to adopted plan lines and setback standards. Adopted facility plans and legally adopted General Plans will be considered during the development review process. Small "stand alone," non urban projects which are defined as residential projects of four or fewer lots or non-residential projects smaller than two acres do not need city standards but shall respect city utility and street master plans for setbacks. Large urban-style projects include residential projects of five or more lots averaging less than one acre per lot and non-residential projects two acres or larger will use uniform urban development standards, financing mechanisms, consent to annexation, application of reciprocal development impact fees and city streets/utility setbacks/disclosure requirements unless the County and the city have identified and structured acceptable alternatives that will reasonably ensure that these projects should conform to city development standards upon future annexation

PF-4.20 Application of the RVLP Checklist to Control Development in a CACUDB

As an exception to the County policies that the Rural Valley Lands Plan does not apply within CACUDBs, the County may work with an individual city to provide that the requirements of the RVLP or similar checklist will apply to applications for special use permits (including special use permits for the expansion of a non-conforming use), variances considered under Government Code § 65906, or to the extent allowed by law, divisions of land within a CACUDB except in those areas that overlap with a County unincorporated UDB, an HDB, or Corridor Plan area. Such a special use permit, variance, or division of land will be reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors as well as compliance with any County adopted urban or city development standards and with the city's General Plan policies as reflected in the CAC General Plan.

PF-4.24 Annexations to a City within the CACUDB

In addition to the County's current policies on development within a CACUDB, the County may work with a city to provide that urban development projects within a city's Sphere of Influence (SOI) as set by the Tulare County Local Agency Formation Commission will be referred to the affected city for

consideration of annexation in accordance with, but not limited to, the following concepts:

1. Urban development projects, to which the referral policy applies, would be those projects for which a discretionary permit is required. Any urban development project not subject to special use permit requirements would still comply with County adopted city development standards, CAC General Plans and zoning and any County adopted city long-range infrastructure plan.
2. The referral would, at least, be subject to the requirement that the city inform the County within three (3) months that it is or is not able and willing to commence annexation proceedings to accommodate the project; or the city is willing and able to commence annexation proceedings, the County would not take action to approve the project unless the applicant has submitted a completed application for annexation and city fails to take action on such application within six months;
3. If the affected city is not willing or able to commence annexation proceedings, approval by the County of the project would be conditioned on conformance with County adopted city development standards, County Adopted City General Plans and zoning and any County adopted city long-range infrastructure plan adopted.
4. The County may, as part of this policy, require a consent to future annexation be recorded concurrent with approval of the project special use permit for development within the County.

PF-6.3 Consultation on Annexation Proposals

The County shall promote consultation early in the planning process between the cities and the County at the staff level when cities are developing proposed annexation boundaries or proposed sphere of influence expansions. The desire is to provide ongoing coordination at a point earlier than the minimum 30 day notice required by State law and consistent with LAFCo law.

AG-1.4 Williamson Act in UDBs and HDBs

The County shall support non-renewal or cancellation processes that meet State law for lands within UDBs and HDBs.

AG-1.8 Agriculture within Urban Boundaries

The County shall not approve applications for preserves or regular Williamson Act contracts on lands located within a UDB and/or HDB unless it is demonstrated that the restriction of such land will not detrimentally affect the growth of the community involved for the succeeding 10 years, that the property in question has special public values for open space, conservation, other comparable uses, or that the contract is consistent with the publicly desirable future use and control of the land in question. If proposed within a UDB of an

incorporated city, the County shall give written notice to the affected city pursuant to Government Code §51233.

AG-1.14 Right-to-Farm Noticing

The County shall condition discretionary permits for special uses and residential development within or adjacent to agricultural areas upon the recording of a Right-to-Farm Notice (Ordinance Code of Tulare County, Part VII, Chapter 29, Section 07-29-1000 and following) which is an acknowledgment that residents in the area should be prepared to accept the inconveniences and discomfort associated with normal farming activities and that an established agricultural operation shall not be considered a nuisance due to changes in the surrounding area.

LU-1.8 Encourage Infill Development

The County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development.

LU-4.3 Commercial Service Locations

The County shall provide for commercial service businesses such as warehouses, repair services, business support services, furniture sales, and building materials sales where they will not adversely affect surrounding properties, typically in areas serving occasional needs rather than day-to-day needs. Criteria to be used in siting commercial service areas are:

1. Provide good access to highways or major collectors
2. Buffer existing or planned residential areas
3. Develop in-depth rather than in a strip fashion along the access road to provide adequate room for parking, buffering, etc.
4. Encourage development as integrated planned areas in conjunction with community commercial areas or with common architectural and site development features.

LU-4.5 Commercial Building Design

The County shall encourage that new commercial development is consistent with the existing design of the surrounding community or neighborhood by encouraging similar façades, proportionate scale, parking, landscaping, and lighting.

LU-5.2 Industrial Park Developments

The County shall encourage the development of visually attractive, well-landscaped, and carefully-planned industrial parks in areas with suitable topography and adequate infrastructure.

LU-5.3 Storage Screening

The County shall require adequate landscaping and screening of industrial storage areas to minimize visual impacts and enhance the quality of the environment.

LU-5.4 Compatibility with Surrounding Land Use

The County shall encourage the infill of existing industrial areas and ensure that proposed industrial uses will not result in significant harmful impacts to adjacent land uses.

LU-5.5 Access

The County shall locate industrial development where there is access from collector or arterial roads, and where industrial/heavy commercial traffic is not routed through residential or other areas with uses not compatible with such traffic.

LU-5.6 Industrial Use Buffer

Unless mitigated, the County shall prohibit new heavy industrial uses to a minimum of 500 feet from schools, hospitals, or populated residential areas (more than 10 dwelling units within a quarter mile diameter area). The buffer area may be used for activities not creating impacts to adjoining sensitive land uses for uses accessory to the heavy industrial use. The establishment of a buffer may not be required when mitigated or may not apply to industrial uses that do not impact adjoining uses identified herein. The buffer area shall be landscaped and maintained.

LU-7.6 Screening

The County shall require landscaping to adequately screen new industrial uses to minimize visual impacts.

ED-2.2 Land Requirements

The County shall ensure there is capacity for new and expanding businesses by:

1. Reserving sufficient locations for industry, recognizing industry's need for greater land requirements
2. Recognizing the need for a variety of locations to avoid creation of a monopoly of the industrial land market and to reflect varying requirements for transportation facilities and utility services
3. Reserving land for exclusive industrial use to encourage development of like industries that complement each other and to prevent encroachment on industrial areas by incompatible uses.

ED-2.11 Industrial Parks

As part of new or updated community plans, the County shall designate sites for industrial development to meet projected demand.

SL-2.1 Designated Scenic Routes and Highways

The County shall protect views of natural and working landscapes along the County's highways and roads by maintaining a designated system of County scenic routes and State scenic highways by:

1. Requiring development within existing eligible State scenic highway corridors to adhere to land use and design standards and guidelines required by the State Scenic Highway Program,
2. Supporting and encouraging citizen initiatives working for formal designation of eligible segments of State Highway 198 and State Highway 190 as State scenic highways,
3. Formalizing a system of County scenic routes throughout the County (see Figure 7-1)
4. Requiring development located within County scenic route corridors to adhere to local design guidelines and standards.

SL-2.2 Gateways to the Sequoias

The County shall ensure that the "gateway highways" (State Highway 190 and State Highway 198) to the Sequoias feature the County's unique history and scenery by:

1. Maintaining the rural character of roadway rights-of-ways, highway signage, and related roadway and structure design
2. Protecting primary viewsheds from development
3. Prohibiting development of highway commercial projects that do not respond to their physical or cultural context
4. Featuring the community centers/main streets of the gateway communities of Three Rivers and Springville.

PFS-1.16 Joint Planning Efforts

The County will promote joint planning efforts between communities, hamlets, and cities within proximity of each other so that services and infrastructure planning can be complementary.

**GPA76-7B Farmerville Land Use Plan
II Objectives**

The land use plan for the Farmersville area is intended to achieve the following objectives:

1. Formulation of a general guide to future development of land uses – residential, commercial industrial and public – within the planning area.
2. Separation of incompatible uses, while allowing each type of land use sufficient area to develop to the fullest extent indicated by the economy and the general welfare.
3. Provision of a comprehensive guide for public improvements and private investment.
4. Protection and preservation of the natural amenities by indicating open areas that are to be retained in their natural state, or kept at minimum development.

V. Planning Policy

The Land Use Element is formulated pursuant to policy A-4 of the Urban Boundaries Element of the Tulare County General Plan:

A land use plan is to be developed for each community with an Urban Area Boundary specifying desired densities and land use categories, with particular attention to defining suitable areas for the full range of urban and suburban development. Such plans shall recognize the short and long term ability of each community to provide necessary urban services within its Urban Area Boundary and shall cover the area contained within the Boundary.

VI. Implementation

It shall be the policy of the County of Tulare to implement zoning which will be consistent with the plan concepts stated in this amendment and as shown on the attached land use map.

GPA 00-03 Farmersville Area UDB and UAB Update

The Farmersville Urban Development Boundary and Urban Area Boundary were adopted by the Board of Supervisors and Planning Commission subject to the following Statement of Intent:

- VI.A. With the amendment of the Urban Area Boundary, area which is added to the Urban Area Boundary no longer falls under the jurisdiction of the Rural Valley Lands Plan, but will instead fall under the jurisdiction of the County-adopted Land Use and Circulation Plan for the Farmersville Area. Until such time as newly added areas are designated through the land use planning process, it is the intent of

the Board of Supervisors and the Planning Commission that areas designated for agricultural use under the Rural Valley Lands Plan retain that designation; however, the option to rezone property to nonagricultural classifications under the point system would no longer be appropriate.

City of Farmersville and Tulare County Memorandum of Understanding

City of Farmersville – Memorandum of Understanding

Urban Development Boundary (UDB) Provisions

7. The County will work with the City to adopt City land use designations in the UDB (PF 4.18 and 4.19 of the proposed TCGP)
8. Future development may occur on currently zoned non-agricultural lands subject to PF-4.20 of the proposed TCGP with exceptions listed in PF-4.18.
9. Any future development project is subject to the RVLP and subject to PF-4.20 with exceptions listed on PF-4.18 of the proposed TCGP.
10. The County will work with the City to tighten up exceptions to the AE Zones (PF 4.18 of the proposed TCGP).
11. Expansions of Agricultural Processing Facilities are subject to PF 4.20 and 4.21 of the proposed TCGP, a special use permit, city consultation and consent to annex to the City when contiguous (PF 4.24 of the proposed TCGP).
12. Development may occur on land currently zoned for non-agricultural uses subject to the application of City development standards, financing mechanisms and consents to annex when contiguous to the City (PF-4.24.d of the proposed TCGP)
13. Future development may occur on lands designated in the future by the City General plan and subsequently adopted by the County subject to PF 4.20 of the proposed TCGP.

Tulare County and City Scenic Highway Elements.

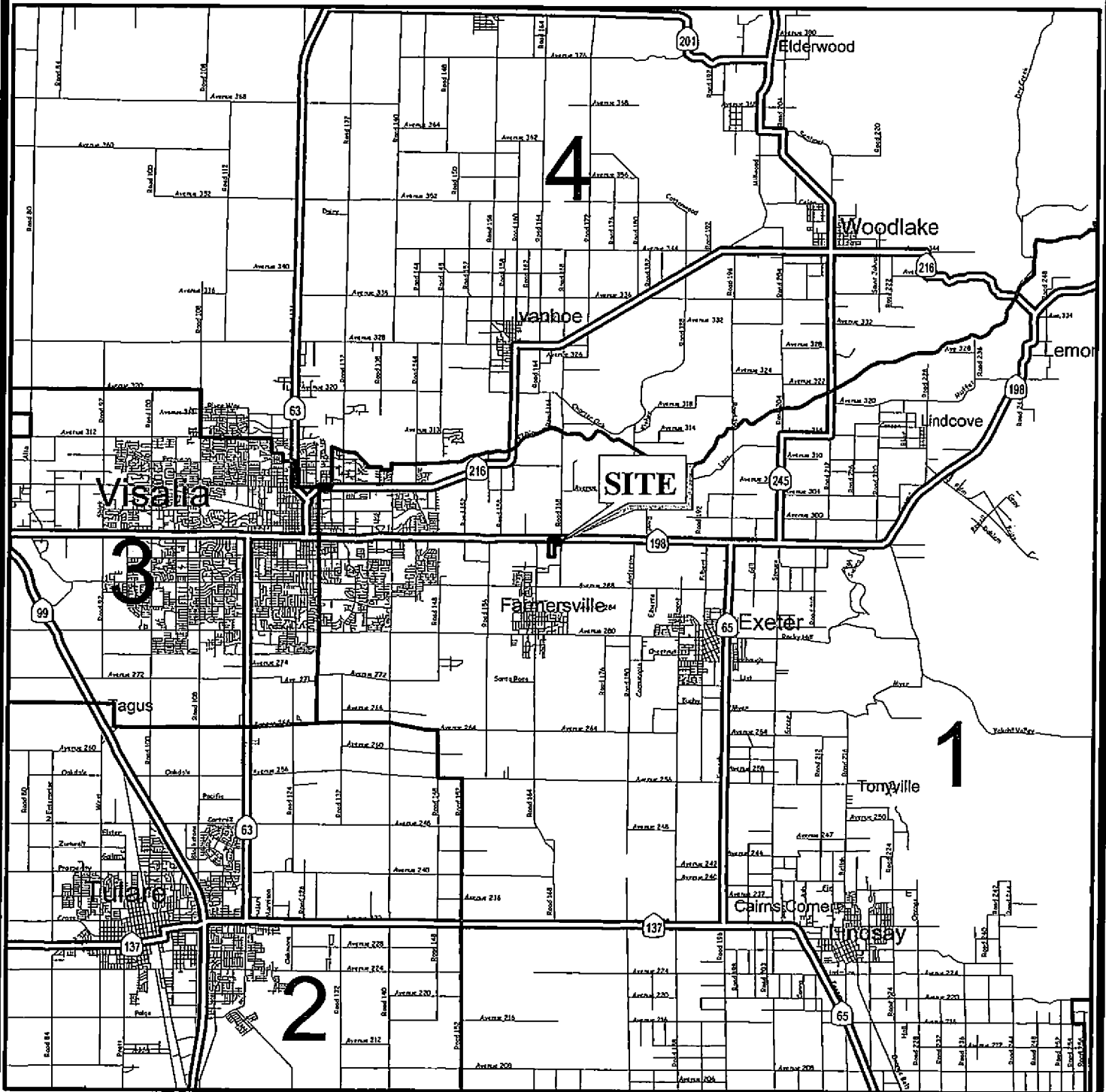
The property is adjacent to a portion of Highway 198 north of Farmersville, which is considered as a Candidate State Scenic Highways portion of Highway 198. The City of Farmersville Scenic Highway Element designates the property as Industrial. The City of Farmersville advised in their consultation response letter that the Service Commercial land use designation is compatible with the City's industrial land use designation of the subject property. The proposal is consistent with the Scenic Landscapes policies of the General Plan 2030 Update and the Scenic Highway Element.

City of Farmersville General Plan

- The project is located within the Urban Development Boundary of the City of Farmersville, adjacent to the City Limits.
- The Farmersville Land use map designates the property as Industrial Reserve.
- The project is outside of the Farmersville zoning map and does not have a City zoning designation.
- The project is designated as Industrial by the City's Scenic Highway Element.



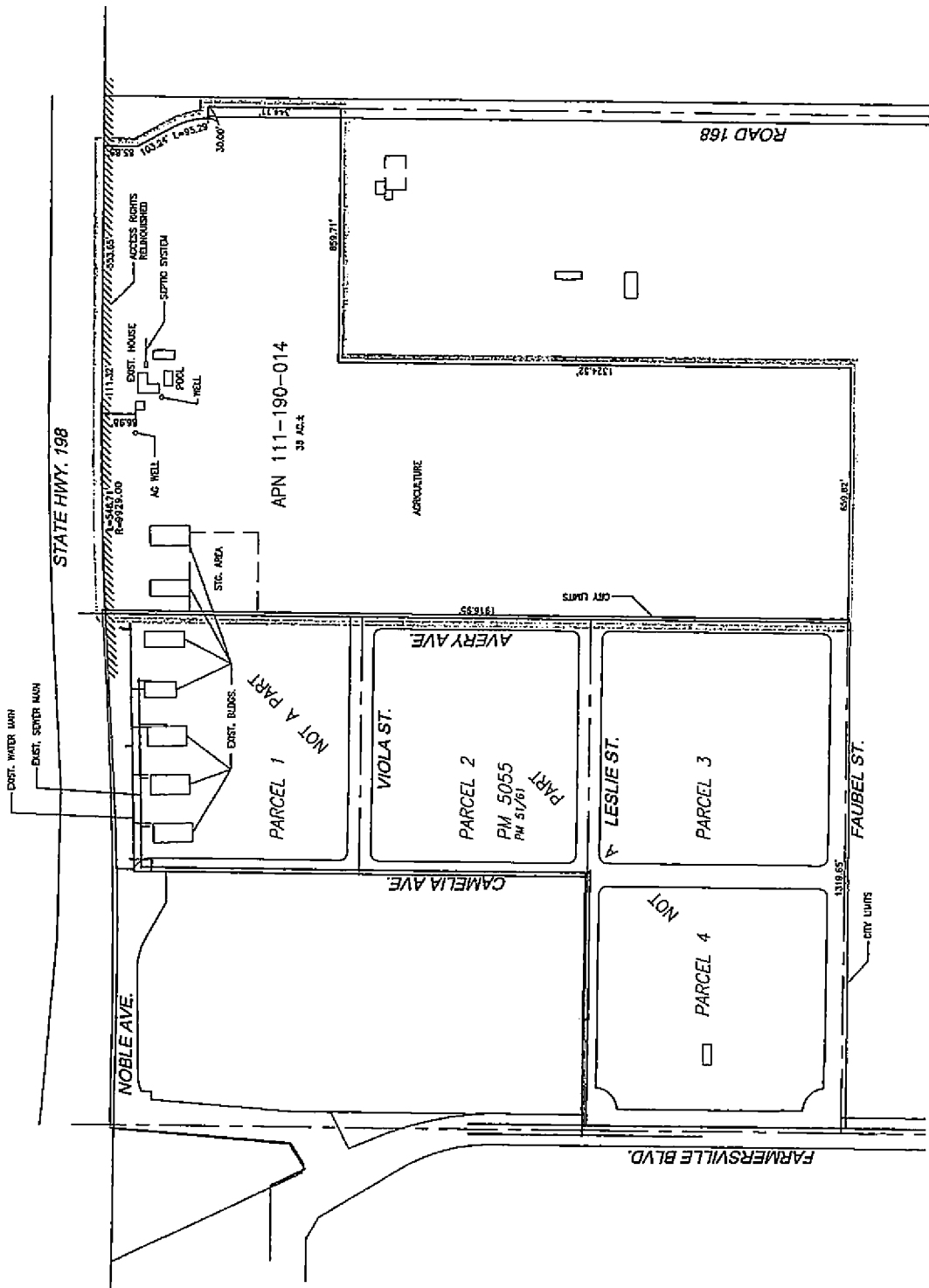
Vicinity Map for GPI 12-001



Supervisorial Districts
Site is in District 1

1.5 0 1.5 3 4.5 6 Miles

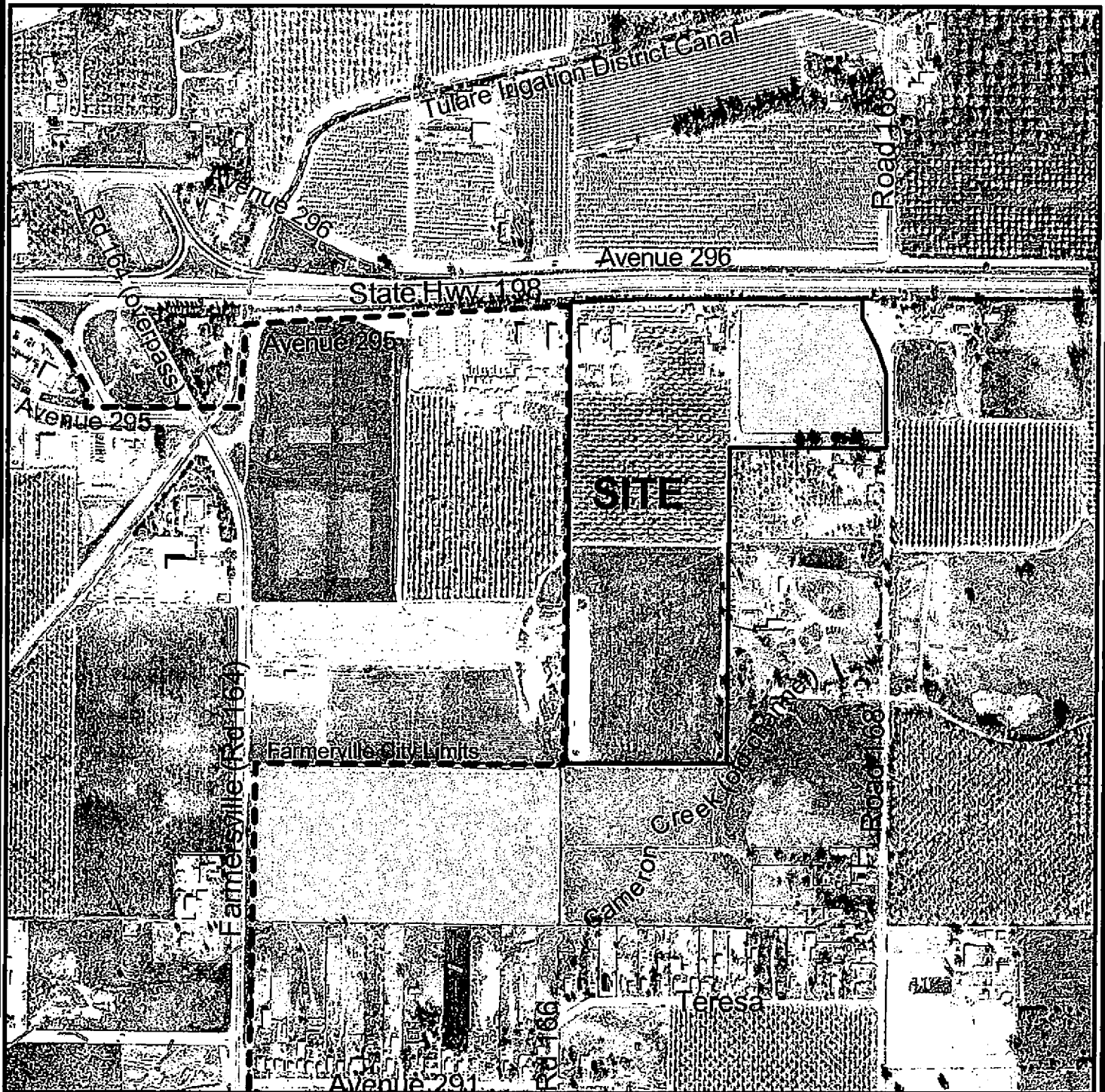




Site Plan for GPI 12-001



Aerial Photograph for GPI 12-001



Owner: T S T R PROPERTIES LP
Address: P O BOX 535
City, State ZIP: FARMERSVILLE CA 93223
Applicant: AAA Quality Services
Agent: none
Supervisory District # 1
Assessors Parcel # 111190014

300 0 300 600 900 1200 Feet



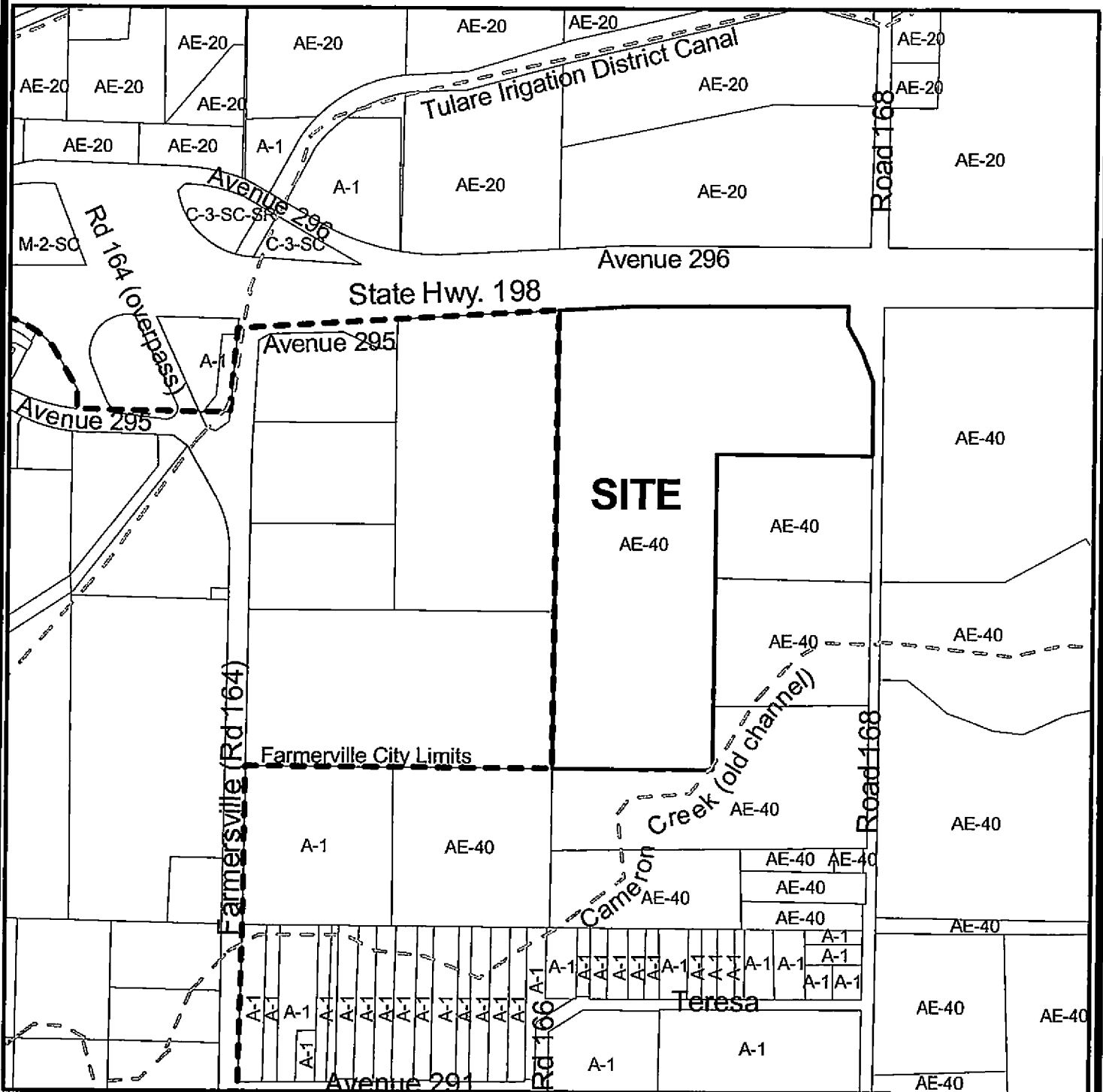
SITE

Project Site for GPI 12-001





Existing Zoning Map for GPI 12-001



Owner: T S T R PROPERTIES LP
Address: P O BOX 535
City, State ZIP: FARMERSVILLE CA 93223
Applicant: AAA Quality Services
Agent: none
Supervisory District # 1
Assessors Parcel # 111190014

300 0 300 600 900 1200 Feet

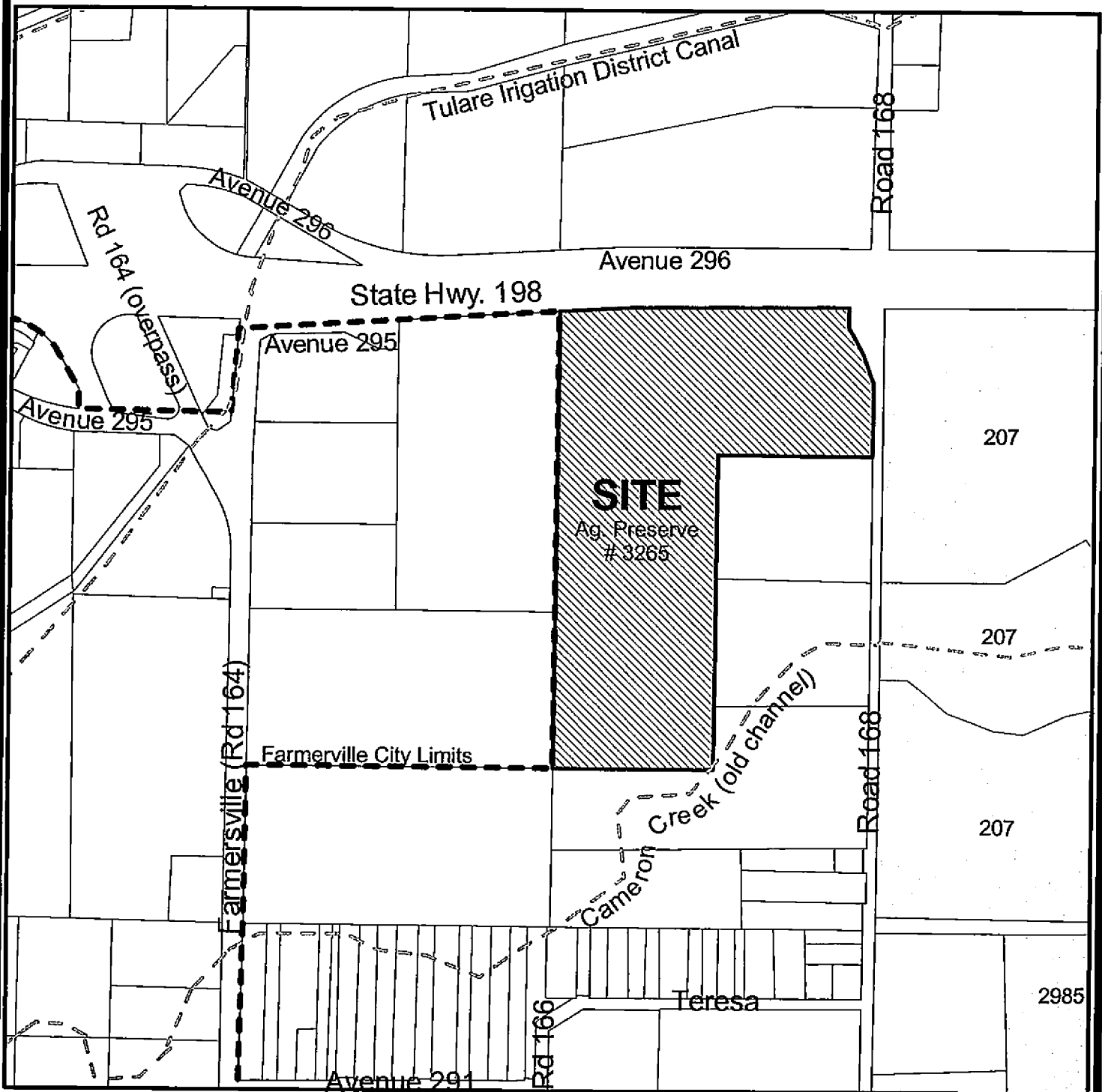
SITE

Project Site for GPI 12-001





Ag. Preserve Map for GPI 12-001



Owner: T S T R PROPERTIES LP
Address: P O BOX 535
City, State ZIP: FARMERSVILLE CA 93223
Applicant: AAA Quality Services
Agent: none
Supervisory District # 1
Assessors Parcel # 111190014

300 0 300 600 900 1200 Feet

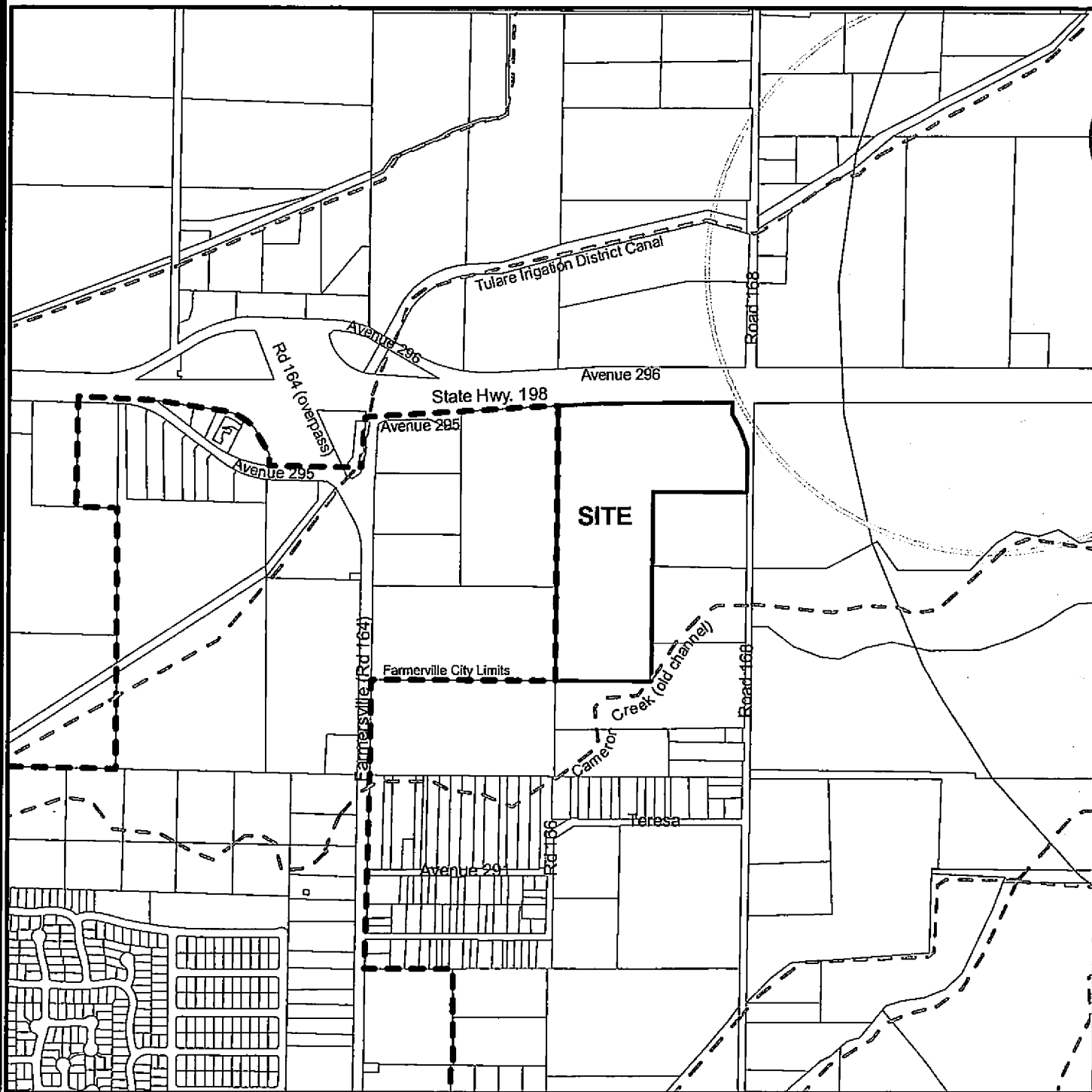
Ag Preserves

-  Williamson Act Preserves
-  Williamson Act Preserves - Non Renewal
-  Farmland Security Zones








CNDDDB Map for GPI 12-001



500 0 500 1000 1500 2000 Feet

Species of Concern

-  American badger
-  San Joaquin kit fox
-  Valley Sacaton Grassland

Source: July, 2007 California Natural Diversity Database-
California Department of Fish & Game





TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY

Cheryl L. Duerksen, Ph.D.,
Agency Director

DEPARTMENT OF ADMINISTRATION · KEVIN MARKS · DIRECTOR
ENVIRONMENTAL HEALTH SERVICES · VIVIAN NELSON, MSCE REHS · DIVISION MANAGER

February 27, 2013

HENRY DONG
RESOURCE MANAGEMENT AGENCY
5961 S MOONEY BLVD
VISALIA CA 93277

Re: GPI 12-001 – AAA Quality Services

Dear Mr. Dong:

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

1. At the time additional sewage disposal is needed for future use, the site shall be required to connect to the City of Farmersville sewer system.
2. If the facility has/ or proposing an above ground storage capacity over 1320 gallons of a petroleum based product, the site shall be required to prepare a Spill Prevention Control and Countermeasure (SPCC) plan in accordance with the U.S. Code of Federal Regulations, Title 40, Part 112 (40CFR112) prior to the final inspection of the building permit. The plan shall be submitted to the Tulare County Environmental Health Services Division. The applicant shall contact the TCEHSD's CUPA inspector at (559) 624-7400 for any additional questions.
3. If the site ever handles or stores quantities of hazardous materials in excess of 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas, or **any** amount of a hazardous waste, then the site will be required to submit a Hazardous Materials Business Plan to the Tulare County Environmental Health Services Division. The facility shall immediately contact TCEHSD at (559) 624-7400 if the site ever meets these threshold quantities.
4. Equipment storage areas shall be properly managed to prevent nuisance of dust, odors, vector harborage and breeding.

Sincerely,

A handwritten signature in black ink, appearing to read "Allison Shuklian".

Allison Shuklian
Environmental Health Specialist
Environmental Health Services Division



CITY OF FARMERSVILLE

September 25, 2012

Tulare County Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

RE: Zone Change and General Plan Amendment for AAA Quality Services

To Whom It May Concern:

This letter serves to give consent for AAA Quality Services to pursue a zone change and General Plan Amendment from Tulare County for property immediately adjacent to the City of Farmersville (referenced as Assessor Parcel Number 111-190-014) for industrial use. The City has determined that annexation of the site is likely not feasible at the current time.

The City requests that any development of the site be required to adhere to City zoning standards, including:

- Paved parking
- Landscaping and screening – particularly screening of storage of materials – which must be screened from view from the public rights-of-way, especially State Highway 198.
- Development be consistent with the Highway 198 Specific Plan, previously adopted by the Farmersville City Council.

I hope this information is clear. If you have any questions feel free to contact me at (559) 747-0458, or our contract city planner Karl Schoettler at (559) 734-8737.

Sincerely,

Rene Miller, City Manager
City of Farmersville



CITY OF FARMERSVILLE

February 22, 2013

Tulare County Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277
ATTN: Henry Dong, Project Planner
Countywide Planning Division

RE: General Plan Initiation Case No. GPI 12-001 - AAA Quality Services

Dear Mr. Dong:

This letter serves to comment on the above-referenced project. At this time we would reiterate the comments we provided on September 25, 2012 pertaining to use and development of the site. The City considered annexing the site but believed it would probably not be approved by LAFCo due to the City's existing stock of undeveloped land zoned for industrial uses.

As noted previously, the City requests that any development of the site be required to adhere to City zoning standards, including:

- Paved parking
- Landscaping and screening – particularly screening of storage of materials – which must be screened completely from view from the public rights-of-way, especially State Highway 198. The frontage along Highway 198 is Farmersville's "front door" to the world and the City is interested in fostering as attractive an appearance as possible along the highway. The City's Highway 198 Specific Plan recommends a 40 foot landscaped setback along the highway frontage.
- As alluded to above, development must be consistent with the Highway 198 Specific Plan, previously adopted by the Farmersville City Council.

In addition, the City would like to see a condition requiring the property to annex when it becomes feasible.

I hope this information is clear. If you have any questions feel free to contact me at (559) 734-8737.

Sincerely,

Karl Schoettler, Contract City Planner
City of Farmersville

Collins & Schoettler
1002 W. Main Street
Visalia, CA 93291
(559) 734-8737
email: karl@weplancities.com

cc: Rene Miller, City Manager

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 384
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390



February 4, 2013

Mr. Henry Dong, Project Planner
Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277

Sent by FAX to: 559-730-2653
No. of Pages: 2

RE: SB 18 Tribal Consultation: General Plan Initiation Case No. GPI 12-004;
Tulare County

Dear Mr. Dong:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. Attached is a consultation list of tribes with traditional lands or cultural places located within the requested General Plan boundaries.

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS) to determine if any cultural places are located within the area(s) affected by the proposed action. NAHC Sacred Lands File requests must be made in writing. All requests must include: county, USGS quad map name, township, range and section. Local governments should be aware, however, that records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a cultural place.

If you receive notification of change of addresses and phone numbers from Tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at (916) 653-6251.

Sincerely,


Dave Singleton
Program Analyst

**California Tribal Government List
Tulare County
February 4 , 2013**

Santa Rosa Rancheria
Rueben Barrios Sr., Chairperson
P.O. Box 8
Lemoore , CA 93245
Tache
Tachi
Yokut
(559) 924-1278

Santa Rosa Tachi Rancheria
Lalo Franco, Cultural Coordinator
P.O. Box 8
Lemoore , CA 93245
Tachi
Tache
Yokut
(559) 924-1278 - Ext. 5

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville , CA 93258
Yokuts
chairman@tulerivertribe-nsn.
(559) 781-4271

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas , CA 93906
Foothill Yokuts
Mono
kwood8934@aol.com
Wuksache
831-443-9702

Wuksache Tribe
John Sartuche
1028 East "K" Avenue
Visalia , CA 93292
signsbysarch@aol.com
Wuksache
(559) 636-1136

Jennifer Malone
637 E Lakeview
Woodlake 93286
Tachi
Wukchumni
indianpopup@sbcglobal.net
Yowlumni
559-564-2146 - home
559-280-0712 - cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3, and 65382.4, et seq.

RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

February 6, 2013

TO: Henry Dong, Project Planner
FROM: Craig Anderson, Engineer III *CA*
SUBJECT: General Plan Initiation Request – GPI 12-001

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

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

CA



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA. 93277
PHONE (559) 624-7000
FAX (559) 730-2653

TUL-198-14.74

JAKE RAPER JR., AICP, DIRECTOR

DATE: January 31, 2013

PROJECT REVIEW - CONSULTATION NOTICE

FROM: Interested Agencies (see next page)
TO: Henry Dong, Project Planner

Subject: General Plan Initiation Case No. GPI 12-001 - AAA Quality Services.

CALTRANS
DISTRICT 6:

"NO
COMMENT"
2/12/13 *CK*

RECEIVED

FEB 04 2013

DEPT. OF TRANSPORTATION DIST. 6
TIME:
ATTENTION: *CA*

The Tulare County Resource Management Agency has received a request from AAA Quality Services, to initiate a General Plan Amendment affecting a portion of the Farmersville Land Use Plan, a component of the Land Use Element of the Tulare County General Plan. The request is to change the land use designation of approximately 39.46 acres on Assessor Parcel Number 111-190-014, located in the Urban Development Boundary of the City of Farmersville, from Agriculture to Commercial. The request also proposes to rezone the subject parcel from Agricultural Exclusive - 40 acre minimum (AE-40) zone to Service Commercial (C-3) zone. The project site currently contains a 1,500 sq ft residence, garage, shed, septic tank, 2 storage buildings, and a storage yard for AAA Quality Services. The future proposal for the site, if the general plan amendment and change of zone, are approved will allow the 2 storage buildings and storage yard containing overflow storage of equipment and supplies associated with AAA Quality Services operations on the adjacent site. The project is also located within a Williamson Act contracted property and will be required to cancel the land conservation contract. The project site is located at the southeast corner of Highway 198 and Road 168, adjacent to the northern portion of the City of Farmersville.

Please review this proposal and provide any comments and/or recommendations that you feel are appropriate including any scientific or factual information that would be useful in our evaluation.

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

Please forward your comments and/or recommendations to our office by February 28, 2013 so that they may be considered during the review process. If you do not have recommendations and/or comments, please respond with "no comment."

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

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

Sincerely,

Henry Dong
Henry Dong, Project Planner
Countywide Planning Division

Post-it® Fax Note	7871	Date	2/12/13	# of pages	1
To	HENRY DONG	From	ALEC KIMMEL		
Co./Dept.	TULARE CO.	Co.	CALTRANS DIST.		
Phone #		Phone #			
Fax #	730-2653	Fax #			

RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

February 12, 2013

TO: Henry Dong, Project Planner
FROM: ~~CA~~ Al Miller, Tulare County Fire Inspector
SUBJECT: Case No. GPI 12-001

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

If you have any questions please call Al Miller at 624-7058.

HD:vq

San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT



March 7, 2013

Henry Dong
Tulare County RMA
Planning Department
5961 S. Mooney Blvd.
Visalia, CA 73277



Project: General Plan Initiation Case No. GPI 12-001

District CEQA Reference No: 20130119

Dear Mr. Dong:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of the general plan amendment and rezone of the property located at 16691 Avenue 296, Visalia, Tulare County, amending land uses from agriculture to commercial uses. The District offers the following comments:

1. The change in land use designation and zoning will not have an impact on air quality. However, if approved, the change in land use designation could result in additional development of the subject property. Future development of the project site will contribute to the overall decline in air quality due to construction activities, increased traffic, and ongoing operational emissions. Future development may require further environmental review and may be subject to District Rule 9510 (Indirect Source Review).
2. Pursuant to Section 2.0 District Rule 9510, future development of the subject property would be subject to the rule if the development would include or exceed any one of the following:
 - 2,000 square feet of commercial space;
 - 25,000 square feet of light industrial space;
 - 100,000 square feet of heavy industrial space;
 - 20,000 square feet of medical office space;
 - 39,000 square feet of general office space; or
 - 9,000 square feet of educational space; or
 - 10,000 square feet of government space; or

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org


www.healthyliving.com

- 20,000 square feet of recreational space; or
 - 9,000 square feet of space not identified above
3. District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. Therefore, if approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at <http://www.valleyair.org/ISR/ISRHome.htm>.

If you have any questions or require further information, please call Jessica Willis, at (559) 230-5818.

Sincerely,

David Warner
Director of Permit Services


for Arnaud Marjollet
Permit Services Manager

DW:jw

Cc: James Faubel, AAA Quality Services

From: Karl Schoettler <karl@weplancities.com>
To: Henry Dong <HDong@co.tulare.ca.us>
CC: Rene' Miller <renem@cityoffarmersville-ca.gov>
Date: 02/22/2013 2:43 PM
Subject: Re: AAA Quality Services
Attachments: Dong comments 2-22-13.pdf

Hi Henry:

I've reviewed the consultation notice and provided a comment letter on behalf of the City Farmersville - see attached.

In terms of zoning, if the property was being annexed to Farmersville we would apply the City's "I" (Industrial) zone. If it's to remain in the County perhaps the C-3 zone would be a good temporary fit, since the C-3 zone is probably more restrictive than the County's industrial zones.

As noted in our letter, our primary concern at this time is that any development or use of the property (particularly for equipment/material storage purposes) is that it be completely screened from the highway and other adjacent streets.

Let me know if you have any questions or need additional information.

Thanks,

Karl Schoettler, Contract City Planner
City of Farmersville

Collins & Schoettler
1002 W. Main Street
Visalia, CA 93291
(559) 734-8737
fax: 734-8767
www.weplancities.com

On 2/15/13 9:49 AM, "Henry Dong" <HDong@co.tulare.ca.us> wrote:

> Hi Karl,
>
> Thanks for sending the land use maps. Consultations for the project have been
> sent out and I'm currently receiving comments. The DOC called and they should
> be sending some shortly. I'm also working on the staff report for the project
> and analyzing recent County GPU City UDB and MOU policies.
>
> The property is designated as Industrial Reserve by the City's GP. The
> applicant applied for the County C-3 (Service Commercial) zoning, would this
> be appropriate for the City's industrial reserve designation? I included a
> copy of the consultation that was sent to the City, if you have any comments
> regarding City land use policies and development standards.
>
> Thanks,
>



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

March 12, 2013

Via Email: HDong@co.tulare.ca.us

Mr. Henry Dong, Project Planner
Tulare County
Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277



Dear Mr. Dong:

PROJECT REVIEW CONSULTATION- GENERAL PLAN INITIATION CASE NO. GPI 12-001(AAA QUALITY SERVICES)

The Department of Conservation's (Department) Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above referenced project and offers the following comments and recommendations.

PROJECT DESCRIPTION

The project is an application by AAA Quality Services to initiate a General Plan Amendment on APN 111-190-014 from Agricultural to Commercial, and a zone change from Agricultural Exclusive-40 acre minimum (AE-40) zone to Service Commercial (C-3) zone. The changes would allow two storage buildings and a storage yard to be operated as part of the AAA Quality Services business located on the adjacent parcel. The project site is located on property currently subject to a Williamson Act contract which is proposed for cancellation in the event the County approves the proposed general plan amendment and zone change.

DIVISION COMMENTS

The Division prefers the County not take action on the general plan amendment and zone change until such time as the contract has either expired through the nonrenewal process or has been terminated as a result of cancellation. However, if the County should choose to move forward with the proposed sequence of potential approval actions the Division strongly recommends the general plan amendment and zone change be contingent upon the contract either expiring through the nonrenewal process or the contract being terminated upon the recordation of a certificate of final

cancellation. In other words, the general plan amendment and zone change should not become effective until such time as the land is no longer restricted by a Williamson Act contract. This will help to ensure compliance with state statute and local rules regarding the Williamson Act while the contract is still in place.

Although the current application does not include a cancellation petition, the Division offers the following general comments regarding cancellations.

The Division's preferred method of Williamson Act contract termination is the nonrenewal process. According to records submitted by the County as part of the *Fiscal Year 2012 Williamson Act and Open Space Subvention Act Survey* nonrenewal has been filed for the contract on this parcel and the contract is set to expire in 2017.

Cancellation of a contract is an option under limited circumstances and conditions as set forth in Government Code §51280 et seq. The subject parcel is designated as *Prime* Williamson Act land and is also designated as *Prime* on the Tulare County Important Farmland 2010 map. It should be noted the Department typically does not support the cancellation of contracts located on land designated as *Prime* as these are the best soils available in which to grow crops and therefore have an extremely high value to the State of California. Cancellation on lands designated as *Prime*, *Unique*, or *Farmland of Statewide Importance*, is more likely to be supported when information provided in the petition demonstrates that circumstances exist that limit the use of the parcel for agricultural activities. Please reference the Division's Cancellation Advice Paper for guidance regarding cancellations. It can be found on line at:

http://www.conservation.ca.gov/dlrp/lca/basic_contract_provisions/Documents/Cancellation%20Advice%20Paper%20Final_02_14_13.pdf.

Thank you for giving us the opportunity to comment on this project. If you have any questions regarding our comments, please contact Heather Anderson, Environmental Planner at (916)324-0869 or via email at Heather.Anderson@conservation.ca.gov.

Sincerely,



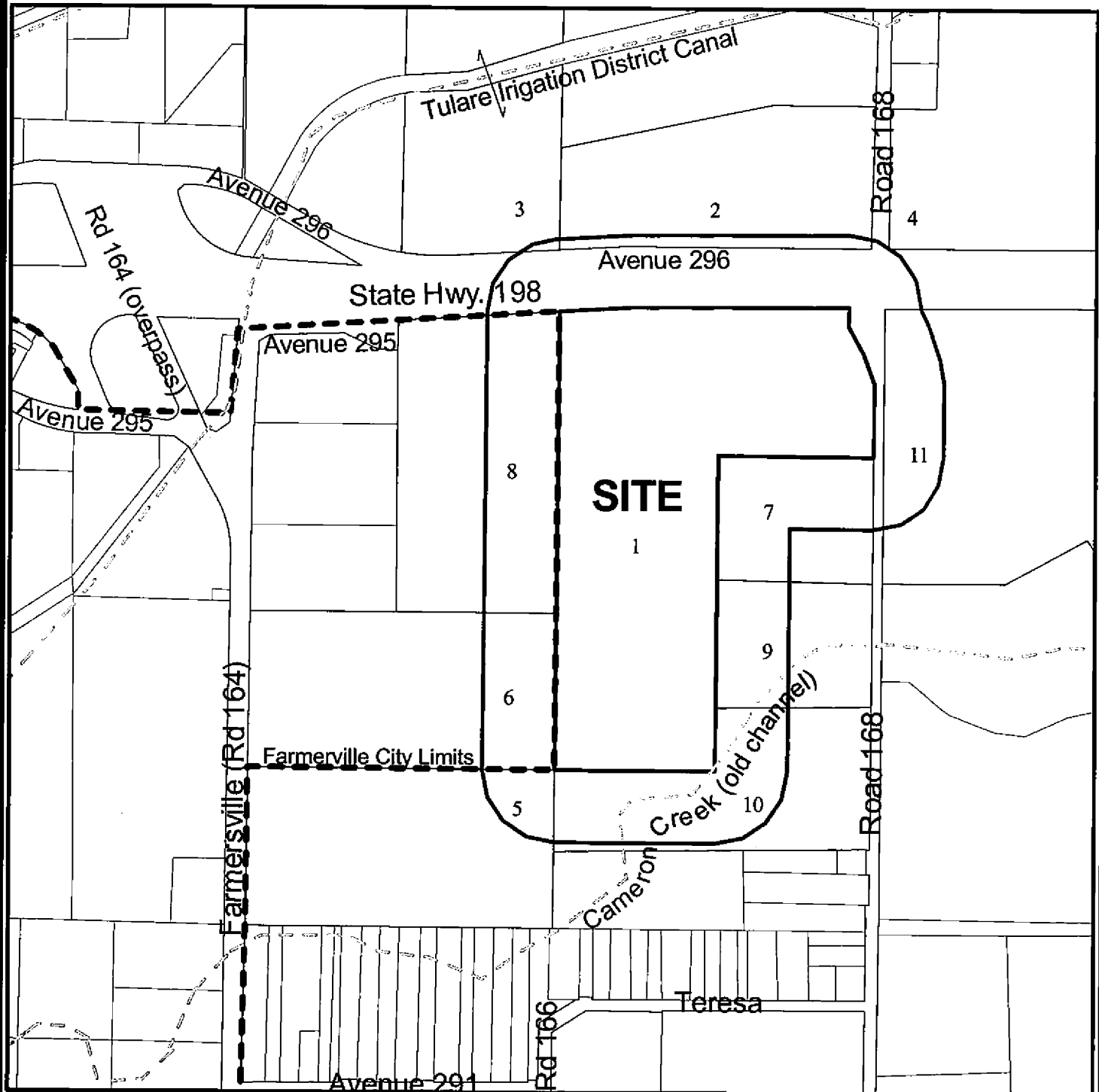
Molly A Penberth, Manager
Division of Land Resource Protection
Conservation Support Unit



Location and Property Ownership Map



GPI 12-001



Owner: T S T R PROPERTIES LP
Address: P O BOX 535
City, State ZIP: FARMERSVILLE CA 93223
Applicant: AAA Quality Services
Agent: none
Supervisory District # 1
Assessors Parcel # 111190014

300 0 300 600 900 1200 Feet

1

Project Site for GPI 12-001

2 - 11

Properties within 300' of project site,
to receive written notification of proposal
(as required by State Law)

