



**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: September 10, 2013

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

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZ 13-002 Cassaday/Ivanhoe

REQUEST(S):

Request that the Board of Supervisors:

On September 10, 2013:

1. Introduce and waive the first reading of an Amendment to Ordinance No. 352, the Tulare County Zoning Ordinance for Change of Zone No. PZ 13-002, on approximately 39.66 acres from Exclusive Agriculture-80 Acre Minimum (AE-80) to Exclusive Agriculture-20 Acre Minimum (AE-20). Located near Venice Hill, two miles east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Avenue 336.
2. Set the Public Hearing for September 24, 2013 at 9:30 a.m. or shortly thereafter as can be heard.

And On September 24, 2013:

1. Hold a Public Hearing at 9:30 a.m. or shortly thereafter.
2. Certify that the Board has reviewed and considered the information contained in the Addendum to a Negative Declaration/Initial Study pursuant to 14 California Code Regulations Section 15164 that was prepared for the Parcel Map No. PPM 02-011, applicable to the project site and the Change of

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZ 13-002 Cassaday/Ivanhoe

DATE: September 10, 2013

Zone PZ 13-002, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

3. Find there is no substantial evidence that said Change of Zone will have a significant effect on the environment and determine that Addendum to a Negative Declaration/Initial Study pursuant to 14 California Code Regulations Section 15164, that was prepared for the Parcel Map No. PPM 02-011, applicable to the project site and the Change of Zone PZ 13-002, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.
4. Direct the Environmental Assessment Officer of the Tulare Resource Management Agency to file a Notice of Determination with the Tulare County Clerk.
5. Adopt the findings of approval for the Change of Zone as set forth in the Planning Commission Resolution.
6. Waive the final reading and adopt the amendment to Ordinance No. 352, the Tulare County Zoning Ordinance.
7. Direct the Clerk of the Board to publish the adopted Ordinance and Amended Zoning Map.

SUMMARY:

PROJECT SUMMARY:

The Tulare County Resource Management Agency received a petition from by Mr. and Mrs. Herman and Virginia Cassaday for a change of zone on a 39.66 acre parcel, from AE-80 to AE-20. The General Plan Land Use designation for the project site is "Valley Agriculture" and under the Rural Valley Lands Plan (RVLP). If the zone change is approved, a parcel map will be submitted to divide the property into two parcels of 19.86 acres each. The applicant intends to lease one parcel to a local farm to plant fruit trees (Avocado or Cherry). The remaining parcel will be retained by the applicant for a residence. An existing 26-foot private road easement provides access to the new parcels from Road 188.

The site is located near Venice Hill, two miles east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Avenue 336. The project site is located on a sloping hillside and has been used as a citrus orchard in the past, however, at this time it is currently considered open space with approximately five acres of non-producing navel oranges remaining. The USDA National Resources Conservation Service web site determined that at least 98 % of the site falls within their definition of Flat or Gentle Sloping. Venice Hill and grazing land lie to the west and northwest. Properties with agricultural orchards lie to the northeast, east and

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZ 13-002 Cassaday/Ivanhoe
DATE: September 10, 2013

south of the project site. The site is within a Williamson Contract No. 4809, Agricultural Preserve No. 1519 and considered Prime Agricultural land under California Government Code Sections 51201 and 56064. The property owner intends that the land will remain in agricultural production and no development is proposed. The purpose of the zone change and subdivision of land is to lease the land to plant fruit trees which will remain in commercial agriculture production. The production of fruit trees is consistent with the Williamson Act Prime Farmland definition.

The applicant is proposing to lease a portion of his land to a local farmer to plant and harvest fruit trees (Avocado or Cherry). However, the property owner obtained a loan from the Department of Veterans Affairs (VA) and CalVet Loan Contracts restricts the property from income producing activities. The VA retains options on the property and would need to approve any lease of the subject property. The VA denied the property owners request for a lease due to the above restriction (income producing). One option is to obtain a lot split from the County and modify the loan contract. Through this option the VA will release a portion of the land to the property owner. The applicant is pursuing this course of action.

In December 2002, the site and surrounding area were subject to a parcel map. Parcel Map PPM 02-011 divided a 160 acre parcel and an 80 acre parcel into seven parcels plus a remainder. Six parcels within the AE-20 zone were subdivided into 20 acre lots. The project parcel was divided into a 40 acre parcel, even though it was within the AE-80 zone, and the remainder was located within the AE-40 zone and remained 80 acres.

ENVIRONMENTAL SUMMARY:

A Negative Declaration and Initial Study were prepared for project site and surrounding area for Parcel Map 02-011. The Negative Declaration was approved on November 13, 2002 (Site Plan Review Committee Resolution No. 02-092). This parcel map divided six lots into 20 acres and the subject parcel into a 40 acre lot.

The Tulare County Environmental Planning Division and the Environmental Assessment Officer concluded that no additional significant environmental impacts would occur because of this project and that the Negative Declaration prepared for PPM 02-011 sufficiently examined the environmental impacts of the proposed project, and as such a an Addendum is proposed for this project, since only minor technical changes need to be made in this case.

ENTITLEMENT(S):

The AE-80 zone and AE-20 zone are very similar. Both zones are intended for intensive agricultural operation with the purpose to protect the general welfare of the agriculture community from encroachments Section 9.6 and 9.8 of Ordinance No. 352, as amended, the Zoning Ordinance, allows intensive agricultural operations

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZ 13-002 Cassaday/Ivanhoe
DATE: September 10, 2013

and one single family residence in the AE-20 and AE-80 Zones.

The AE-20 Zone is an exclusive zone for intensive agricultural uses and for those which are a necessary and integral part of the agricultural operation.

GENERAL PLAN CONSISTENCY:

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 project area is located on the Valley Floor, outside of a County adopted Urban Area Boundary, Urban Development Boundary, or Hamlet Boundary. The General Plan land use designation for the project site is Valley Agriculture. Valley Agriculture is designed for intensive agricultural use with a minimum 10 acre parcel size.

According to the RVLP Policy 1.6, for a project site to be rezoned from one agricultural zone to a lesser acreage agriculture zone without an RVLP checklist analysis, the site must be considered prime agricultural land and remain over ten acres. According to the Williamson Act the project site is considered prime agricultural land, is not considered grazing land or non-prime agricultural land.

Furthermore, the site will remain over the minimum acreage for Williamson Act and the Valley Agriculture designation (10 acres). Large lot zoning is typically reserved for grazing land such as those on Venice Hill, however, AE-20 is adjacent to the site and the project parcel has been in agricultural citrus production in the past. Therefore, the parcel could be rezoned and would not require a RVLP checklist analysis.

Thus a General Plan Amendment is not needed here since the change of zone is sufficient, and the General Plan Policy will not be obstructed here.

FISCAL IMPACT/FINANCING:

The applicant cost for a Zone Change is an initial deposit of \$6,451 to the Tulare County Resource Management Agency. Additional fees of \$100 per hour are charged if actual cost of processing the Zone Change Initiation application exceeds the deposits. CEQA documentation and compliance for the project is also charged at a full cost recovery basis.

Once the change of zone, 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

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZ 13-002 Cassaday/Ivanhoe
DATE: September 10, 2013

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.

ADMINISTRATIVE SIGN-OFF:



Michael C. Spata
Assistant Director-Planning

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

Attachment 1 – Planning Commission Resolution
Attachment 2 – Ordinance and Zoning Map
Attachment 3 – Planning Commission Report

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

IN THE MATTER OF AN AMENDMENT TO)
THE TULARE COUNTY ZONING) Resolution No. _____
ORDINANCE NO. 352 FOR ZONE CHANGE)
NO. PZ 13-002 CASSADAY/IVANHOE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD SEPTEMBER 10,
2013, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

That the Board of Supervisors:

1. Introduced and waived the first reading of an Amendment to Ordinance No. 352, the Tulare County Zoning Ordinance for Change of Zone No. PZ 13-002, on approximately 39.66 acres from Exclusive Agriculture-80 Acre Minimum (AE-80) to Exclusive Agriculture-20 Acre Minimum (AE-20). Located near Venice Hill, two miles east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Avenue 336.
2. Set the Public Hearing for September 24, 2013 at 9:30 a.m. or shortly thereafter as can be heard.

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

IN THE MATTER OF AN AMENDMENT TO)
THE TULARE COUNTY ZONING) Resolution No. _____
ORDINANCE NO. 352 FOR ZONE CHANGE)
NO. PZ 13-002 CASSADAY/IVANHOE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD SEPTEMBER 24,
2013 BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

That the Board of Supervisors:

1. Held a Public Hearing on September 24, 2013 at 9:30 a.m. or shortly thereafter.
2. Certified that the Board has reviewed and considered the information contained in the Addendum to a Negative Declaration/Initial Study pursuant to 14 California Code Regulations Section 15164 that was prepared for the Parcel Map No. PPM 02-011, applicable to the project site and the Change of Zone PZ 13-002, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.
3. Found there is no substantial evidence that said Change of Zone will have a significant effect on the environment and determine that Addendum to a Negative Declaration/Initial Study pursuant to 14 California Code Regulations Section

15164, that was prepared for the Parcel Map No. PPM 02-011, applicable to the project site and the Change of Zone PZ 13-002, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

4. Directed the Environmental Assessment Officer of the Tulare Resource Management Agency to file a Notice of Determination with the Tulare County Clerk.
5. Adopted the findings of approval for the Change of Zone as set forth in the Planning Commission Resolution.
6. Waived the final reading and adopted the amendment to Ordinance No. 352, the Tulare County Zoning Ordinance.
7. Directed the Clerk of the Board to publish the adopted Ordinance and Amended Zoning Map.

Attachment 1
Planning Commission Resolution

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE)
ZONING REGULATIONS, CASE NO. PZ 13-002) RESOLUTION NO. Draft
CASSADAY/TVANHOE)

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve a petition by Mr. Herman and Virginia Cassaday, PO Box 3698, Visalia, CA 93278 (Agent: Forester, Weber and Associates, LLP 1620 W. Mineral King Suite B, Visalia, CA 93292), for a requested change of zone from the AE-80 (Exclusive Agriculture-80 Acre Minimum) Zone to the AE-20 (Exclusive Agriculture-20 Acre Minimum) Zone, on 39.66 acres on Assessor's Parcel No. 110-050-26, located near Venice Hill, ½ mile west of Road 188, one mile south of Avenue 336, and two miles east of the community of Ivanhoe.

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), and recommended approval 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 August 28, 2013, and

WHEREAS, at that meeting of the Planning Commission public testimony was received and recorded.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Negative Declaration/Initial Study that was prepared for the PPM 02-011 and approved on November 13, 2002 by the Site Plan Review Committee Resolution 02-092 is still valid to the project site, together the Addendum and 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 Change of Zone.

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

1. The applicant has requested a Change of Zone No. PZ 13-002 to reclassify a 39.66 acre parcel near Venice Hill, ½ mile west of road 188, one mile south of Avenue 336, and two miles east of the community of Ivanhoe.
2. The subject parcel is presently zoned AE-80 and used for agricultural uses. Surrounding properties are zoned AE-80, AE-40 and AE-20 and are used for agricultural uses.
3. The purpose of this application is to divide the property into two parcels of 19.86 acres each. The applicant intends to lease the parcels to a local farm to plant fruit trees (Avocado or Cherry).
4. The site is located within the Rural Valley Lands Plan. The Valley Agriculture designation allows all agricultural zones, including the AE-20 zone which is an exclusive zone for intensive agricultural uses and for those which are a necessary and integral part of the agricultural operation.
5. The proposed change in zone designation from AE-80 to AE-20 is consistent with General Plan policy including the Rural Valley Lands Plan policy. This project would continue agricultural operations in an area designated for and zoned for agriculture.
6. The site has indirect access to Road 188, through a 26' PVAE approximately ½ mile in length to Road 188. Road 188 is classified as a "Local" road. Local roads serves primarily to provide direct access to adjacent land and access higher order street systems, such as collectors.
7. A Negative Declaration and Initial Study was prepared for project site and surrounding area for Parcel Map 02-011. The Negative Declaration was approved on November 13, 2002 (Site Plan Review Committee Resolution No. 02-092). This parcel map divided 6 lots into 20 acres and the subject parcel into a 40 acre lot.
8. The Tulare County Environmental Planning Division and the Environmental Assessment Officer concluded that no additional environmental impacts would occur because of the project and that the Negative Declaration prepared for PPM 02-011 sufficiently examined the environmental impacts of the proposed project.
9. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution No. 2010-2927, a Notice of Intent to Collect Tulare County Public Facilities Fees, also known as Developer Impact Fees; therefore, new development may be subject to County Development Impact Fees.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Ordinance amendment 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 determines that the Negative Declaration/Initial Study that was prepared for PPM 02-011 adopted by Site Plan Review Resolution 02-092 on November 13, 2002 reflects the independent judgment of the County and has been completed consisted with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

2. An Addendum to the Negative Declaration/Initial Study is sufficient since only minor technical changes were needed to comply with CEQA and the State CEQA Guidelines.

3. This Commission hereby recommends that the Board of Supervisors approve the Amendment to the Zoning Regulations Case No. PZ 13-002 as petitioned.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting of the Planning Commission on August 28, 2013, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY PLANNING COMMISSION

Michael C. Spata, Secretary

Attachment 2
Ordinance and Zoning Map

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

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 Southeast Quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Base and Meridian, being a subdivision of Part 424 of the Official Zoning Maps. A map showing the AE-20 (Agriculture -20 Acre Minimum) zoning approved for 39.66 acres of the property is attached hereto and incorporated herein by reference.

Section 2. The property affected by the zoning reclassification from AE-80 to AE-20, filed as Change of Zone Case No. PZ 13-002 is briefly described as follows:

Being approximately 39.66 acres located two miles east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Avenue 336. (APN 110-050-026).

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 24th day of September, 2013, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

AYES:

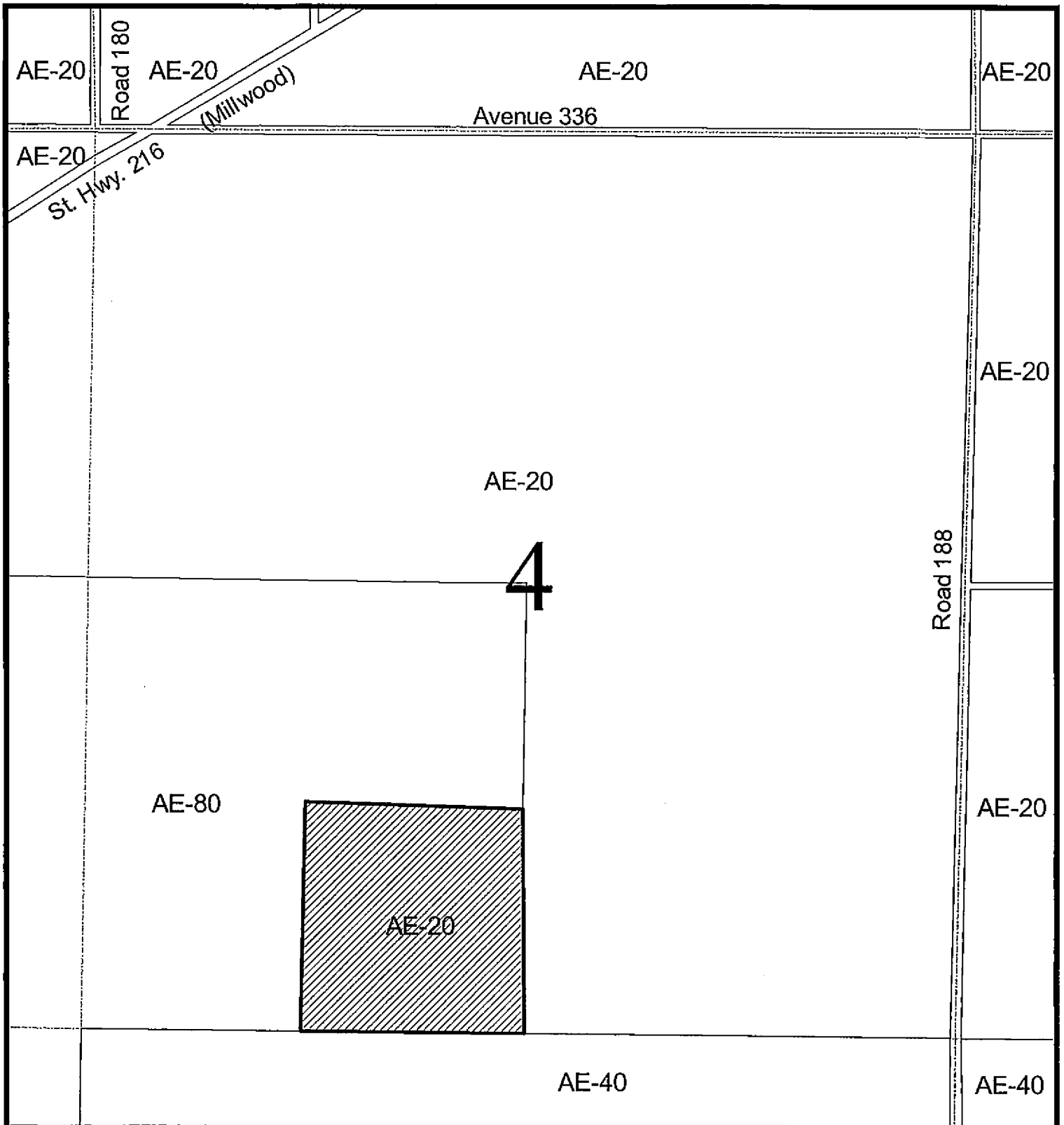
NOES:

ABSENT:

Chairman, Board of Supervisors

ATTEST: Jean M. Rousseau
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy



APN: 110-050-026
 Zone Change from AE-80 to to AE-20
 (PZ 13-002)

400 0 400 800 1200 Feet



ORDINANCE NO. ____
 AMENDING A PORTION OF PART 424
 SW 1/4 OF SEC. 4
 T18S, R26E, M.D.B. & M.
 OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.

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

Attachment 3
Planning Commission Report



**RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
PLANNING COMMISSION
SUMMARY**

5961 S. Mooney
Blvd
Visalia, CA 93277
624-7000 Phone
730-2653 Fax

PLANNING COMMISSION

CHAIRMAN: Bill Whittlatch
VICE-CHAIR: Ed Dias

COMMISSIONERS:
John Elliott
Melvin Gong
Nancy Pitigliano
Wayne Millies
Charlie Norman
Gil Aguilar, Alternate

**AIRPORT LAND USE COMMISSIONERS
(ALUC)**

Doug Silveria
Vacancy

Project Number: Zone Change PZ 13-002	Agenda Date:	8/28/2013
Applicant: Mr. and Mrs. Herman and Virginia Cassaday	Agenda Item Number:	
Agent: Forester, Weber and Associates, LLP	AGENDA ITEM TYPE	
Subject: Petition for change of zone on approximately 39.66 acres from Exclusive Agriculture-80 Acre Minimum (AE-80) to Exclusive Agriculture-20 Acre Minimum (AE-20). Exceptions: N/A Waiver: N/A	Presentation	
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	X
	Continued Public Hearing	
Environmental Review: Addendum to Negative Declaration prepared for Parcel Map No. PPM 02-011.	ACTION REQUESTED	
	Resolution – Board of Supervisors	
Motion(s): One Motion	Resolution – Planning Commission	X
Contact Person: Chuck Przybylski	Decision - Director	

RECOMMENDATIONS:

That the Planning Commission:

1. Hold a public hearing
2. Recommend approval of an Addendum to a Negative Declaration/Initial Study pursuant to 14 California Code Regulations Section 15164, that was prepared for the Parcel Map No. PPM 02-011, applicable to the project site and the Change of Zone PZ 13-002, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines;
3. Recommend approval of PZ 13-002 to the Board of Supervisors.

PLANNING COMMISSION ALTERNATIVES:

Alternative No. 1: Move to recommend approval, subject to modifications as discussed by the Planning Commission

Alternative No. 2: Move to recommend denial

Alternative No. 3: Refer back to Staff for further study and report

PROJECT SUMMARY:

The Tulare County Resource Management Agency received a petition from by Mr. and Mrs. Herman and Virginia Cassaday for a change of zone on a 39.66 acre parcel, from AE-80 to AE-20. The General Plan and Use designation for the project site is "Valley Agriculture" and under the Rural Valley Lands Plan (RVL) (LP). If the zone change is approved, a parcel map will be submitted to divide the property into two

SUBJECT: PZ 13-002 Cassaday/Ivanhoe
DATE: August 28, 2013

parcels of 19.86 acres each. The applicant intends to lease one parcel to a local farm to plant fruit trees (Avocado or Cherry). The remaining parcel will be retained by the applicant for a residence. An existing 26-foot private road easement provides access to the new parcels from Road 188.

The site is located near Venice Hill, two miles east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Avenue 336. The project site is located on a sloping hillside and has been used as a citrus orchard in the past, however, at this time it is currently considered open space with approximately five acres of non-producing navel oranges remaining. The USDA National Resources Conservation Service web site determined that at least 98 % of the site falls within their definition of Flat or Gentle Sloping. Venice Hill and grazing land lie to the west and northwest. Properties with agricultural orchards lie to the northeast, east and south of the project site. The site is within a Williamson Contract No. 4809, Agricultural Preserve No. 1519 and considered Prime Agricultural land under California Government Code Sections 51201 and 56064. The property owner intends that the land will remain in agricultural production and no development is proposed. The purpose of the zone change and subdivision of land is to lease the land to plant fruit trees which will remain in commercial agriculture production. The production of fruit trees is consistent with the Williamson Act Prime Farmland definition.

The applicant is proposing to lease a portion of his land to a local farmer to plant and harvest fruit trees (Avocado or Cherry). However, the property owner obtained a loan from the Department of Veterans Affairs (VA) and CalVet Loan Contracts restricts the property from income producing activities. The VA retains options on the property and would need to approve any lease of the subject property. The VA denied the property owners request for a lease due to the above restriction (income producing). One option is to obtain a lot split from the County and modify the loan contract. Through this option the VA will release a portion of the land to the property owner. The applicant is pursuing this course of action.

In December 2002, the site and surrounding area were subject to a parcel map. Parcel Map PPM 02-011 divided a 160 acre parcel and an 80 acre parcel into seven parcels plus a remainder. Six parcels within the AE-20 zone were subdivided into 20 acre lots. The project parcel was divided into a 40 acre parcel, even though it was within the AE-80 zone, and the remainder was located within the AE-40 zone and remained 80 acres.

ENVIRONMENTAL SUMMARY:

A Negative Declaration and Initial Study were prepared for project site and surrounding area for Parcel Map 02-011. The Negative Declaration was approved on November 13, 2002 (Site Plan Review Committee Resolution No. 02-092). This parcel map divided six lots into 20 acres and the subject parcel into a 40 acre lot.

The Tulare County Environmental Planning Division and the Environmental Assessment Officer concluded that no additional significant environmental impacts would occur because of this project and that the Negative Declaration prepared for PPM 02-011 sufficiently examined the environmental impacts of the proposed project, and as such a an Addendum is proposed for this project, since only minor technical changes need to be made in this case.

SUBJECT: PZ 13-002 Cassaday/Ivanhoe
DATE: August 28, 2013

ENTITLEMENT(S):

The AE-80 zone and AE-20 zone are very similar. Both zones are intended for intensive agricultural operation with the purpose to protect the general welfare of the agriculture community from encroachments Section 9.6 and 9.8 of Ordinance No. 352, as amended, the Zoning Ordinance, allows intensive agricultural operations and one single family residence in the AE-20 and AE-80 Zones.

The AE-20 Zone is an exclusive zone for intensive agricultural uses and for those which are a necessary and integral part of the agricultural operation.

GENERAL PLAN CONSISTENCY:

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 project area is located on the Valley Floor, outside of a County adopted Urban Area Boundary, Urban Development Boundary, or Hamlet Boundary. The General Plan land use designation for the project site is Valley Agriculture. Valley Agriculture is designed for intensive agricultural use with a minimum 10 acre parcel size.

According to the RVLP Policy 1.6, for a project site to be rezoned from one agricultural zone to a lesser acreage agriculture zone without an RVLP checklist analysis, the site must be considered prime agricultural land and remain over ten acres. According to the Williamson Act the project site is considered prime agricultural land, is not considered grazing land or non-prime agricultural land.

Furthermore, the site will remain over the minimum acreage for Williamson Act and the Valley Agriculture designation (10 acres). Large lot zoning is typically reserved for grazing land such as those on Venice Hill, however, AE-20 is adjacent to the site and the project parcel has been in agricultural citrus production in the past. Therefore, the parcel could be rezoned and would not require a RVLP checklist analysis.

Thus a General Plan Amendment is not needed here since the change of zone is sufficient, and the General Plan Policy will not be obstructed here.

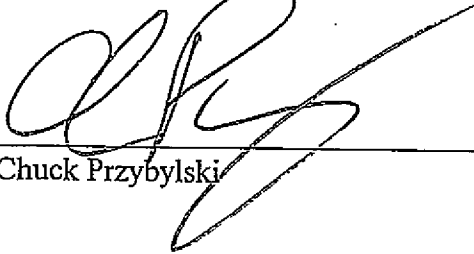
PUBLIC NOTICE:

Government Code §65009(b) requires the County to include in any public notice pursuant to Government Code, Title 7, Planning and Land Use, a notice substantially stating all of the following: "If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the County of Tulare at, or prior to, the public hearing."

SUBJECT: PZ 13-002 Cassaday/Ivanhoe
DATE: August 28, 2013

PROJECT PLANNER

PROJECT REVIEW DIVISION



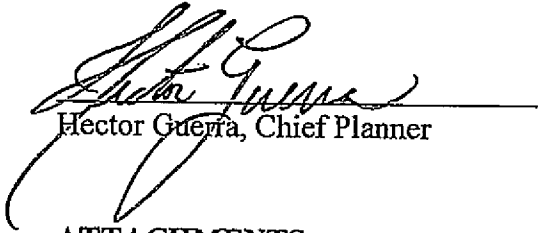
Chuck Przybylski



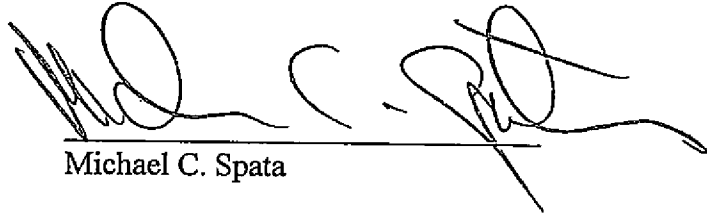
Charlotte Brusuelas, Planner IV

ENVIRONMENTAL PLANNING DIVISION

ASSISTANT DIRECTOR, PLANNING BRANCH



Hector Guerra, Chief Planner



Michael C. Spata

ATTACHMENTS:

- Attachment No. 1 – Resolution Recommending Approval of PZ 13-002
 - Exhibit “A” – Draft Ordinance
 - Exhibit “B” – Official Zoning Map
 - Exhibit “C” – Site Plan
- Attachment No. 2 – Staff Report
- Attachment No. 3 – Graphics
- Attachment No. 4 – Property Owner Request letter
- Attachment No. 5 – PZI Report
- Attachment No. 6 – PPM 02-011 Negative Declaration/Initial Study
- Attachment No. 7 – Consulting Agency List and Correspondence
- Attachment No. 8 – Location and Property Ownership Map for Hearing Notification
- Attachment No. 9 – Public Hearing Notice

Attachment No. 1
Resolution Recommending Approval of PZ 13-002

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE)
ZONING REGULATIONS, CASE NO. PZ 13-002) RESOLUTION NO. Draft
CASSADAY/IVANHOE)

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve a petition by Mr. Herman and Virginia Cassaday, PO Box 3698, Visalia, CA 93278 (Agent: Forester, Weber and Associates, LLP 1620 W. Mineral King Suite B, Visalia, CA 93292), for a requested change of zone from the AE-80 (Exclusive Agriculture-80 Acre Minimum) Zone to the AE-20 (Exclusive Agriculture-20 Acre Minimum) Zone, on 39.66 acres on Assessor's Parcel No. 110-050-26, located near Venice Hill, ½ mile west of Road 188, one mile south of Avenue 336, and two miles east of the community of Ivanhoe.

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), and recommended approval 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 August 28, 2013, and

WHEREAS, at that meeting of the Planning Commission public testimony was received and recorded.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Negative Declaration/Initial Study that was prepared for the PPM 02-011 and approved on November 13, 2002 by the Site Plan Review Committee Resolution 02-092 is still valid to the project site, together the Addendum and 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 Change of Zone.

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

1. The applicant has requested a Change of Zone No. PZ 13-002 to reclassify a 39.66 acre parcel near Venice Hill, ½ mile west of road 188, one mile south of Avenue 336, and two miles east of the community of Ivanhoe.
2. The subject parcel is presently zoned AE-80 and used for agricultural uses. Surrounding properties are zoned AE-80, AE-40 and AE-20 and are used for agricultural uses.
3. The purpose of this application is to divide the property into two parcels of 19.86 acres each. The applicant intends to lease the parcels to a local farm to plant fruit trees (Avocado or Cherry).
4. The site is located within the Rural Valley Lands Plan. The Valley Agriculture designation allows all agricultural zones, including the AE-20 zone which is an exclusive zone for intensive agricultural uses and for those which are a necessary and integral part of the agricultural operation.
5. The proposed change in zone designation from AE-80 to AE-20 is consistent with General Plan policy including the Rural Valley Lands Plan policy. This project would continue agricultural operations in an area designated for and zoned for agriculture.
6. The site has indirect access to Road 188, through a 26' PVAE approximately ½ mile in length to Road 188. Road 188 is classified as a "Local" road. Local roads serves primarily to provide direct access to adjacent land and access higher order street systems, such as collectors.
7. A Negative Declaration and Initial Study was prepared for project site and surrounding area for Parcel Map 02-011. The Negative Declaration was approved on November 13, 2002 (Site Plan Review Committee Resolution No. 02-092). This parcel map divided 6 lots into 20 acres and the subject parcel into a 40 acre lot.
8. The Tulare County Environmental Planning Division and the Environmental Assessment Officer concluded that no additional environmental impacts would occur because of the project and that the Negative Declaration prepared for PPM 02-011 sufficiently examined the environmental impacts of the proposed project.
9. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution No. 2010-2927, a Notice of Intent to Collect Tulare County Public Facilities Fees, also known as Developer Impact Fees; therefore, new development may be subject to County Development Impact Fees.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Ordinance amendment 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 determines that the Negative Declaration/Initial Study that was prepared for PPM 02-011 adopted by Site Plan Review Resolution 02-092 on November 13, 2002 reflects the independent judgment of the County and has been completed consisted with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

2. An Addendum to the Negative Declaration/Initial Study is sufficient since only minor technical changes were needed to comply with CEQA and the State CEQA Guidelines.

3. This Commission hereby recommends that the Board of Supervisors approve the Amendment to the Zoning Regulations Case No. PZ 13-002 as petitioned.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting of the Planning Commission on August 28, 2013, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY PLANNING COMMISSION

Michael C. Spata, Secretary

Exhibit A
Draft Ordinance

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 Southeast Quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Base and Meridian, being a subdivision of Part 424 of the Official Zoning Maps. A map showing the AE-20 (Agriculture -20 Acre Minimum) zoning approved for 39.66 acres of the property is attached hereto and incorporated herein by reference.

Section 2. The property affected by the zoning reclassification from AE-80 to AE-20, filed as Change of Zone Case No. PZ 13-002 is briefly described as follows:

Being approximately 39.66 acres located two miles east of the community of Ivanhoe, 1/2 mile west of Road 188 and one mile south of Avenue 336. (APN 110-050-026).

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 24th day of September, 2013, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

AYES:

NOES:

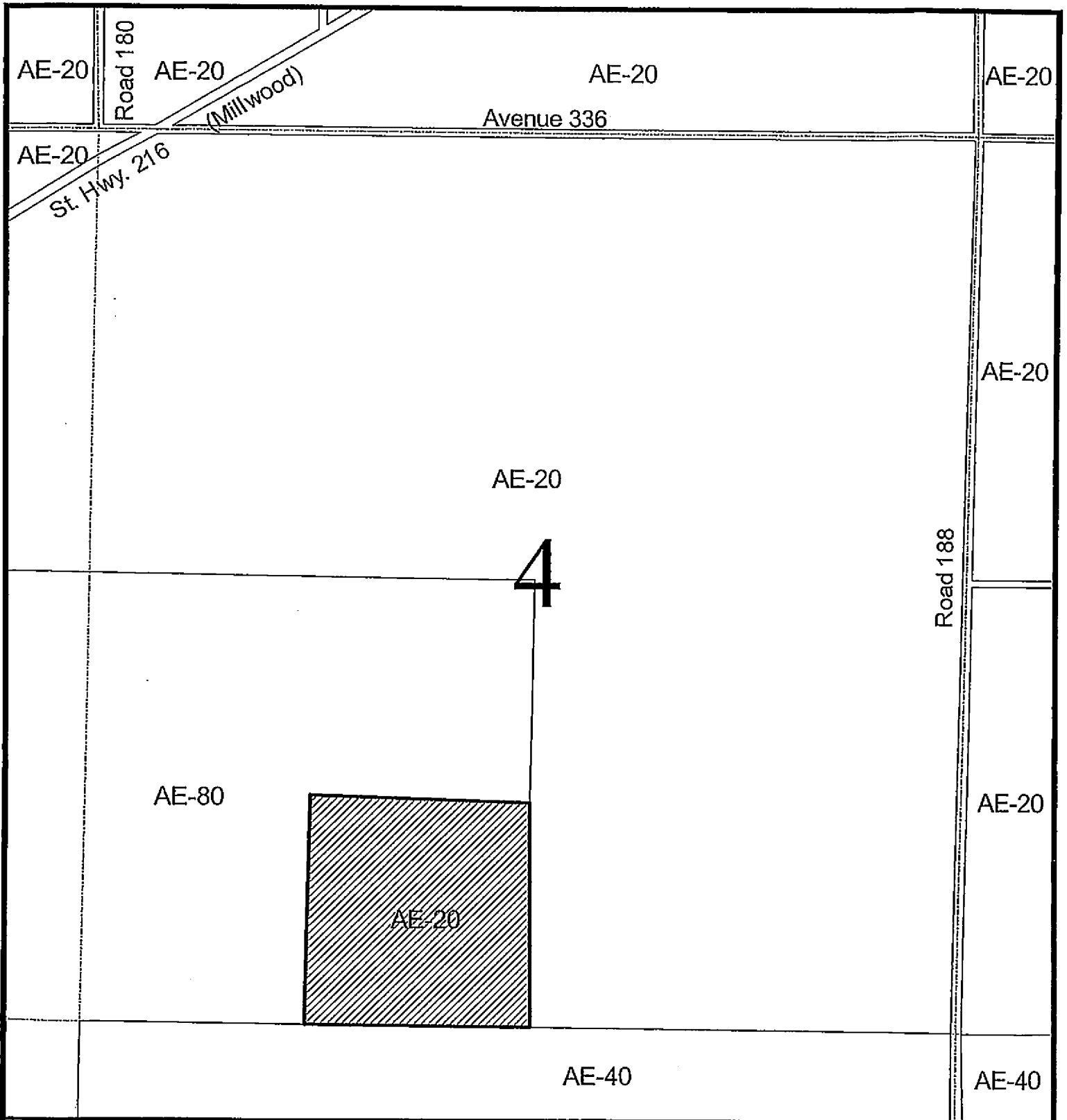
ABSENT:

Chairman, Board of Supervisors

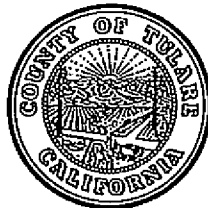
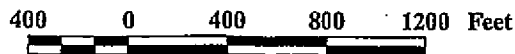
ATTEST: Jean M. Rousseau
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy

Exhibit B
Draft Zoning Map



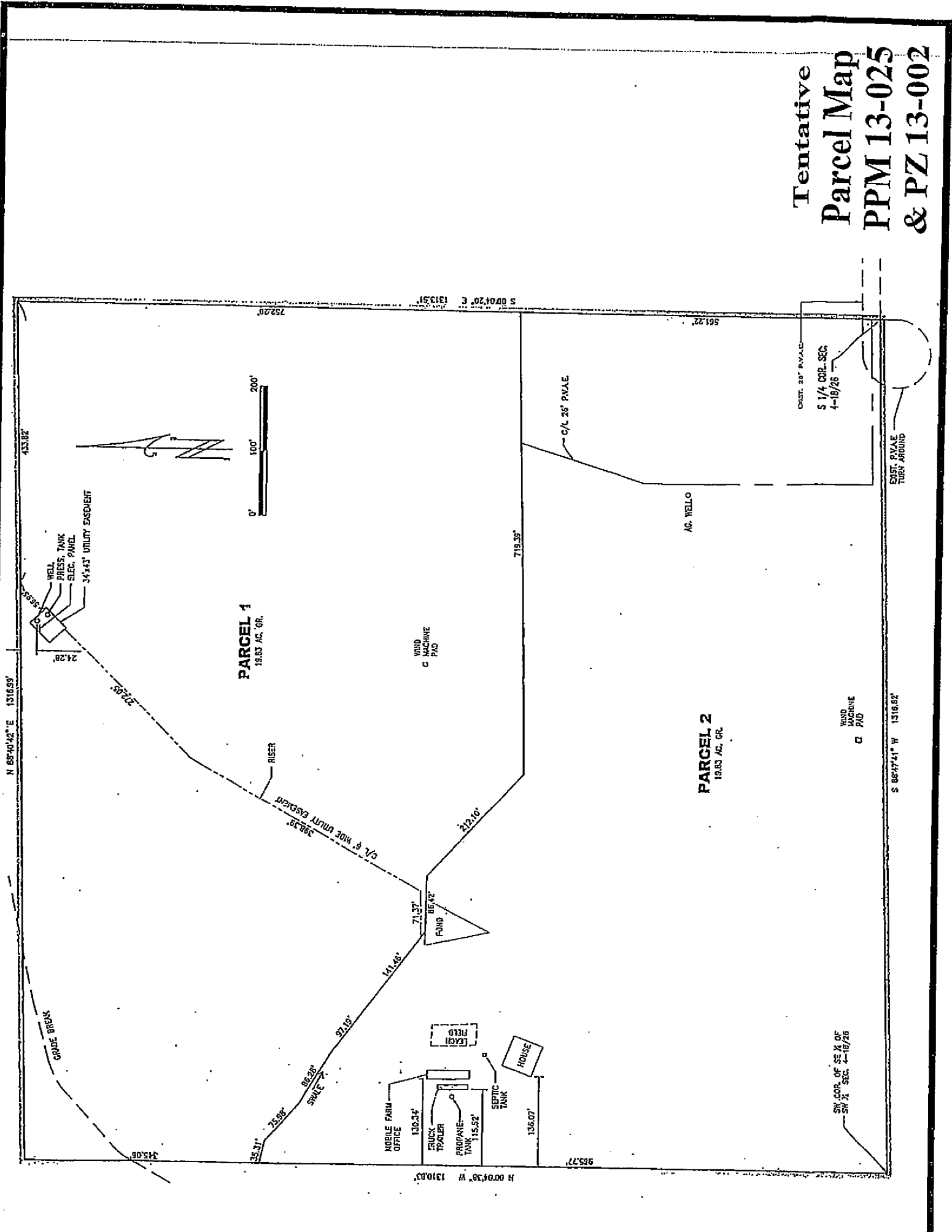
APN: 110-050-026
 Zone Change from AE-80 to to AE-20
 (PZ 13-002)



ORDINANCE NO. _____
 AMENDING A PORTION OF PART 424
 SW 1/4 OF SEC. 4
 T18S, R26E, M.D.B. & M.
 OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.
 TULARE COUNTY BOARD OF SUPERVISORS
 ADOPTED: / /

Exhibit C
Site Plan

Tentative Parcel Map PPM 13-025 & PZ 13-002



N 85°40'42" E 1316.59'

433.82'

N 00°04'38" W 1310.83'

H 00°04'38" W 1310.83'

S 00°04'20" E 1313.51'

S 88°47'41" W 1316.82'

PARCEL 1
19.83 AC. GR.

PARCEL 2
19.83 AC. GR.

WELL
PRESS. TANK
ELEC. PANEL
34'x43' UTILITY EASEMENT

WIND
C MACHINE
PAD

MOBILE FARM
OFFICE
TRUCK
TRAILER
PROPANE
TANK 115.52'
SEPTIC
TANK
HOUSE

71.37'

86.42'

141.48'

82.10'

73.98'

86.28'

35.31'

398.29'

202.85'

24.28'

719.39'

C/L 26' PVALE

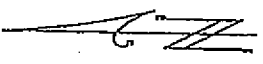
AC. WELLO

DATE: 28th PVALE
S 1/4 COR. SEC.
4-18/26

WIND
MACHINE
PAD

EAST PVALE
TURN AROUND

SW COR. OF SE 1/4 OF
SW 1/4 SEC. 4-18/26



Attachment No. 2
Planning Commission Staff Report

**TULARE COUNTY RESOURCE MANAGEMENT AGENCY
- PLANNING BRANCH -
Staff Report
Zone Change No. PZ 13-002**

I. GENERAL:

1. **Owner/
Applicant:** Herman and Virginia Cassaday
PO Box 3698
Visalia, CA 93278

2. **Agent:** Forester, Weber and Associates LLP.
Fred Weber
1620 W. Mineral King Ave. Suite B
Visalia, CA 93291

3. **Requested Action:** The Tulare County Resource Management Agency has received a request from the property owner (Mr. Cassaday) to apply for a change of zone on a 39.66 acre parcel, Assessors Parcel Number 110-050-026, from AE-80 (Exclusive Agriculture-80 acre minimum) to AE-20 (Exclusive Agriculture-20 acre minimum). The General Plan Land Use designation for the project site is "Valley Agriculture" and under the Rural Valley Lands Plan (RVLP). If the zone change is approved a parcel map will be submitted to divide the property into two parcels of 19.86 acres each. The applicant intends to lease the land to a local farm to plant fruit trees (Avocado or Cherry). An existing 26 foot private road easement provides access to the new parcels from Road 188.

4. **Location:** The site is located near Venice Hill, two miles east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Avenue 336.

APN: 110-050-026

Section 4, Township 18 South, Range 26 East, MDB&M

II. COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICIES:

1. Zoning and Land Use:

Site – AE-80: The site contains one single family residence, open space and citrus.

North – AE-80: Venice Hill, Open Space and Grazing Land.

East – AE-20: Agricultural Orchards and single family residences.

West – AE-80: Venice Hill, Open Space and Grazing Land.

South – AE-40: Agricultural Orchards and single family residences.

2. Zoning, Entitlement, and Other Ordinance Characteristics:

The AE-80 zone and AE-20 zone are very similar. Both zones are intended for intensive agricultural operation with the purpose to protect the general welfare of the agriculture community from encroachments. Section 9.6 and 9.8 of Ordinance No. 352, as amended, the Zoning Ordinance, allows intensive agricultural operations and one single family residence in the AE-20 and AE-80 Zones.

The AE-20 Zone is an exclusive zone for intensive agricultural uses and for those which are a necessary and integral part of the agricultural operation.

3. Access/Circulation: 26' PVAE approximately ½ mile in length to Road 188.

Road 188 is classified as a "Local" road. Local roads serves primarily to provide direct access to adjacent land and access higher order street systems, such as collectors.

The proposed Zone change would generate any more trips per day than currently exists on the site. No development proposal is associated with the site and the property will continue agricultural operation.

Adequate circulation will be provided within the site so that all vehicles enter and leave the site by moving forward.

4. General Plan Elements:

General Plan: 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 project area is located on the Valley Floor, outside of a County adopted Urban Area Boundary, Urban Development Boundary, or Hamlet Boundary. The General Plan land use designation for the project site is Valley Agriculture. Valley Agriculture is designed for intensive agricultural use with a minimum 10 acre parcel size. According to the RVLP Policy 1.6, for a project site to be rezoned from one agricultural zone to a lesser acreage agriculture zone without an RVLP checklist analysis, the site must be considered prime agricultural land and remain over ten acres. According to the Williamson Act the project site is considered prime agricultural land, is not considered grazing land or non-prime agricultural land. Furthermore, the site will remain over the minimum acreage for Williamson Act and

the Valley Agriculture designation (10 acres). Large lot zoning is typically reserved for grazing land such as those on Venice Hill, however, AE-20 is adjacent to the site and the project parcel has been in agricultural citrus production in the past. Therefore, the parcel could be rezoned and would not require a RVLDP checklist analysis.

Land Use Chapter: The site is located within the Rural Valley Lands Plan which designates the site as "Valley Agriculture."

Environmental Resource Chapter: The Tulare County General Plan Environmental Resource Chapter designates the site as "Intensive Agriculture."

Planning Framework Chapter: The subject site is outside of an Development boundary.

General Plan Consistency: The project is consistent with the Tulare County General Plan as it conforms to the land use policies applicable within the General Plan Update and the RVLDP.

III. ENVIRONMENTAL SETTING:

1. **Topographical Setting:**

The USDA National Resources Conservation Service web site determined that at least 98% of the site falls within their definition of flat or gentle Sloping.

2. **Flooding Potential:**

Zone X, according to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 069107C, Panel No. 1925E, dated June 16, 2009

Construction of buildings within a FEMA Zone X requires no specific flood mitigation measures.

3. **Soils:**

<u>Type</u>	<u>Capability Class</u>	<u>Shrink/Swell Potential</u>	<u>Septic Tank Absorption</u>	<u>Prime</u>
Wutchurnrock	III (irrigated)	High	Severe	No
Centerville Clay	III (irrigated)	High	Severe	No

4. **Biotic Conditions:**

The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect

on the biological resources of the area. No change to the use of the site is proposed, the site will remain in agricultural production.

5. **Water Table:** Approximately 45 feet, according to the Ground to Water Surface Contours – Spring 1995 map.
6. **Agricultural Preserves:** The site is within a Williamson Contract No. 4809, Agricultural Preserve No. 1519 and considered Prime Agricultural land under California Government Code Sections 51201 and 56064.

IV. HISTORY AND PROJECT FACTS:

1. **History:** In December of 2002 the site and surrounding area were subject to a parcel map. Parcel Map PPM 02-011 divided a 160 and an 80 acre lots into 7 parcels plus a remainder. Six parcels within the AE-20 zone were subdivided into 20 acre lots. The project parcel was divided into a 40 acre parcel, even though it was within the AE-80 zone, and the remainder was located within the AE-40 zone and remained 80 acres.
2. **Project Description** The Tulare County Resource Management Agency has received a request from the property owner (Mr. Cassaday) to apply for a change of zone on a 39.66 acre parcel, Assessors Parcel Number 110-050-026, from AE-80 to AE-20. The General Plan Land Use designation for the project site is “Valley Agriculture” and under the Rural Valley Lands Plan (RVLP). If the zone change is approved a parcel map will be submitted to divide the property into two parcels of 19.86 acres each. The applicant intends to lease the land to a local farm to plant fruit trees (Avocado or Cherry). An existing 26 foot private road easement provides access to the new parcels from Road 188.

The site is located near Venice Hill, two miles east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Avenue 336. The project site is located on a sloping hillside and has been used as a citrus orchard in the past, however, at this time it is currently considered open space with approximately five acres of non-producing navel oranges remaining. The USDA National Resources Conservation Service web site determined that at least 98 % of the site falls within their definition of Flat or Gentle Sloping. Venice Hill and grazing land lie to the west and northwest. Properties with agricultural orchards lie to the northeast, east and south of the project site. The site is within a Williamson Contract No. 4809, Agricultural Preserve No. 1519 and considered Prime Agricultural land under California Government Code Sections 51201 and 56064. The property owner intends that the land will remain in agricultural production and no development is proposed. The purpose of the zone change and subdivision of land is to lease the land to plant fruit trees and remain in commercial agriculture production. The production of fruit trees is consistent with the Williamson Act Prime Farmland definition.

The applicant is proposing to lease a portion of his land to a local farmer to plant and harvest fruit trees (Avocado or Cherry). However, the property owner obtained a loan from the Department of Veterans Affairs (VA) and CalVet Loan Contracts restricts the property from income producing activities. The VA retains options on the property and would need to approve any lease of the subject property. The VA denied the property owners request for a lease due to the above restriction (income producing). One option is to obtain a lot split from the County and modify the loan contract. Through this option the VA will release a portion of the land to the property owner. The applicant is pursuing this course of action.

Parking: No Parking Required for Zone Change.

Signage: No signs associated with this project

Fencing: No fences proposed with this project.

Lighting: No Lighting proposed.

Landscaping: No Landscaping proposed.

3. Other Facts:

- a. **Fire Protection:** Tulare Co. Fire Dep't., Ivanhoe Fire Station No. 8, approximately 2 miles west on Depot Drive in the Community of Ivanhoe.
- b. **Police Protection:** Tulare Co. Sheriff's Dep't., Visalia.
- c. **Sewer and Water Service:** The single family residence is on septic and well water.

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

VI. ENVIRONMENTAL DETERMINATION:

A Negative Declaration and Initial Study were prepared for project site and surrounding area for Parcel Map 02-011. The Negative Declaration was approved on November 13, 2002 (Site Plan Review Committee Resolution No. 02-092). This parcel map divided six lots into 20 acres and the subject parcel into a 40 acre lot.

The Tulare County Environmental Planning Division and the Environmental Assessment Officer concluded that no additional environmental impacts would occur because of the project and that the Negative Declaration prepared for PPM 02-011 sufficiently examined the environmental impacts of the proposed project.

VII. SUBSEQUENT ACTIONS:

1. Appeals:

All Planning Commission actions on Special Use Permits are final unless appealed, in writing, to the Board of Supervisors, 2800 W. Burrel, Visalia, CA 93291-4582 within 10 calendar days after the date on which the decision is made. The written appeal shall specifically set forth the grounds for the appeal and shall be accompanied by the appropriate appeals fee.

2. School Impact Fees:

The subject site is located within the Visalia Unified District which have implemented developer's fees for all assessable space for new residences and expansions to existing residences; and for chargeable covered and enclosed space for new commercial and industrial development pursuant to Government Code Section 53080. These fees are required to be paid prior to the issuance of any permit for the construction of new commercial or industrial structures, and/or installation or construction of new or expanded residential structures. [Please contact the TCRMA-Permits Center or the applicable school district(s) for the most current school fee amounts.]

NOTICE: Pursuant to Government Code Section 66020(d)(1), this will serve to notify you that the 90-day approval period, in which you may protest to the school district the imposition of fees or other payment identified above, will begin to run from the date on which they are paid to the school district(s) or to another public entity authorized to collect them on the district(s) behalf, or on which the building or installation permit for this project is issued, whichever is earlier.

3. Compliance Reporting and Monitoring Schedule Fees:

A Compliance Reporting and Monitoring Schedule has been established for this project pursuant to Section 22 of the Tulare County Zoning Ordinance. Fees, required to defray the expenses incidental to the compliance reporting and monitoring, will be required to be deposited into a Compliance Reporting and Monitoring Account prior to recording the Resolution. (See Attachment 1 Resolution, Exhibit B)

4. Storm Water Permit:

A General Construction Activity Storm Water Permit CAS000002 shall be required (prior to commencement of the construction) for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of more than one acre or which is less than one acre but

is part of a larger common plan of development or sale. And, depending on the Standard Industrial Classification (SIC) Code of the final project, a General Permit No. CAS000001 for Discharges of Storm Water Associated With Industrial Activities may be required. A Notice of Intent (NOI) shall be obtained from and returned to: State Water Resources Control Board, Division of Water Quality, ATTN: Storm Water Permit Unit, P. O. Box 1977, Sacramento, CA 95812-1977 along with the appropriate annual fee. Permits shall be required until the construction is completed.

5. Air Impact Assessment:

The San Joaquin Valley Air Pollution Control District (District) has adopted the Indirect Source Review (Rule 9510). Your project may require filing of an application for an Air Impact Assessment. Application forms and a copy of the rule that includes specific applicability criteria are available on the District Website at www.valleyair.org under "Land Use/Development" and then under "Indirect Source Review", or at any District Office. Assistance with applications and advice as to the applicability of the rule can be obtained from the District's ISR Group at 559-230-6000.

6. Water Impact Assessment:

If your activities or discharges from your property or business affect California's surface, coastal, or ground waters, you will need to apply for a permit from the Regional Water Quality Control Board (RWQCB). If you are discharging pollutants (or proposing to) into surface water, you must file a complete National Pollutant Discharge Elimination System (NPDES) with the RWQCB. Other types of discharges, such as those affecting groundwater or from diffused sources (e.g., erosion from soil disturbance or waste discharges to land) are handled by filing a Report of Waste Discharge with the RWQCB. For specified situations, some permits may be waived and some discharge activities can be handled through enrollment in an existing general permit. For assistance in determining whether or not your project requires a discharge permit call the Fresno Branch Office at 559-445-5116 or visit www.waterboards.ca.gov/centralvalley.

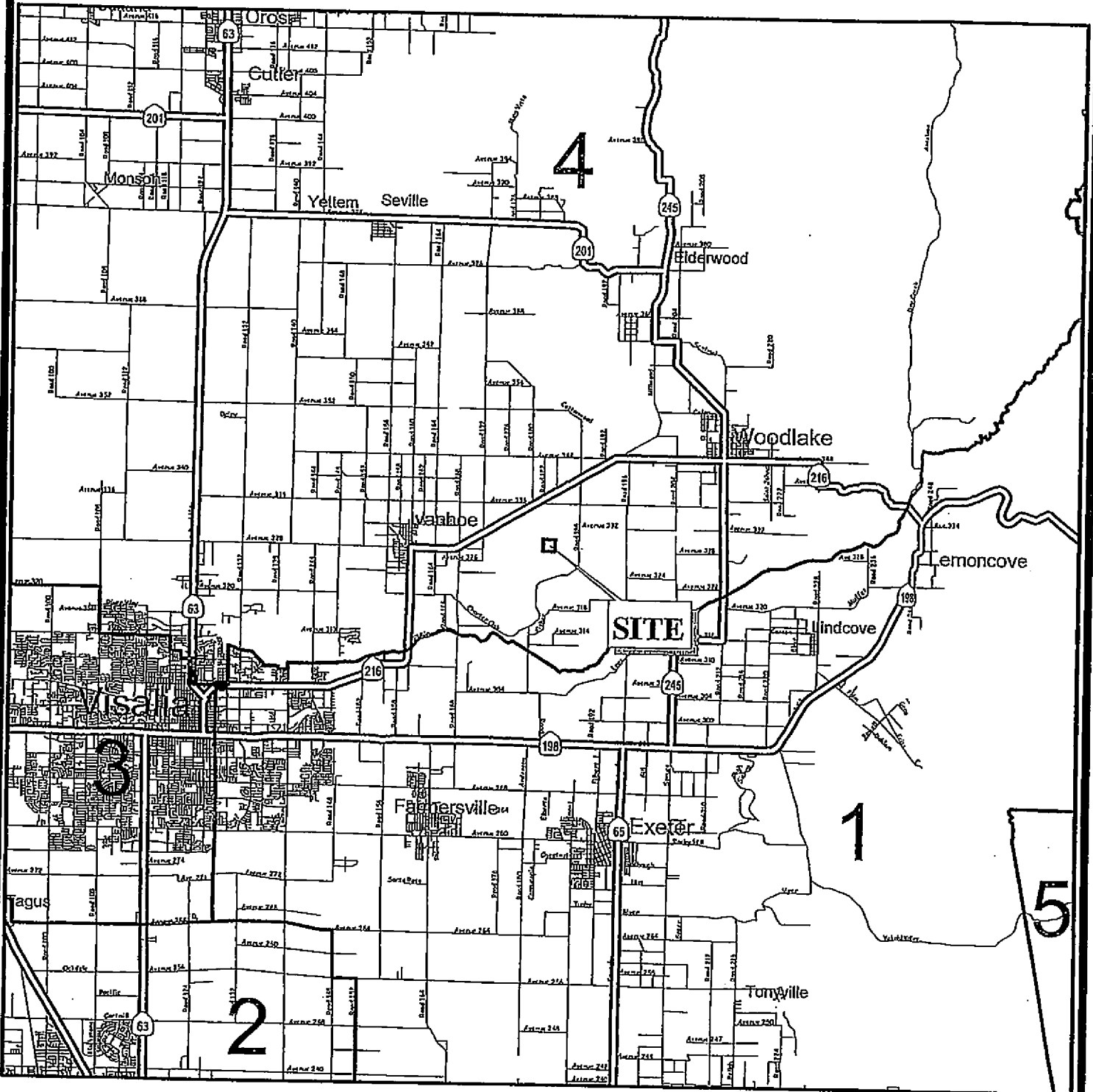
7. The applicant(s), at their sole cost and expense, shall defend, indemnify and hold harmless the County of Tulare, its agents, legislative body, officers or employees in any legal or administrative action, claim or proceeding concerning approval of Zone Change No: PZ 13-002; or, at its election and in the alternative, shall relinquish such approval. The applicant(s) shall assume the defense of the County in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by the applicant(s), but subject to the County's reasonable approvals. The applicant shall also reimburse the County, its agents, its legislative body, officers or employees for any judgments, amounts paid in the settlements court costs and attorney's fees with the County, its agents, legislative body, officers or employees

may be required to pay at court as a result of such action, claim or proceeding. The County may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve the applicant(s) of their obligations under this condition.

Attachment No. 3
Graphics



Vicinity Map for PPM 13-025 & PZ 13-002



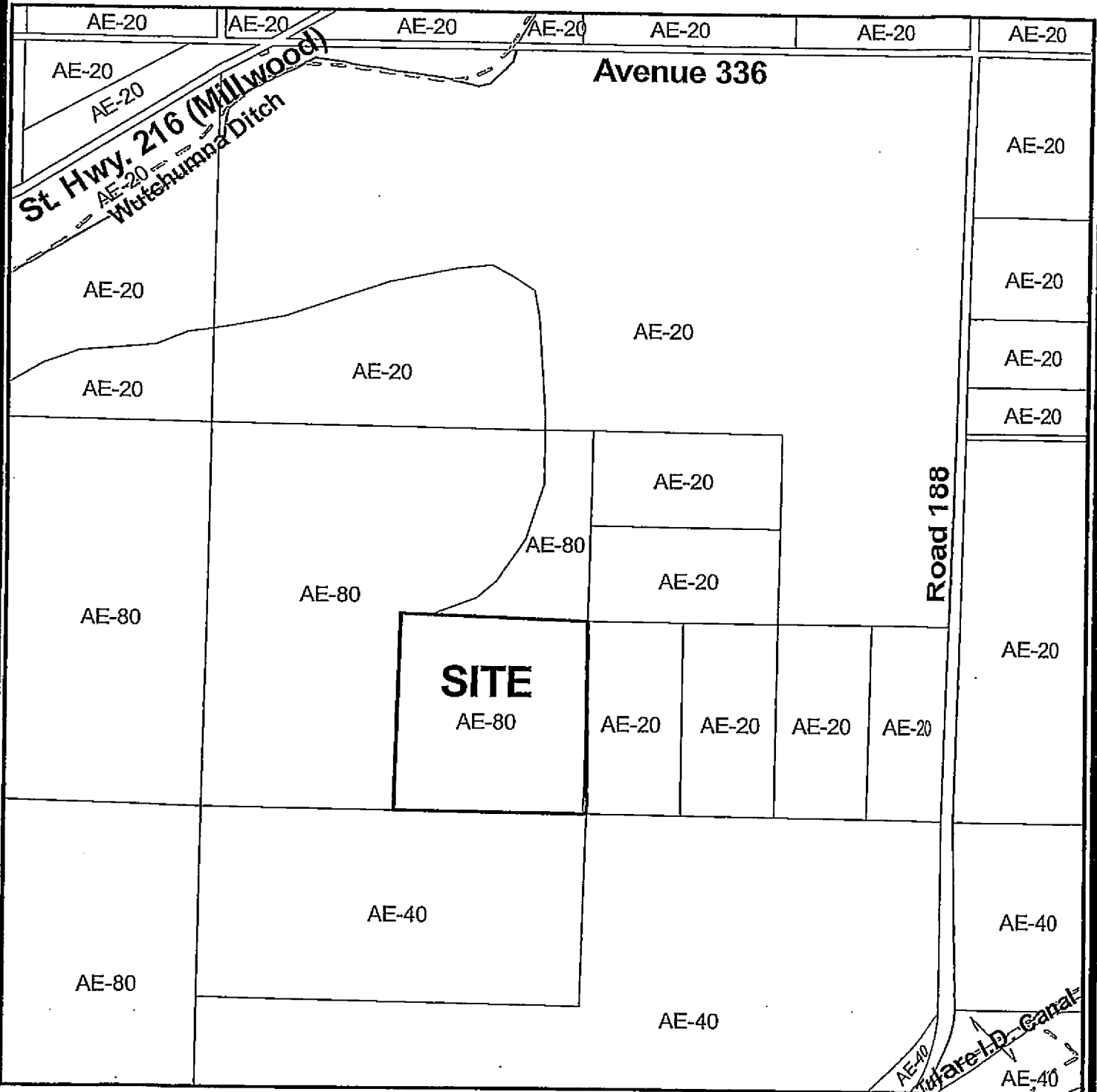
1.5 0 1.5 3 4.5 6 Miles

 Supervisorial Districts
Site is in District 4

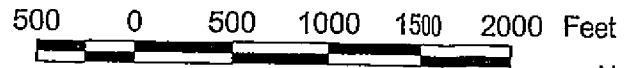




Existing Zoning Map & General Plan Map for PPM 13-025 & PZ 13-002



Owner: CASSADAY HERMAN J & VIRGINIA L (C)
 Address: P O BOX 3698
 City, State ZIP: VISALIA CA 93278
 Applicant: Herman Cassaday
 Agent: Forester, Weber & Associates
 Supervisorial District # 4
 Assessor's Parcel # 110050026



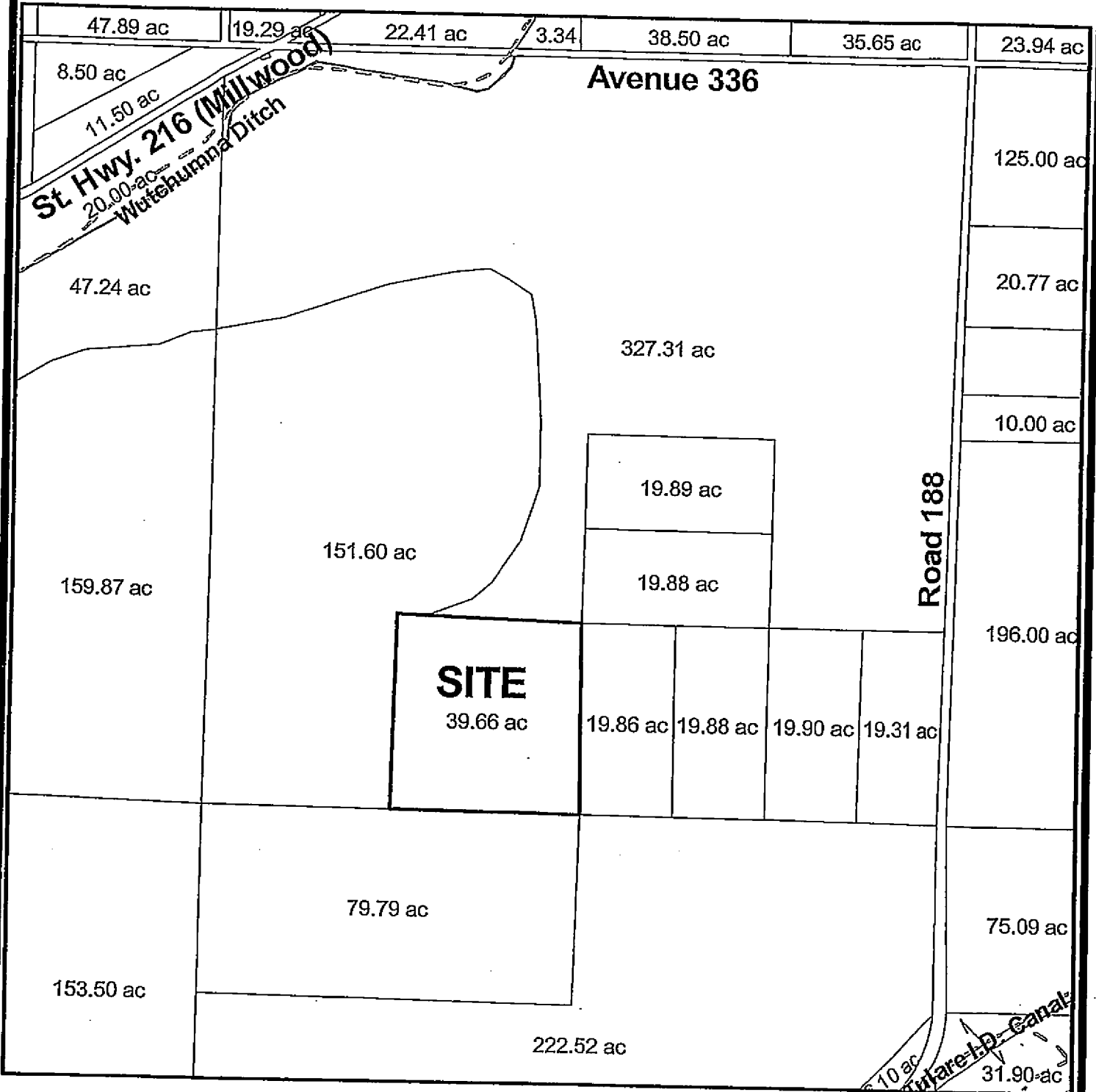
Rural Valley Lands Plan (Valley Agriculture)

SITE Project Site for PZ 13-002

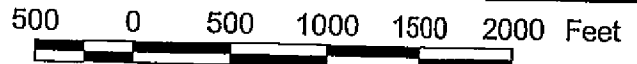




Parcel Cut Map for PPM 13-025 & PZ 13-002



Owner: CASSADAY HERMAN J & VIRGINIA L (C)
Address: P O BOX 3698
City, State ZIP: VISALIA CA 93278
Applicant: Herman Cassaday
Agent: Forester, Weber & Associates
Supervisorial District # 4
Assessors Parcel # 110050026

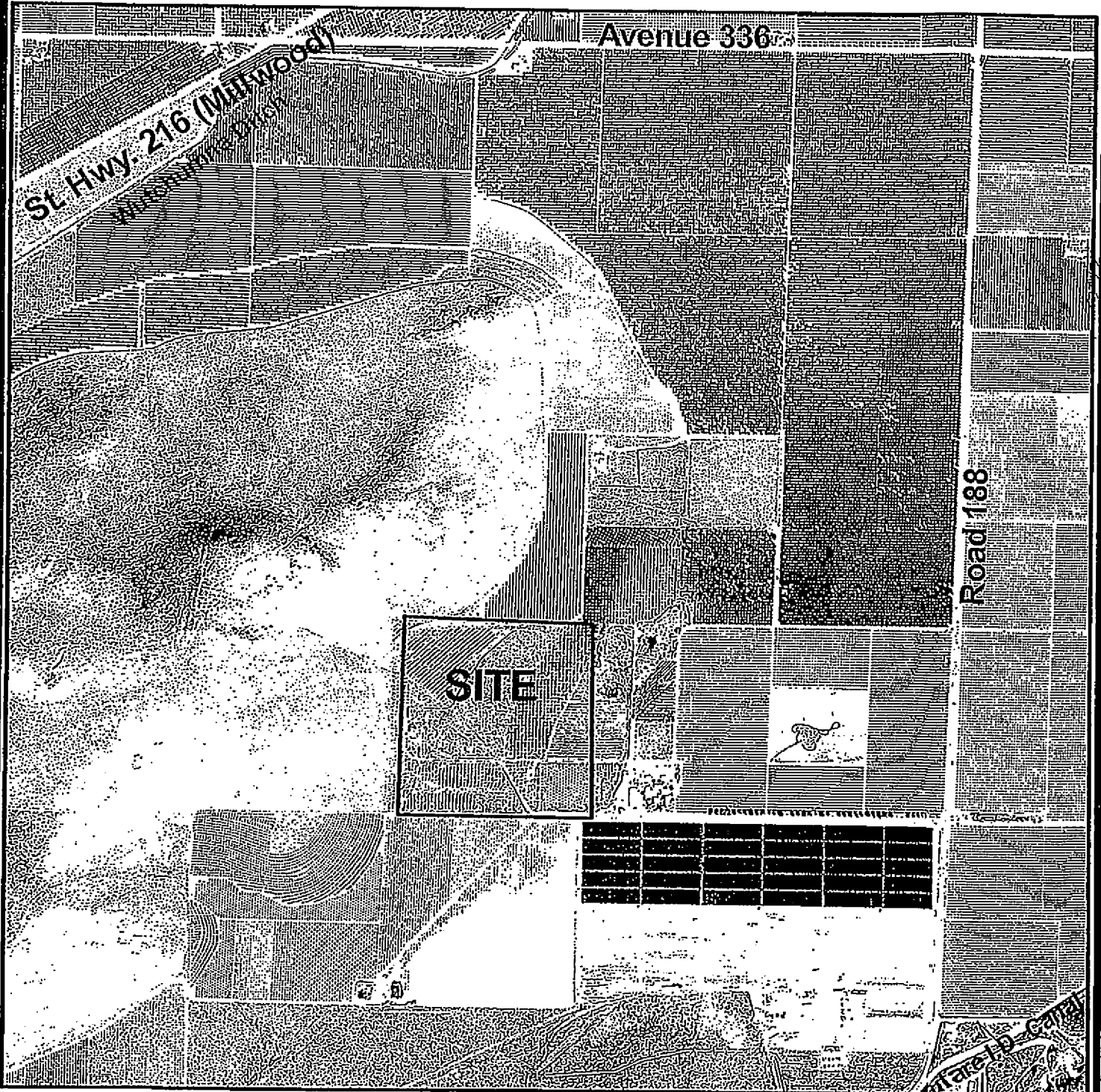


SITE Project Site for PPM 13-025
 & PZ 13-002

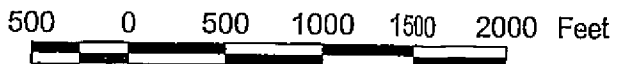




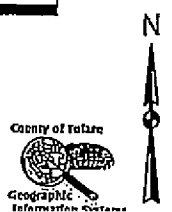
Aerial Photograph for PPM 13-025 & PZ 13-002



Owner: CASSADAY HERMAN J & VIRGINIA L (C)
Address: P O BOX 3698
City, State ZIP: VISALIA CA 93278
Applicant: Herman Cassaday
Agent: Forester, Weber & Associates
Supervisorial District # 4
Assessors Parcel # 110050026

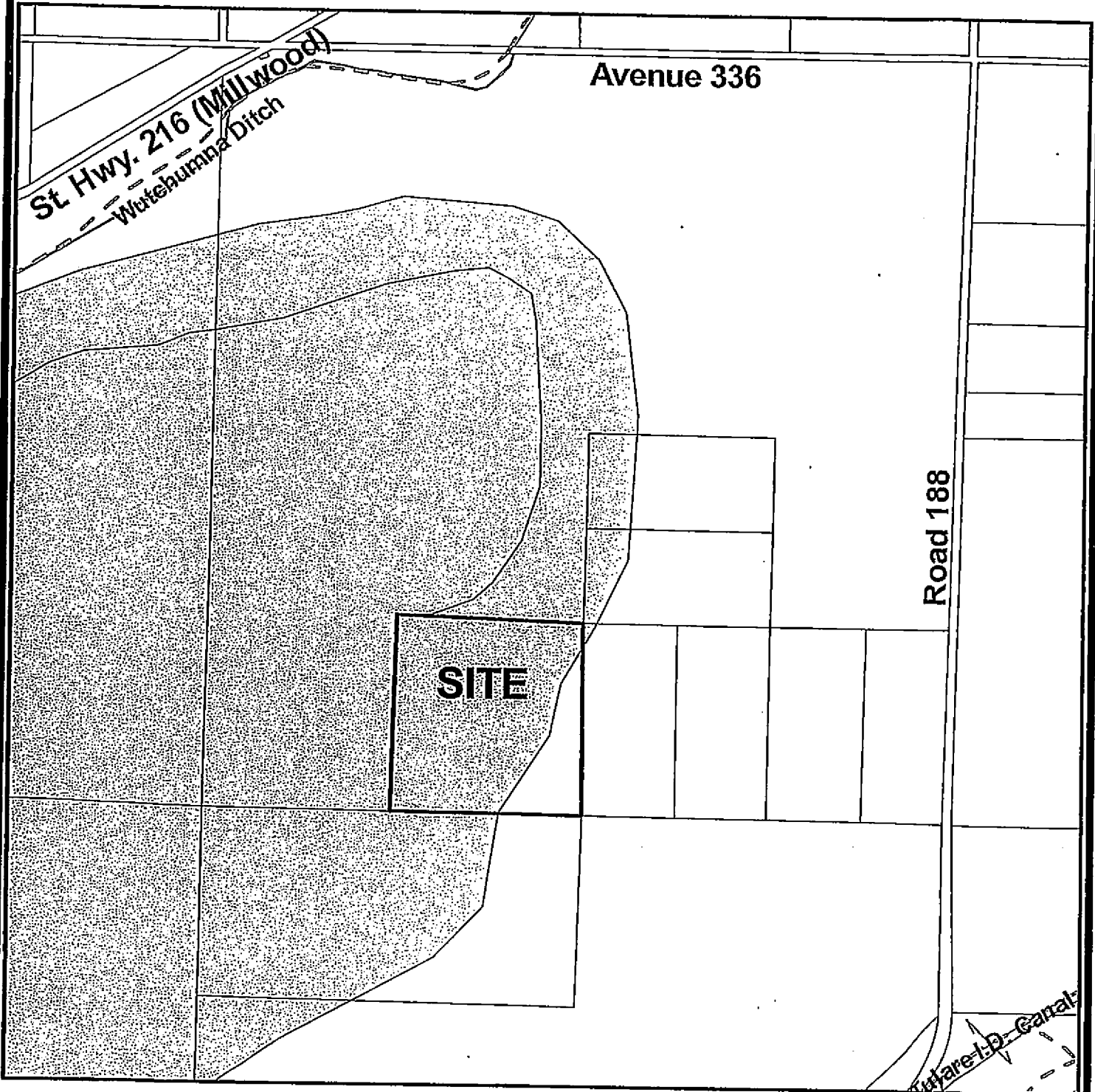


SITE Project Site for PPM 13-025 & PZ 13-002





CNDDDB Map for PPM 13-025 & PZ 13-002



500 0 500 1000 1500 2000 Feet



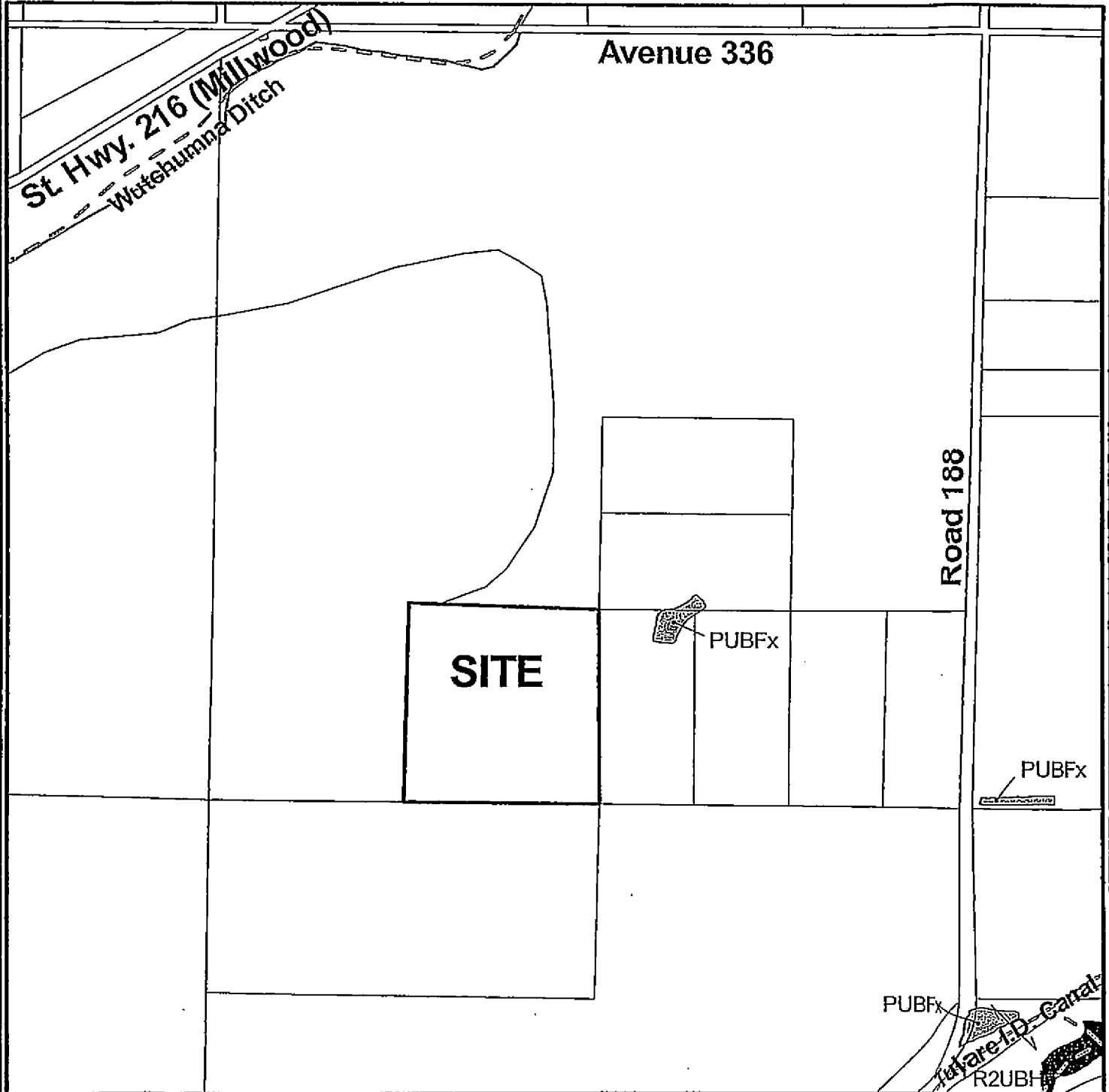
Species of Concern (CNDDB)
Moody's gnaphosid spider

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





Wetlands Map for PPM 13-025 & PZ 13-002



- National Wetlands Inventory
- Lacustrine
 - Palustrine
 - Riverine
 - Uplands (No Wetlands)
 - No Data

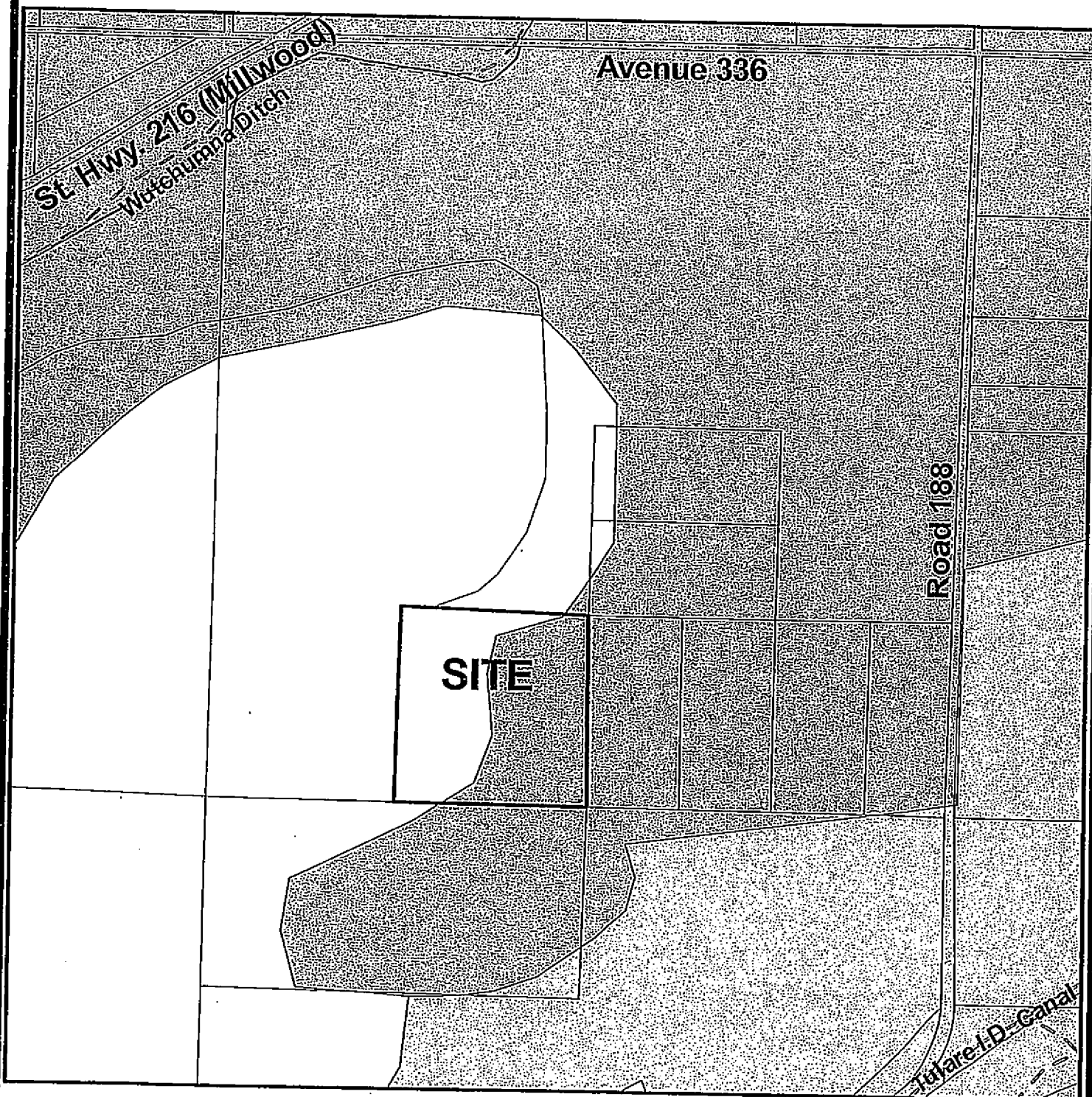
500 0 500 1000 1500 2000 Feet

Source: U.S. Fish & Wildlife Service
National Wetlands Inventory





GAP Map for PPM 13-025 & PZ 13-002



500 0 500 1000 1500 2000 Feet

GAP Analysis

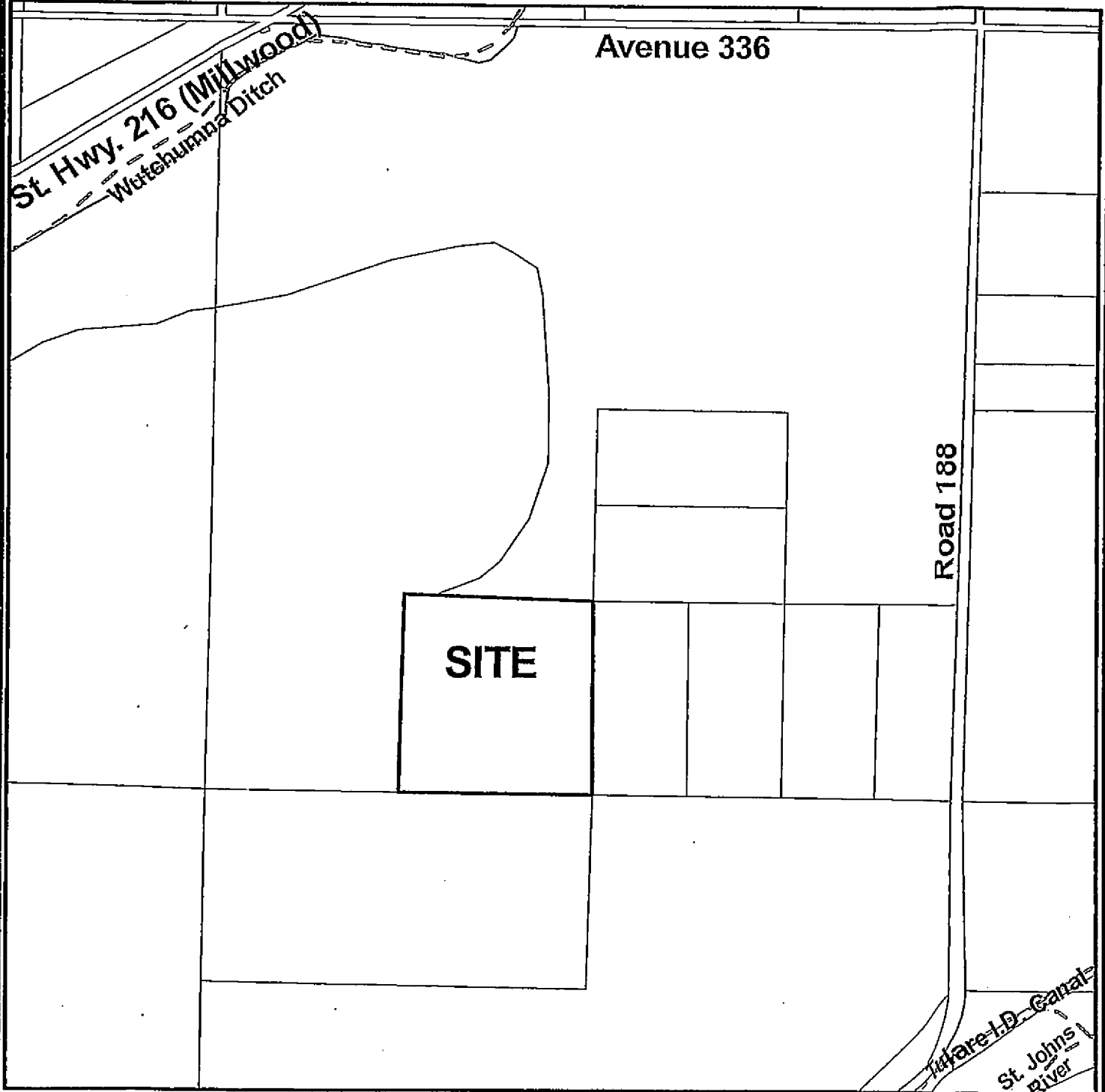
- Cropland_and_Pasture
- Non-native_annual_grassland
- Orchards_Vineyards_Nurseries

Source: California Department of Fish & Game





Waterways Map for PPM 13-025 & PZ 13-002



Waterways

500 0 500 1000 1500 2000 Feet

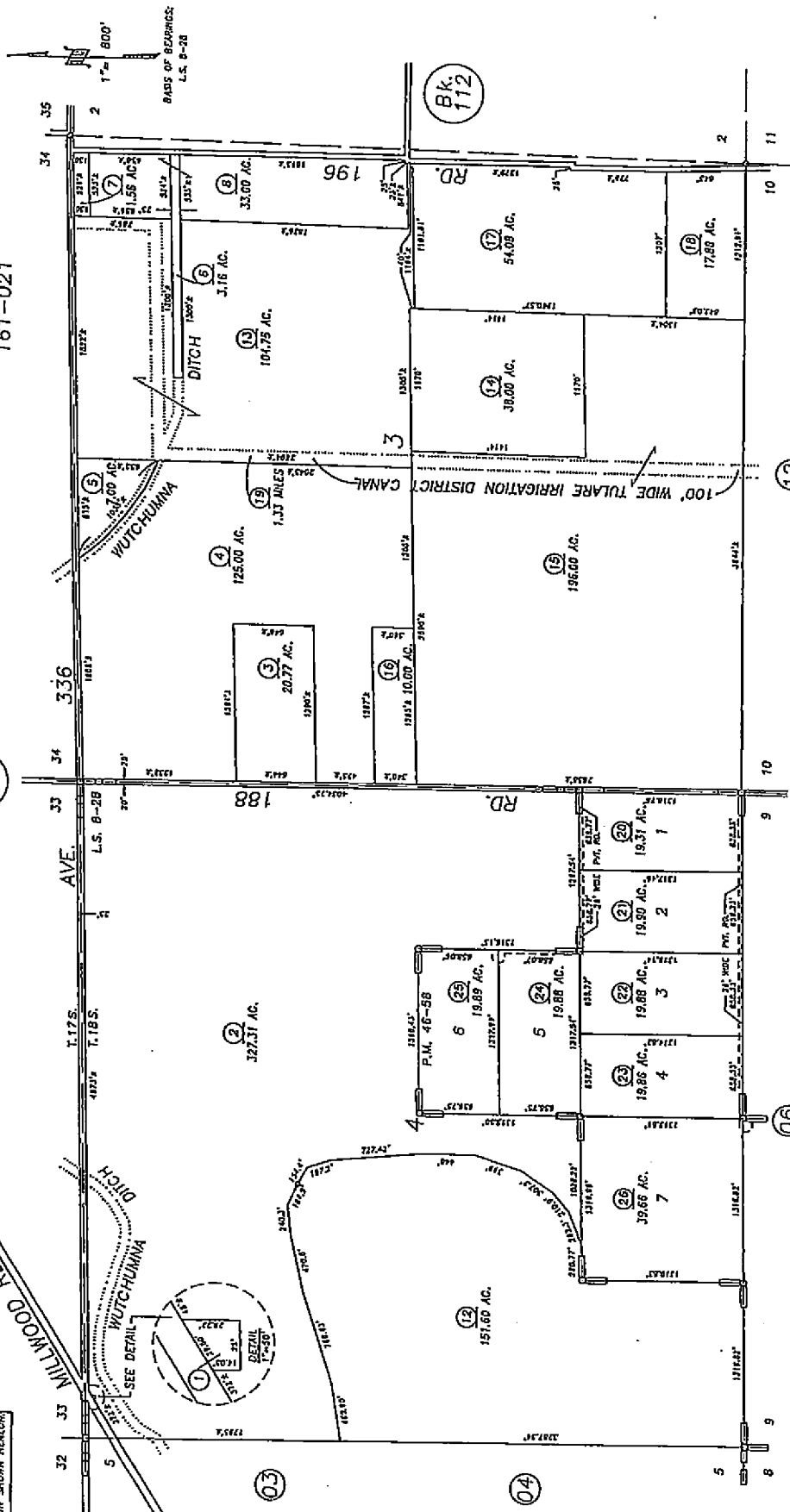


Tax Area Codes 110-05
 153-070 153-071
 161-005 161-006
 161-021

SEC'S 3 & 4, T.18S., R.26E., M.D.B.&M.

Bk. 059

DISCLAIMER
 THIS MAP WAS PREPARED FOR LOCAL PROPERTY ASSESSMENT PURPOSES AND THE PARCELS SHOWN HEREON MAY NOT ACCURATELY SHOW STATE AND LOCAL SUBDIVISIONS. NO STATE OR LOCAL LIABILITY IS ASSUMED FOR THE USE OF THE INFORMATION SHOWN HEREON.



VICINITY OF IVANHOE
 ASSASSOR'S MAPS BK.110, PG.05
 COUNTY OF TULARE, CALIFORNIA, U.S.A.

NOTE: Assessor's Parcel Numbers Shown in Circles
 Assessor's Block Numbers Shown in Ellipses

FOR RECORD OF SURVEY, L.S. B-28
 FOR PARCEL MAP NO. 4553, P.M. 46-58

2002-0010150	17/07/2004	DRY
123	REVISION	DATE
		TECH

Attachment No. 4
Property Owner Request Letter

Cassadays.....

A Tulare County family since the late 1800's

1
Tulare County Board of Supervisors
c/o Mr. Mike Spata, Assistant Director
Tulare County Planning Commission
5961 South Mooney Blvd.
Visalia Ca. 93291

July 8, 2013

Dear Board Members,

My wife and I own a 40 acre parcel of farm land located at 32801 Rd 188, Visalia, California, County of Tulare. We have owned this property since 2003 and have constructed our retirement home here with the intent of eventually replacing the stressed Orange Grove with new trees to help with our retirement income. We have recently learned that we are unable to do this because the property is financed thru a California Dept. of Veterans Affairs loan contract (see attached Exhibit F)which prohibits any use of the property that would produce income. We are requesting your review of a Zone Change Request and Parcel Map that would give us the opportunity to place improvements that would make use of this land. Please bear with me as I explain how we got to this point.

As a father of six children and a retired builder, I wanted to do more than just build a place to live, but one that would tell a story of the great life I and my wife, as children of the farming community have been able to enjoy here in Tulare County. Warned by the memories as a child in the 50's and 60's and the hard work required of living on the family farm, I have never lost that thrill of being able to enjoy watching a seed turn into fruit and reaping the fruits of your own hard work and natures design. Unfortunately, our farm was one of the many from that era that did not survive the transition to larger more efficient operations. Along with that was the 2 hour school bus ride past the many turn of the century farmsteads that still stood in those days and the contemplation of what it might be like to enjoy the greatness of their luxury and beauty. As a child of Dust Bowl era parents and grandparents, the dreams were something we could afford. These homes marked a beautiful chapter in the history of Tulare County with their architectural influence from the East and Midwest. But just as important was their being built from the practical side of life that was required for survival in Tulare County, they developed a simple character that in itself became such a rich quality just as the fruit of the fields be grown here. As a tree is more than just a trunk, but has roots and branches, and all are required to make it grow as nature planned. Likewise, I believe nature promotes the tree of life thru the link of grandparents, parents and grandchildren and believe it of great value for grandparents to pass on to grandchildren the memories of history.

With this noble goal in mind, I and one of my sons drew plans for this home and were able to incorporate many of the memories as well as relying on many years as a Builder and the many such homes I had visited. I believe the result, although not perfect, is the best representation of the turn of the century farm house in Tulare County today except those seen at the museum. From the exterior appearance with bays and dormers and the use of real wood Dutch Lap siding to the Clear Vertical Grain Douglas Fir interior woodwork trims at double hung Douglas Fir wood windows, Clear VG DF 5 panel wood doors and Clear VG DF head and jamb trims, flush face cabinet doors and faces including a replica Cherry hardwood dining hutch. The balance of Oak Hardwood floors, a clear grade picture rail trim throughout and replica tile at the showers and bathroom floors all making one nostalgic of the family farm era in Tulare County during the early 1900's. The majority of this work was done by me, my wife and sons including all of the trim work and finishing it.

My dream of an estate that would be passed on to my children and grandchildren for their enjoyment and connection to history was realized. During the 10 years I have owned this land and subsequently lived here I have developed a great appreciation for it's unique character and personality to the extent that I have asked my family to spread my ashes here when that time comes.

I purchased this land and received a construction loan from Cal Vet in 2003 during a time when construction costs were down and I finally had an opportunity to take advantage of some of the benefits of having invested 4 years of my life in the military during the 60's as a result of the Viet Nam Era. I saw this as a way of recouping some of the costs to me during that time when basic pay was \$93.00 per month.

Unfortunately, as with many dream projects, I took too many years to build this house which resulted in the escalation of construction costs during the 2006 thru 2008 years and I fell over a \$100,000 short of construction funds. I was able to borrow these funds but now have a home on 40 acres like many homes built during that period with a value less than the existing loan with Cal Vet and therefore cannot refinance it. It is in a no mans land as far as loans go, with too much acreage for a conventional home mortgage and too much mortgage on the home to qualify for a farm loan.

During the time I was constructing the home and spending the extra money, I anticipated I would be able to produce income on the property when I was complete. Part of this plan was to lease a portion of the land to a local farmer who wanted to plant Avocadoes and Cherries on it through a long term lease agreement. In May of last year, on a hand shake deal he proceeded to test the soil and water (see attached Exhibit A & B) which turned out very good, drill a new Ag well (see attached Exhibit C which shows over 350 GPM of sustainable water available) and order Avocadoes and Sweet Cherry trees for planting. The Cherry trees were to arrive in June of 2013 and the Avocadoes the early part of 2014.

Because this would be a commercial operation and I still being unaware of the potential issue with Cal Vet and the Property being leased, I contacted them to find out what requirements they would want in the lease agreement to protect their interest, including the amount of liability insurance. To my surprise and dismay they informed me that I could not use the property for anything that would produce income.

Because of the hardship this would cause both the lessee and us, he retained an attorney to communicate with Cal Vet to find a solution. At that point I wrote a letter to Cal Vet explaining the situation (see attached Exhibit D) and asking if any accommodation could be made. Please find their denial response to my request attached (see attachment E). I now have the option to lease out the property without receiving any income, refinance all of the property, sell the property or abide by their recommendation to work out with the county a division of the parcel. A portion of the land would be removed from their loan and they would retain a portion of the loan on the part with the home based on an 80 % appraised value. The option to refinance the whole property is not an option because it would have to be a 65% LTV on the Ag value of the land with a minimal value attributed to the home. Conventional home mortgage lenders will not loan or give any value to the excess acreage. It will take a commercial appraisal on a portion with the Ag use and a conventional appraisal of the portion with the home loan and together these would have enough value to pay off the Cal Vet loan or at least be able to finance both portions including the Cal Vet home loan.

With this issue before me, I decided to address the zoning issue that for years I had believed was not appropriate for this acreage. The parcel is a 40 ac parcel but with a AE 80 zoning created in 2003 along with 6 other 20 acre parcels. It is my understanding that it was not created as 2 ea 20 acre parcels at that time because the developer would have been required to provide improvements consistent with a subdivision map. I believe this zoning is inappropriate and should be AE-20 for the following reasons.

- 1.0 The size of the majority of parcels to the East and North are zoned AE-20.
- 2.0 The land is consistent with the definition of AE-20 zoning.
- 3.0 The soils and water reports support the use of the land for crops that are economically feasible as 20 Ac parcels.
- 4.0 The use of the land for the previous 35 years prior to my purchase had been with Citrus tree crops that do well as 20 acre parcels.
- 5.0 There is a proven existence of a good water supply.
- 6.0 Because of a natural drainage swell that exists in a generally East-West direction that drains a big portion of the water shed from Venice Hills North, and that the amount of water that leaches southerly from that swell creates 2 parcels each with its own management issues and therefore best suitable for different crops.
- 7.0 The soil history has been consistent with Prime Farmland use.

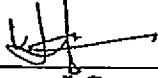
The Cherry trees have arrived and have been planted elsewhere, but the Avocadoes are still scheduled to arrive early next year and finding a suitable spot for them elsewhere is extremely difficult. Because of the unique character of the North 20 acres of this parcel and it's naturally frost protected terrain it is ideal for this use.

As a result of these beliefs, I recently contacted Supervisor Worthley who put me in contact with Mr. Mike Spata and Mr. Jason Garcia-LoBue in the RMA agency. They have been extremely helpful and have impressed me no little with their cheerful attitude and desire to be helpful problem solvers. I believe they are in agreement with my conclusion that the appropriate zoning for this parcel is AE-20 and I am optimistic that their agreement will continue as the details unfold along the way in reviewing this request.

Based on their recommendations, I am providing applications for a Zone Change Initiation Application, a Zone Change Application and a Tentative Parcel Map Application along with the deposit fees.

Please let me know if I can provide additional information or answer any questions you might have.

Sincerely,



Herman J Cassaday

7.8.2013

Date

September 26, 2012
Bush Construction
 518-B N. Redington St.
 Hanford, CA 93230

EXHIBIT A Soils
 Analysis *6 pages*

Lab ID : VI 1242204-001
 Customer ID : 4-18659
 Sampled On : September 13, 2012
 Sampled By : Ryan Rocha
 Received On : September 13, 2012
 Depth : N/A
 Meth Irrg. :

Description : Plot 1
 Project : Cassidy Ranch

GENERAL SOIL ANALYSIS

Test Description	Result	Units	Optimum Range	Graphical Results Presentation					
				Very Low	Moderately Low	Optimum	Moderately High	Very High	
Primary Nutrients									
Nitrate-Nitrogen	17.6	Lbs/AF	86 - 170						
Phosphorus-P ₂ O ₅	73	Lbs/AF	250 - 340						
Potassium-K ₂ O (Exch)	1180	Lbs/AF	480 - 2900						
Potassium-K ₂ O (Sol)	30.4	Lbs/AF	200 - 580						
Secondary Nutrients									
Calcium (Exch)	13500	Lbs/AF	12000 - 16000						
Calcium (Sol)	301	Lbs/AF	280 - 760						
Magnesium (Exch)	3720	Lbs/AF	1200 - 2500						
Magnesium (Sol)	83.1	Lbs/AF	68 - 210						
Sodium (Exch)	220	Lbs/AF	0.0 - 1200						
Sodium (Sol)	78	Lbs/AF	0.0 - 940						
Sulfate	127	Lbs/AF	340 - 4200						
Micro Nutrients									
Zinc	41.6	Lbs/AF	7.4 - 170						
Manganese	36.8	Lbs/AF	15 - 260						
Iron	32.8	Lbs/AF	65 - 320						
Copper	29.6	Lbs/AF	1.8 - 170						
Boron	0.320	Lbs/AF	1.7 - 6.5						
Chloride	55.3	Lbs/AF	31 - 870						
CEC	25.3	meq/100g	14 - 35						
% Base Saturation									
CEC - Calcium	66.4	%	60 - 80						
CEC - Magnesium	30.3	%	10 - 20						
CEC - Potassium	2.47	%	1.0 - 6.0						
CEC - Sodium	0.964	%	0.0 - 5.0						
CEC - Hydrogen	0.00	%	0.0 - 3.0						
				Strongly Acidic	Moderately Acidic	Near Neutral	Moderately Alkaline	Strongly Alkaline	
pH	7.71	—	6.5 - 7.5						

Good Problem Indicates physical conditions and/or phenological and amendment requirements.



September 26, 2012

Bush Construction

Lab ID : VI 1242204-001

Customer ID : 4-18659

Description : Plot 1

GENERAL SOIL ANALYSIS

Test Description	Result	Units	Optimum Range	Graphical Results Presentation							
				Satisfactory	Possible Problem	Moderate Problem	Increasing Problem				
Others											
Soil Salinity	0.55	mmhos/cm	0.0 - 2.0								
SAR	0.5		0.0 - 6.0								
Limestone	< 0.10	%	0.0 - 0.50								
				0	1	2	3	4	5	6	
Lime Requirement	0	Tons/AF	---								
Gypsum Requirement	< 0.50	Tons/AF	---								
				Very Low	Moderately Low	Optimum	Moderately High	Very High			
Moisture	4.3	%	5.3 - 37								
				Loamy Sand	Sandy Loam	Loam	Silt Loam	Clay Loam	Clay	Organic	
Saturation	53.2	%	40 - 50								

Good Problem Indicates physical conditions and/or phenological and amendmeat requirements.

Note: Soils with gypsum requirements over 10 tons should be applied incrementally at a maximum of 10 tons per acre per year and reanalyzed yearly after each application.

Soil pH & Limestone levels are important to consider when making plant selections. Soil pH levels above 7.0 are not suitable for acid loving plants. Soils containing limestone are not suitable for plants sensitive to Limestone.

FRUIT GROWERS LABORATORY, INC.

Darrell H. Nelson

Darrell H. Nelson, Agronomist

DHN:EHB

September 26, 2012
Bush Construction
 518-B N. Redington St.
 Hanford, CA 93230

Lab ID : VI 1242204-002
 Customer ID : 4-18659
 Sampled On : September 13, 2012
 Sampled By : Ryan Rocha
 Received On : September 13, 2012
 Depth : N/A
 Meth Irrg. :

Description : Plot 2
 Project : Cassidy Ranch

GENERAL SOIL ANALYSIS

Test Description	Result	Units	Optimum Range	Graphical Results Presentation					
				Very Low	Moderately Low	Optimum	Moderately High	Very High	
Primary Nutrients									
Nitrate-Nitrogen	21.6	Lbs/AF	59 - 140						
Phosphorus-P ₂ O ₅	92	Lbs/AF	240 - 330						
Potassium-K ₂ O (Exch)	831	Lbs/AF	340 - 2000						
Potassium-K ₂ O (Sol)	35.1	Lbs/AF	170 - 540						
Secondary Nutrients									
Calcium (Exch)	9380	Lbs/AF	8700 - 12000						
Calcium (Sol)	269	Lbs/AF	210 - 690						
Magnesium (Exch)	2720	Lbs/AF	880 - 1800						
Magnesium (Sol)	81.7	Lbs/AF	35 - 180						
Sodium (Exch)	280	Lbs/AF	0.0 - 830						
Sodium (Sol)	178	Lbs/AF	0.0 - 890						
Sulfate	104	Lbs/AF	250 - 4100						
Micro Nutrients									
Zinc	62.4	Lbs/AF	5.5 - 170						
Manganese	71.2	Lbs/AF	11 - 260						
Iron	48.4	Lbs/AF	46 - 300						
Copper	38.4	Lbs/AF	1.2 - 170						
Boron	0.320	Lbs/AF	1.4 - 6.2						
Chloride	58.1	Lbs/AF	21 - 860						
CEC	18.0	meq/100g	14 - 35						
% Base Saturation									
CEC - Calcium	65.0	%	60 - 80						
CEC - Magnesium	31.1	%	10 - 20						
CEC - Potassium	2.45	%	1.0 - 6.0						
CEC - Sodium	1.69	%	0.0 - 5.0						
CEC - Hydrogen	0.00	%	0.0 - 3.0						
pH	7.54	---	6.5 - 7.5						

Good Problem Indicates physical conditions and/or rheological and amendment requirements.



September 26, 2012

Lab ID : VI 1242204-002

Bush Construction

Customer ID : 4-18659

Description : Plot 2

GENERAL SOIL ANALYSIS

Test Description	Result	Units	Optimum Range	Graphical Results Presentation						
				Satisfactory	Possible Problem	Moderate Problem	Increasing Problem			
Others										
Soil Salinity	0.61	mmhos/cm	0.0 - 2.0							
SAR	1.2		0.0 - 6.0							
Limestone	< 0.10	%	0.0 - 0.50							
Lime Requirement	0	Tons/AF	---	0	1	2	3	4	5	6
Gypsum Requirement	< 0.50	Tons/AF	---							
Moisture	2.7	%	4.0 - 28	Very Low	Moderately Low	Optimum	Moderately High	Very High		
Saturation	39.5	%	40 - 50	Loamy Sand	Sandy Loam	Loam	Silt Loam	Clay Loam	Clay	Organic

Good Problem Indicates physical conditions and/or phenological and amendment requirements.

Note: Soils with gypsum requirements over 10 tons should be applied incrementally at a maximum of 10 tons per acre per year and reanalyzed yearly after each application.

Soil pH & Limestone levels are important to consider when making plant selections. Soil pH levels above 7.0 are not suitable for acid loving plants. Soils containing limestone are not suitable for plants sensitive to Limestone.

FRUIT GROWERS LABORATORY, INC.

Darrell H. Nelson

Darrell H. Nelson, Agronomist

DHN:EHB

September 26, 2012
Bush Construction
 518-B N. Redington St.
 Hanford, CA 93230

Lab ID : VI 1242204-003
 Customer ID : 4-18659
 Sampled On : September 13, 2012
 Sampled By : Ryan Rocha
 Received On : September 13, 2012
 Depth : N/A
 Meth Irrg. :

Description : Plot 3
 Project : Cassidy Ranch

GENERAL SOIL ANALYSIS

Test Description	Result	Units	Optimum Range	Graphical Results Presentation					
				Very Low	Moderately Low	Optimum	Moderately High	Very High	
Primary Nutrients									
Nitrate-Nitrogen	57.6	Lbs/AF	56 - 140						
Phosphorus-P ₂ O ₅	37	Lbs/AF	240 - 330						
Potassium-K ₂ O (Exch)	1110	Lbs/AF	300 - 1800						
Potassium-K ₂ O (Sol)	100	Lbs/AF	160 - 540						
Secondary Nutrients									
Calcium (Exch)	5850	Lbs/AF	7600 - 10000						
Calcium (Sol)	457	Lbs/AF	200 - 680						
Magnesium (Exch)	3690	Lbs/AF	760 - 1500						
Magnesium (Sol)	358	Lbs/AF	32 - 180						
Sodium (Exch)	230	Lbs/AF	0.0 - 720						
Sodium (Sol)	252	Lbs/AF	0.0 - 1400						
Sulfate	329	Lbs/AF	240 - 4100						
Micro Nutrients									
Zinc	16.0	Lbs/AF	5.3 - 170						
Manganese	43.2	Lbs/AF	11 - 260						
Iron	34.8	Lbs/AF	45 - 300						
Copper	30.0	Lbs/AF	1.2 - 170						
Boron	0.200	Lbs/AF	1.4 - 6.2						
Chloride	1250	Lbs/AF	20 - 860						
CEC	15.7	meq/100g	14 - 35						
% Base Saturation									
CEC - Calcium	46.5	%	60 - 80						
CEC - Magnesium	48.4	%	10 - 20						
CEC - Potassium	3.76	%	1.0 - 6.0						
CEC - Sodium	1.62	%	0.0 - 5.0						
CEC - Hydrogen	0.00	%	0.0 - 3.0						
pH	7.61	---	6.5 - 7.5						

Good Problem Indicates physical conditions and/or phenological and amendment requirements.



September 26, 2012

Bush Construction

Lab ID : VI 1242204-003

Customer ID : 4-18659

Description : Plot 3

GENERAL SOIL ANALYSIS

Test Description	Result	Units	Optimum Range	Graphical Results Presentation									
				Satisfactory	Possible Problem	Moderate Problem	Increasing Problem	0	1	2	3	4	5
Others													
Soil Salinity	1.66	mmhos/cm	0.0 - 2.0										
SAR	1.1		0.0 - 6.0										
Limestone	< 0.10	%	0.0 - 0.50										
Lime Requirement	0	Tons/AF	---										
Gypsum Requirement	< 0.50	Tons/AF	---										
				Very Low	Moderately Low	Optimum	Moderately High	Very High					
Moisture	10.3	%	3.8 - 27										
											Loamy Sand	Sandy Loam	Loam
Saturation	38.1	%	40 - 50										

Good Problem Indicates physical conditions and/or phenological and amendment requirements.
 Note: Soils with gypsum requirements over 10 tons should be applied incrementally at a maximum of 10 tons per acre per year and reanalyzed yearly after each application.

Soil pH & Limestone levels are important to consider when making plant selections. Soil pH levels above 7.0 are not suitable for acid loving plants. Soils containing limestone are not suitable for plants sensitive to Limestone.

FRUIT GROWERS LABORATORY, INC.

Darrell H. Nelson

Darrell H. Nelson, Agronomist

DHN:EHB



EXHIBIT B Water
Quality Analysis
1 Page

R2J Chemical Services, Inc.
Irrigation Chemicals Laboratory
12345-D 62nd Street North
Largo, FL 33773
727-531-4135

Water Analysis – Chemigation

Firm: Ag Water Chemical
Sample Name or ID #: Herman Cassaday F6S
Submitted by: Richard Clevenger

Date Sampled: 5/16/2012

All Values are in ppm except pH and Conductance
ANIONS (negative charged ions):

“M” Alkalinity (as CaCO₃) 180

Chloride (as Cl) 50

Phosphate (as PO₄) 0.45

Sulfate (as SO₄) 47

CATIONS (positive charged ions):

Calcium Hardness (as CaCO₃) 120

Magnesium (as CaCO₃) 210

Iron (as Fe) 0.01

Manganese (as Mn) 0

PARAMETERS

Hydrogen Ion (as pH) 7.50

Specific Conductance (as μ S) 676

Plugging Potential Low

RECOMMENDED RATE:

Kleen-Flo (ppm as product) 1.0

Kleen-Flo-M (ppm as product) _____

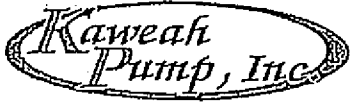
Sample Received Date: 5/18/2012

Sample Tested Date: 2/21/2012

Tested By: J. Lee

Comments:

Lab Use Only
C _____
A _____
CP _____
FeO _____
FeC _____
T _____



15499 AVE 280
 VISALIA, CA 93292
 PHONE (559) 747-0755
 FAX (559) 747-3881

Invoice

GENERAL ENGINEERING CONTRACTOR
 LICENSE #826935

Date	Invoice #
12/30/12	19871



Bill To: _____

BUSH CONSTRUCTION
 518 N REDINGTON
 HANFORD, CA 93230

EXHIBIT C Ag Well Pump Test
 1 Page

WE ACCEPT :



P.O. No.	Terms	Project
	UPON RECEIPT	12-11-008

Quantity	Description	Rate	Amount
	CASSIDY WELL #2 INSTALLED DEVELOPMENT PUMP RAN PUMP SURGED AND TESTED AS ESTIMATED. WELL TESTED 358 GALLONS PER MINUTE AT 170' PUMPING WATER LEVEL. WELL YIELD OF 2.81 GALLONS. DRAW DOWN 127' SUBMITTED ESTIMATE TO CUSTOMER FOR NEW SUBMERSIBLE PUMP. WELL DIAMETER 10" STANDING WATER LEVEL 43' MEASURED WELL DEPTH 306' TOTAL LABOR CA SALES TAX (7.75%)		3,845.00 0.00

TERMS: DUE UPON RECEIPT
 1 1/2% PER MONTH LATE FEE ON ALL OVERDUE BALANCES
 BILLING QUESTIONS CALL: 559-747-0755

Total	\$3,845.00
Payments/Credits	-\$3,845.00
Balance Due	00.00

Cassaday

8 July 2013

PARCEL 1

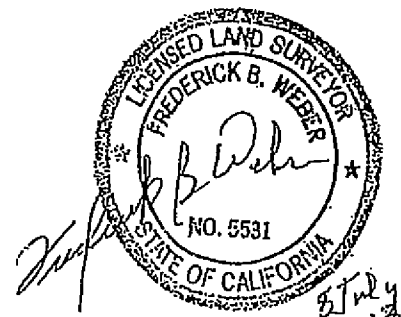
A portion of the Southeast quarter of the Southwest quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Meridian, County of Tulare, State of California, according to the Official Plat, also being a portion of Parcel No. 7 of Parcel Map No. 4553 as per map recorded in Book 46 of Parcel Maps at Page 58 in the Office of the Tulare County Recorder described as follows:

Beginning at the Northwest corner of said Southeast quarter also being the Northwest corner of said Parcel No. 7; thence North $88^{\circ}40'42''$ East along the north line of said Southeast quarter and north line of said Parcel No. 7 a distance of 1316.99 feet to the Northeast corner of said Southeast quarter and Northeast corner of said Parcel No. 7; thence South $00^{\circ}04'20''$ East along the east line of said Southeast quarter and east line of said Parcel No. 7 a distance of 752.29 feet; thence leaving said east lines South $88^{\circ}44'11''$ West distance of 719.39 feet; thence North $47^{\circ}06'16''$ West a distance of 212.10 feet; thence North $88^{\circ}41'55''$ West a distance of 86.42 feet; thence North $53^{\circ}20'05''$ West a distance of 141.46 feet; thence North $53^{\circ}20'43''$ West a distance of 97.19 feet; thence North $59^{\circ}06'32''$ West a distance of 86.28 feet; thence North $47^{\circ}57'12''$ West a distance of 75.98 feet; thence North $75^{\circ}42'44''$ West a distance of 35.31 feet to the west line of said Southeast quarter and west line of said Parcel No. 7; thence North $00^{\circ}04'38''$ West along said west lines a distance of 345.06 feet to the Point of Beginning.

Along with a 26 foot wide easement for ingress, egress and public utilities over, under and across that portion of the Southeast quarter of the Southwest quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Meridian, County of Tulare, State of California, according to the Official Plat, also being a portion of Parcel No. 7 of Parcel Map No. 4553 as per map recorded in Book 46 of Parcel Maps at Page 58 in the Office of the Tulare County Recorder, the centerline described as follows:

Commencing at the South quarter corner of said Section 4 and the southeast corner of said Parcel No. 7; thence North $00^{\circ}04'20''$ West along the east line of the Southeast quarter of the Southwest quarter of said Section 4 and the east line of said Parcel No. 7 a distance of 13.00 to the beginning of said easement; thence South $88^{\circ}47'41''$ West parallel with south line of said Southeast quarter and south line of said Parcel No. 7 a distance of 257.05 feet; thence North $00^{\circ}58'46''$ West a distance of 361.00 feet; thence North $17^{\circ}48'03''$ East a distance of 197.68 feet to the terminus of said easement.

The side lines of said easement are extended or foreshortened to meet the adjacent parcel.



Parcel 1 continued

Subject to a 6 foot wide easement for utilities over, under and across that portion of the Southeast quarter of the Southwest quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Meridian, County of Tulare, State of California, according to the Official Plat, also being a portion of Parcel No. 7 of Parcel Map No. 4553 as per map recorded in Book 46 of Parcel Maps at Page 58 in the Office of the Tulare County Recorder, the centerline described as follows:

Commencing at the Northeast corner of said Southeast quarter also being the Northeast corner of said Parcel No. 7; thence South $88^{\circ}40'42''$ West along the north line of said Southeast quarter and north line of said Parcel No. 7 a distance of 433.82 feet thence leaving said north lines South $46^{\circ}01'27''$ West a distance of 56.95 feet to the Point "A"; thence continuing South $46^{\circ}01'27''$ West a distance of a distance of 43.00 feet; thence North $43^{\circ}58'33''$ West a distance of 3.00 feet to the Point of Beginning of said 6 foot wide easement; thence South $46^{\circ}01'27''$ West a distance of 272.05 feet; thence South $29^{\circ}08'04''$ West a distance of 398.39 feet; thence South $89^{\circ}04'09''$ West a distance of 71.37 feet to the terminus of said easement.

The side lines of said easement are extended or foreshortened to meet the adjacent parcel.

Also subject to an easement for a well, pumping plant and utilities over, under and across that portion of the Southeast quarter of the Southwest quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Meridian, County of Tulare, State of California, according to the Official Plat, also being a portion of Parcel No. 7 of Parcel Map No. 4553 as per map recorded in Book 46 of Parcel Maps at Page 58 in the Office of the Tulare County Recorder described as follows:

Beginning at the above Point "A" thence South $46^{\circ}01'27''$ West a distance of 43.00 feet; thence North $43^{\circ}58'33''$ West a distance of 34.00 feet; thence North $46^{\circ}01'27''$ West a distance of 43.00 feet; thence South $43^{\circ}58'33''$ East a distance of 34.00 feet to the Point of Beginning.

Cassaday

8 July 2013

PARCEL 2

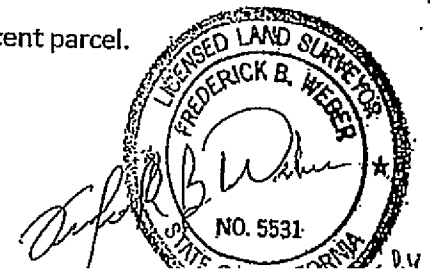
A portion of the Southeast quarter of the Southwest quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Meridian, County of Tulare, State of California, according to the Official Plat, also being a portion of Parcel No. 7 of Parcel Map No. 4553 as per map recorded in Book 46 of Parcel Maps at Page 58 in the Office of the Tulare County Recorder described as follows:

Beginning at the South quarter corner of said Section 4 also being the Southeast corner of said Parcel No. 7; thence South $88^{\circ}47'41''$ West along the south line of said Section 4 and south line of said Parcel No. 7 a distance of 1316.82 feet to the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 4; thence North $00^{\circ}04'38''$ West along the west line of said Southeast quarter and west line of said Parcel No. 7 a distance of 965.77 feet; thence leaving said west lines South $75^{\circ}42'44''$ East a distance of 35.31 feet; thence South $47^{\circ}57'12''$ East a distance of 75.98 feet; thence $59^{\circ}06'32''$ East a distance of 86.28 feet; South $53^{\circ}20'43''$ East a distance of 97.19 feet; thence South $53^{\circ}20'05''$ East a distance of 141.46 feet; thence South $88^{\circ}41'55''$ East a distance of 86.42 feet; thence $47^{\circ}06'16''$ East a distance of 212.10 feet; thence North $88^{\circ}44'11''$ East a distance of 719.39 feet to the east line of said Southeast quarter and east line of said Parcel No. 7; thence South $00^{\circ}04'20''$ East along said east lines a distance of 561.22 feet to the Point of Beginning.

Subject to a 26 foot wide easement for ingress, egress and public utilities over, under and across that portion of the Southeast quarter of the Southwest quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Meridian, County of Tulare, State of California, according to the Official Plat, also being a portion of Parcel No. 7 of Parcel Map No. 4553 as per map recorded in Book 46 of Parcel Maps at Page 58 in the Office of the Tulare County Recorder, the centerline described as follows:

Commencing at the South quarter corner of said Section 4 and the southeast corner of said Parcel No. 7; thence North $00^{\circ}04'20''$ West along the east line of the Southeast quarter of the Southwest quarter of said Section 4 and the east line of said Parcel No. 7 a distance of 13.00 to the beginning of said easement; thence South $88^{\circ}47'41''$ West parallel with south line of said Southeast quarter and south line of said Parcel No. 7 a distance of 257.05 feet; thence North $00^{\circ}58'46''$ West a distance of 361.00 feet; thence North $17^{\circ}48'03''$ East a distance of 197.68 feet to the terminus of said easement.

The side lines of said easement are extended or foreshortened to meet the adjacent parcel.



Parcel 2 continued

Along with a 6 foot wide easement for utilities over, under and across that portion of the Southeast quarter of the Southwest quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Meridian, County of Tulare, State of California, according to the Official Plat, also being a portion of Parcel No. 7 of Parcel Map No. 4553 as per map recorded in Book 46 of Parcel Maps at Page 58 in the Office of the Tulare County Recorder, the centerline described as follows:

Commencing at the Northeast corner of said Southeast quarter also being the Northeast corner of said Parcel No. 7; thence South $88^{\circ}40'42''$ West along the north line of said Southeast quarter and north line of said Parcel No. 7 a distance of 433.82 feet thence leaving said north lines South $46^{\circ}01'27''$ West a distance of 56.95 feet to the Point "A"; thence continuing South $46^{\circ}01'27''$ West a distance of a distance of 43.00 feet; thence North $43^{\circ}58'33''$ West a distance of 3.00 feet to the Point of Beginning of said 6 foot wide easement; thence South $46^{\circ}01'27''$ West a distance of 272.05 feet; thence South $29^{\circ}08'04''$ West a distance of 398.39 feet; thence South $89^{\circ}04'09''$ West a distance of 71.37 feet to the terminus of said easement.

The side lines of said easement are extended or foreshortened to meet the adjacent parcel.

Along with an easement for a well, pumping plant and utilities over, under and across that portion of the Southeast quarter of the Southwest quarter of Section 4, Township 18 South, Range 26 East, Mount Diablo Meridian, County of Tulare, State of California, according to the Official Plat, also being a portion of Parcel No. 7 of Parcel Map No. 4553 as per map recorded in Book 46 of Parcel Maps at Page 58 in the Office of the Tulare County Recorder described as follows:

Beginning at the above Point "A" thence South $46^{\circ}01'27''$ West a distance of 43.00 feet; thence North $43^{\circ}58'33''$ West a distance of 34.00 feet; thence North $46^{\circ}01'27''$ West a distance of 43.00 feet; thence South $43^{\circ}58'33''$ East a distance of 34.00 feet to the Point of Beginning.

Attachment No. 5
PZI Report



**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: August 27, 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: 559-624-7000				

SUBJECT: Zone Change Initiation No. PZI 13-003 Cassaday/Ivanhoe

REQUEST(S):

Request that the Board of Supervisors:

1. Authorize a Zone Change Initiation PZI 13-003 (Cassaday/Ivanhoe) to proceed with a Zone Change from AE-80 (Exclusive Agriculture-80 acre minimum) to AE-20 (Exclusive Agriculture-20 acre minimum) for the lot known as Assessors Parcel Number 110-050-026.

ALTERNATIVES:

1. The Board could deny the initiation of the proposed zoning amendment.
2. The Board could choose to refer the matter back to staff for further analysis and return to the Board prior to taking action.

SUMMARY:

The Zone Change Initiation (PZI) is not an approval of the proposed project or Zone Change Amendment. The PZI allows the applicant to apply for the Zone Change Amendment (PZ) only, with no guarantee that the amendment will be adopted. A detailed analysis of the project and its impacts will be studied upon the Board of Supervisors approving this PZI and a Zone Change application is received and processed by the County.

SUBJECT: Zone Change Initiation No. PZI 13-003
DATE: August 27, 2013

PROJECT DESCRIPTION:

The Tulare County Resource Management Agency has received a request from the property owner (Mr. Cassaday) to apply for a change of zone on a 39.66 acre parcel, Assessors Parcel Number 110-050-026, from AE-80 to AE-20. The General Plan Land Use designation for the project site is "Valley Agriculture" and under the Rural Valley Lands Plan (RVLP). If the zone change is approved a parcel map will be submitted to divide the property into two parcels of 19.86 acres each. The applicant intends to lease one parcel to a local farm to plant fruit trees (Avacodo or Cherry). The remaining parcel will be retained as a homesite. An existing 26 foot private road easement provides access to the new parcels from Road 188.

The site is located near Venice Hill, two miles east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Avenue 336. The project site is located on a sloping hillside and has been used as a citrus orchard in the past, however, at this time it is currently considered open space with approximately five acres of non-producing navel oranges remaining. The USDA National Resources Conservation Service web site determined that at least 98 % of the site falls within their definition of Flat or Gentle Sloping. Venice Hill and grazing land lie to the west and north west. Properties with agricultural orchards lie to the northeast, east and south of the project site. The site is within a Williamson Contract No. 4809, Agricultural Preserve No. 1519 and considered Prime Agricultural land under California Government Code Sections 51201 and 56064. The property owner intends that the land will remain in agricultural production and no development is proposed. The purpose of the zone change and subdivision of land is to lease both parcel to plant fruit trees and remain in commercial agriculture production.

The applicant is proposing to lease a portion of his land to a local farmer to plant and harvest fruit trees (Avacado or Cherry). However, the property owner obtained a loan from the Department of Veterans Affairs (VA) and CalVet Loan Contracts restricts the property from income producing activities. The VA retains options on the property and would need to approve any lease of the subject property. The VA denied the property owners request for a lease due to the above restriction (income producing). One option is to obtain a lot split from the County and modify the loan contract. In this option the VA will release a portion of the land to the property owner. The applicant is pursuing this course of action.

In December of 2002 the site and surrounding area were subject to a parcel map. Parcel Map PPM 02-011 divided a 160 and an 80 acre parcels into 7 parcels plus a remainder. Six parcels within the AE-20 zone were subdivided into 20 acre lots. The project parcel was divided into a 40 acre parcel, even though it was within the AE-80 zone, and the remainder was located within the AE-40 zone and remained 80 acres.

SUBJECT: Zone Change Initiation No. PZI 13-003

DATE: August 27, 2013

PROJECT ANALYSIS/FINDINGS:

The project area is located on the Valley Floor, outside of a County adopted Urban Area Boundary, Urban Development Boundary, or Hamlet Boundary. The General Plan land use designation for the project site is Valley Agriculture. Valley Agriculture is designed for intensive agricultural use with a minimum 10 acre parcel size. According to the RVLP Policy 1.6, for a project site to be rezoned from agricultural use to a lesser agriculture use without an RVLP checklist analysis, the site must prime agricultural land and remain over ten acres. According to the Williamson Act the project site is considered prime agricultural land, is not considered grazing land or non-prime agricultural land. Large lot zoning is usually reserved for grazing land such as those on Venice Hill, however, AE-20 is adjacent to the site and the site has been in agricultural citrus production in the past. Therefore, the parcel could be rezoned and would not require a RVLP checklist analysis.

Several agencies commented on the proposed project. The majorities of comments received to date are general in nature and are related to the development of the project.

FISCAL IMPACT/FINANCING:

The applicant cost for a Zone Change Initiation is an initial deposit of \$3,333. If authorized to file a Zone Amendment Application, the applicant will pay an initial deposit of \$6,451 to the Tulare County Resource Management Agency. Additional fees of \$100 per hour are charged if the actual cost of processing the Zone Change Initiation application exceeds the deposits. CEQA documentation and compliance for the project is also charged on a full cost recovery basis.

Once the change of zone, 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 commercials areas developed as part of this project;
- Providing effective growth management by allowing urban uses that are

SUBJECT: Zone Change Initiation No. PZI 13-003

DATE: August 27, 2013

consistent and harmonious with the existing zoning of the County of Tulare's Zoning Map; and

- Providing a higher quality of life by providing jobs and services to the establishments of the County.

ADMINISTRATIVE SIGN-OFF:

Michael C. Spata
Assistant Director-Planning

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

Exhibit A – Site Maps
Exhibit B – Property Owner Letter
Exhibit C – PPM 02-011 Negative Declaration and Environmental Documents
Exhibit D – Property Owner Applications
Exhibit E – Comment Letters

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

IN THE MATTER OF AUTHORIZING)
ZONE CHANGE INITIATION PZI 13-003,)
EXCLUSIVE AGRICUTLURE-80 ACRE) Resolution No. _____
MINIMUM TO EXCLUSIVE AGRICUTLURE-)
20 ACRE MINIMUM.)

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

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

That the Board of Supervisors:

1. Authorized a Zone Change Initiation PZI 13-003 (Cassaday/Ivanhoe) to proceed with a Zone Change from AE-80 (Exclusive Agriculture-80 acre minimum) to AE-20 (Exclusive Agriculture-20 acre minimum) for the lot known as Assessors Parcel Number 110-050-026.

Attachment No. 6
PPM 02-011 Negative Declaration/Initial Study

**TULARE COUNTY
RESOURCE MANAGEMENT
AGENCY**



**ADDENDUM TO THE
INITIAL STUDY
AND
NEGATIVE DECLARATION
(PARCEL MAP NO.
PPM 02-011)**

August 6, 2013

Table of Content

Project Description.....3
Addendum to the Parcel Map No. PPM 02-011 IS/ND.....4
Initial Study Negative Declaration (IS/MND).....4
 Determination for the Addendum to PPM 02-011 IS/ND.....4
 Determination.....4
Preliminary Analysis Discussion6
Negative Declaration/Initial Study for PPM 02-011.....9

Project Description

The Tulare County Resource Management Agency has received a petition from Mr. and Mrs. Herman and Virginia Cassaday for a change of zone on a 39.66 acre parcel, from AE-80 to AE-20. The General Plan Land Use designation for the project site is "Valley Agriculture" and under the Rural Valley Lands Plan (RVLP). If the zone change is approved, a parcel map will be submitted to divide the property into two parcels of 19.86 acres each. The applicant intends to lease the parcels to a local farm to plant fruit trees (Avocado or Cherry). The remaining parcel will be retained by the applicant for a residence and fruit trees. An existing 26-foot private road easement provides access to the new parcels from Road 188.

The site is located near Venice Hill, two miles east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Avenue 336. The project site is located on a sloping hillside and has been used as a citrus orchard in the past, however, at this time it is currently considered open space with approximately five acres of non-producing navel oranges remaining. The USDA National Resources Conservation Service web site determined that at least 98 % of the site falls within their definition of Flat or Gentle Sloping. Venice Hill and grazing land lie to the west and northwest. Properties with agricultural orchards lie to the northeast, east and south of the project site. The site is within a Williamson Contract No. 4809, Agricultural Preserve No. 1519 and considered Prime Agricultural land under California Government Code Sections 51201 and 56064. The property owner intends that the land will remain in agricultural production and no development is proposed. The purpose of the zone change and subdivision of land is to lease the land to plant fruit trees which will remain in commercial agriculture production. The production of fruit trees is consistent with the Williamson Act Prime Farmland definition, the Tulare County General Plan and the Zoning for AE-80 or AE-20.

The applicant is proposing to lease a portion of his land to a local farmer to plant and harvest fruit trees (Avocado or Cherry). However, the property owner obtained a loan from the Department of Veterans Affairs (VA) and CalVet Loan Contracts restricts the property from income producing activities. The VA retains options on the property and would need to approve any lease of the subject property. The VA denied the property owners request for a lease due to the above restriction (income producing). One option is to obtain a lot split from the County and modify the loan contract. Through this option the VA will release a portion of the land to the property owner. The applicant is pursuing this course of action.

In December 2002, the site and surrounding area were subject to a parcel map. Parcel Map PPM 02-011 divided a 160 acre parcel and an 80 acre parcel into seven parcels plus a remainder. Six parcels within the AE-20 zone were subdivided into 20 acre lots. The project parcel was divided into a 40 acre parcel, even though it was within the AE-80 zone, and the remainder was located within the AE-40 zone and remained 80 acres.

**Addendum to Parcel Map No. PPM 02-011
Initial Study Negative Declaration (IS/ND)**

1. The Tulare County Resource Management Agency has determined that the activity of a zone change is a project subject to CEQA.
2. A project can be added and made an addendum to an existing IS/ND, if under Section 15164, the project meets the following:
 - a. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 (a) (i.e. substantial changes [requiring] major revisions, or significant effects not discussed in the original document) calling for the preparation of a subsequent EIR or negative declaration have occurred.
 - b. An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
 - c. The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
 - d. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Determination for the Addendum to Parcel Map No. PPM 02-011 IS/ND

The decision to prepare an addendum to an initial study / negative declaration is based on substantial evidence below. Foundationally, there are no substantial changes to Parcel Map No. PPM 02-011 requiring major revisions by this zone change.

This addendum demonstrates that there are only minor and technical changes to the Negative Declaration /Initial Study on the following grounds:

- a. No change in the use of the land. The AE-80 and AE-20 zones are both intended for intensive agricultural uses. The project is zone change from one agriculture zone to another agricultural zone AE-80 to AE-20 to a 40 acre parcel.
- b. The use of the site is currently designated for agricultural operations and will continue agricultural operations if the zone change and parcel map is approved.
- c. The AE-20 zone remains consistent with the Tulare County General Plan Valley Agriculture designation.

Determination

Pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, the Tulare County Environmental Officer, after reviewing the zone change application for the PZ 13-002 Cassaday/Ivanhoe made a determination that this was a project under CEQA. Planning Staff, under *Section 1151641 of Public Resource Code*, determined on July 22, 2013, that the project

should be an addendum to the Initial Study Negative Declaration Parcel Map No. PPM 02-011, as it is supported by substantial evidence including the initial study, application information, and an environmental site assessment. Moreover, the Parcel Map No. PPM 02-011 IS/ND sufficiently analyzed and addressed any impacts to the environment including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic relevance. Planning staff in their analysis (See preliminary analysis below) found substantial evidence that there are no impacts (including from future activities) resulting in (or which might reasonably result in) significant impacts that require a supplemental negative declaration and/or an Environmental Impact Report. Therefore, this addendum to Parcel Map No. PPM 02-011 IS/ND is the right document for this project under CEQA.

Preliminary Analysis Discussion Item	Discussion of Reasons to Support Finding of An Addendum to PPM 02-011
Aesthetics	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact on the aesthetics of the area. The reasons are that the subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property. Notably, based on a search for County and Caltrans Scenic highways on 7/22/2013, the project is not located within a scenic corridor and would not impact scenic resources 15300.2 (d).</p>
Agricultural Resources	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact on the agricultural resources. The reason is that based on a search of Department of Conservation, Farmland Mapping and Monitoring Program (FMMP) maps on 7/22/2013, the project site is on Farmland of Statewide Importance. Also the site is within a Williamson Contract No. 4809, Agricultural Preserve No. 1519 and considered Prime Agricultural land under California Government Code Sections 51201 and 56064. The property owner intends that the land will remain in agricultural production and no development is proposed. The purpose of the zone change and subdivision of land is to lease the land to plant fruit trees and remain in commercial agriculture production. The production of fruit trees is consistent with the Williamson Act Prime Farmland definition.</p>
Air Quality	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact on air quality resources of the area. The reasons are that the subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property. The 26' easement is currently a County approved PVAE. The applicant will comply with all County Engineering standards regarding PVAE on the subject site. There are no unusual emissions that will have a significant effect. The project will comply with applicable SJVAPCD (Air District) rules and regulations and will not impact air quality above any air quality impact thresholds.</p>
Biological Resources	<p>No Significant Impact. According to the California Natural Diversity Data Base (CNDDB), one species of concern, the Moody's gnaphosid spider, may be located on the subject site and on Venice Hill. However, the spider is not an endangered species subject to the Endangered Species Act or the California Endangered Species Act. The number of arthropod species is so great and poorly known, that it is presently impossible to accurately estimate the number of invertebrate species occurring. Notably the project parcel and surrounding land have been heavily impacted by agriculture and pesticide use.</p> <p>The proposed project will not have a direct or cumulatively significant impact on biological resources of the area for the above reasons.</p>
Cultural Resources	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact, to the cultural resources of the area. The reasons are that the area has been used extensively for agricultural operations and no new construction activities are anticipated by the project.</p>
Geology/ Soils	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact to geology / soils of the area. The reasons are that the subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property. Also based on a search of the Tulare County Seismic Safety Element in the County General Plan 7/22/2013. The requirements of the Uniform Building Code Zone II are adequate for normal facilities on these soils.</p>
Green House Gas	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact that will introduce green house gas (GHG) emissions. The reasons are that the project complies with the AB32, the California Air Resources Board's Scoping Plan, Tulare Council of Governments Blueprint, Countywide General Plan and Climate Action Plan, and does not include 50 or more dwelling units (per AQ Rule 9510 (see Climate Action Plan page 57)); and it will not generate temporary construction emissions,</p>

	<p>or increase vehicle miles traveled, or operational emissions in excess of CARB's thresholds. Therefore, project emissions resulting from the zone change or parcel map would not result in any impact on climate change significant amounts of GHG.</p>
Hazards/ Hazardous Materials	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact that will introduce hazards or hazardous material to the area. The reasons are that the subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property.</p>
Hydrology/ Water Quality	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact, on the hydrology /water quality of the area. The reasons are that the subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property. The project will not impact the quality or quantity of water or waterways above any known threshold for water quality or effect water rights including impacting water ways of the United States under Section 404, and 401 of the Clean Water Act. Based on a search for the site being within a water service district consistent with the General Plan on 7/22/2013, the results indicate that the project will not cause a significant impact.</p> <p>The site is within Zone X, according to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 069107C, Panel No. 1925E, dated June 16, 2009.</p>
Land Use/ Planning	<p>No Significant Impact. The project area is located on the Valley Floor, outside of a County adopted Urban Area Boundary, Urban Development Boundary, or Hamlet Boundary. The General Plan land use designation for the project site is Valley Agriculture. Valley Agriculture is designed for intensive agricultural use with a minimum 10 acre parcel size. According to the RVL Policy 1.6, for a project site to be rezoned from one agricultural zone to a lesser acreage agriculture zone without an RVL checklist analysis, the site must be considered prime agricultural land and remain over ten acres. According to the Williamson Act the project site is considered prime agricultural land, is not considered grazing land or non-prime agricultural land. Furthermore, the site will remain over the minimum acreage for Williamson Act and the Valley Agriculture designation (10 acres). Large lot zoning is typically reserved for grazing land such as those on Venice Hill, however, AE-20 is adjacent to the site and the project parcel has been in agricultural citrus production in the past and will remain in agricultural production if the zone change and parcel map are approved.</p> <p>The proposed project will not have a direct or cumulatively significant impact on the land uses, or planning of the area. The subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property. Based on a review of the County's General Plan and any planning area policies, this project complies with all applicable plans, policies and regulations. It will also meet all current engineering standards.</p>
Mineral Resources	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact on the mineral resources of the area. The reasons are that the subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property. Based on a search of the CGS Mineral Zone website and the County General Plan, the area is not delineated as a resource zone; and hence, it is unlikely that there are important mineral reserves in the vicinity.</p>
Noise	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact on the noises of the area. The reasons are that no construction is proposed with this zone change. The subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property. Further operations will be agriculture in nature as currently exists in the surrounding area. The Project does not exceed operational Noise standards outlined in the General Plan.</p>
Population/ Housing	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact on the population, or housing of the area. The reasons are that the</p>

	<p>project will not displace an existing population or induce population growth. The subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property.</p>
Public Services	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact on the public services of the area. The reasons are that based on a review of the projects demands, the project will not significantly impact the capacity of the following services:</p> <ul style="list-style-type: none"> • Police, • Fire, • Schools • Parks, • Other Public Facilities. <p>This project will not significantly impact the level of service provided by any of the above facilities or services provided in the area. The subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property.</p>
Recreation	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact on the recreational facilities in the area. The reasons are that this project will not affect the amount of new housing in order to generate the need for new recreational facilities, under the Quimby Act. This Project does not affect existing parks or proposed new parks. The subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property.</p>
Transportation/ Traffic	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact on the Countywide, or Statewide roadway facilities in the area. The reasons are that the subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property. The project will not generate enough traffic to impact a County Roadway or Statewide Highway level of service or Caltrans highway thresholds significantly.</p>
Utilities/ Service Systems	<p>No Significant Impact. The proposed project will not have a direct or cumulatively significant impact, on the infrastructure / facilities in the area. The proposed project will not have an impact on:</p> <ul style="list-style-type: none"> • Water (Quality or Quantity) • Wastewater • Storm Drainage • or Solid Waste <p>The reasons are that the subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property. The project will not generate enough demands on the facilities or infrastructure to impact the infrastructure level of service thresholds. This project will not significantly impact the level of service provided by any utility agencies or franchises operating in the area.</p>
Mandatory Findings of Significance	<p>The proposed project will not have a direct or cumulatively significant impact, on the environment, directly or incrementally. In addition, this project will not adversely impact the public health and safety resulting in a consequence to the proposed project. The subject site will remain in agricultural operations and no new construction is proposed with the change of zone or division of property.</p>

**TULARE COUNTY
RESOURCE MANAGEMENT
AGENCY**



**INITIAL STUDY
AND
NEGATIVE DECLARATION
(PARCEL MAP NO.
PPM 02-011)**

Project: PPM 02-011

Applicant: William L. Cottle
Agent: Forester, Weber, & Associates
Date Prepared: October 10, 2002

NEGATIVE DECLARATION

DESCRIPTION OF PROJECT:

Proposal, Zoning and Parcel Size:

A tentative parcel map to divide 240 acres into 7 parcels and a Remainder Parcel as follows: Proposed Parcels 1, 2, 3, 4, 5 and 6 are located in the AE-20 (Exclusive Agricultural-20 acre minimum) Zone with each parcel containing 20 acres. Proposed Parcels 1, 2, 3, and 5 each contain a citrus orchard, proposed Parcel 4 contains 3 single-family dwellings, two sheds and a citrus orchard and proposed Parcel 6 is undeveloped. Proposed Parcel 7 is located in the AE-80 (Exclusive Agricultural-80 acre minimum) Zone is 40 acres and contains a citrus orchard. The proposed Remainder is located within the AE-40 (Exclusive Agricultural-40 acre minimum) Zone, approximately 80 acres and contains a citrus orchard.

Location:

West side of Road 188, 4,100 feet south of Avenue 336, southwest of Woodlake.

APN(s) 110-050-11 and 110-060-08
Section 4 & 9, Township 18 South, Range 26 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
GEORGE E. FINNEY
ENVIRONMENTAL ASSESSMENT OFFICER

BY: Mary E. Blatie

DATE APPROVED: 11-13-02

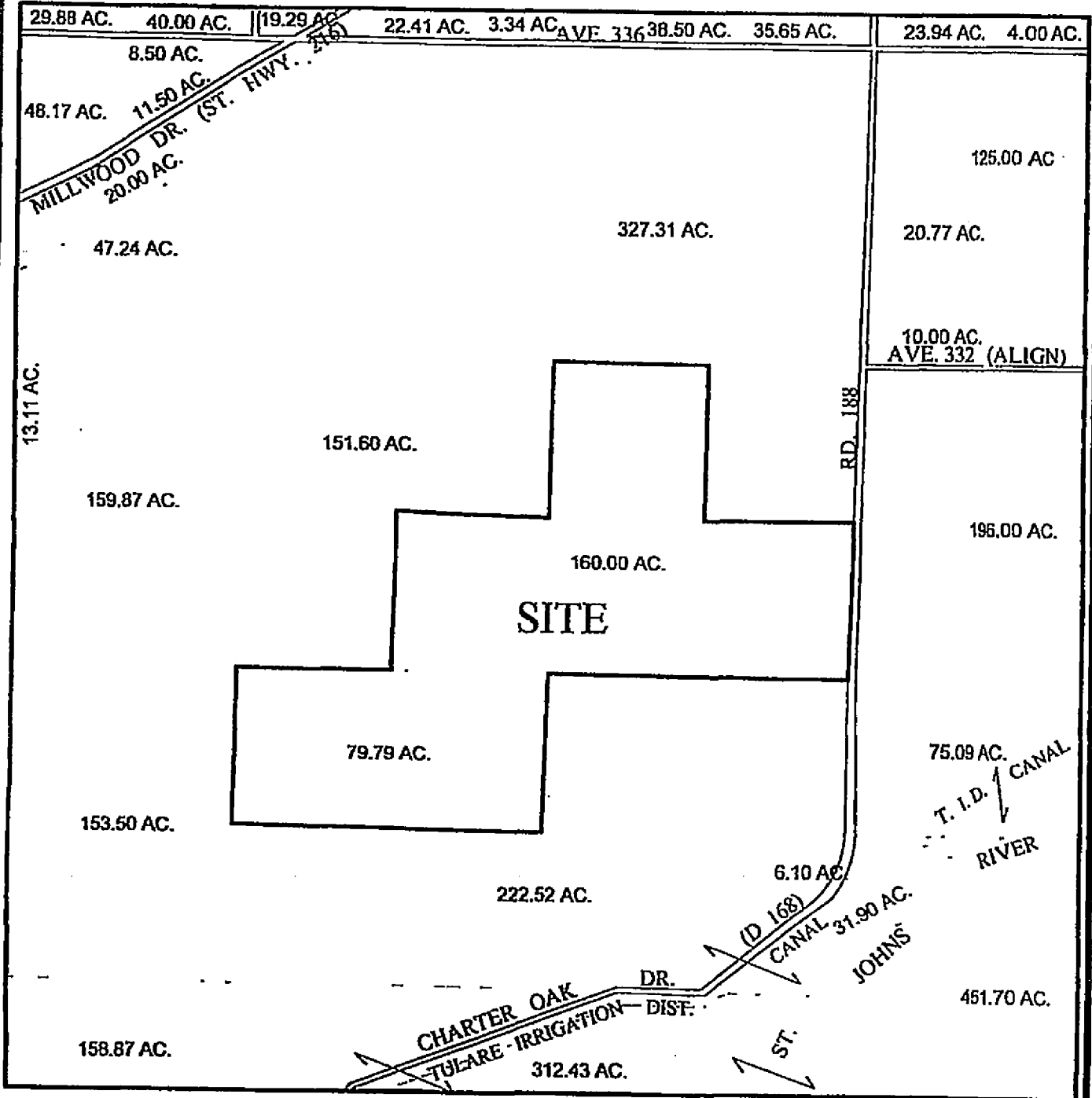
REVIEW PERIOD: 20-days

NEWSPAPER:

- Visalia Times-Delta
- Porterville Recorder
- Tulare Advance-Register



Parcel Cut Map for PPM 02-011



Owner: UTOA HIROSHI & NOKUBO (CO-TRS H U T
 Address: 32801 RD 188
 City, State ZIP: VISALIA CA 93277

Applicant: William Cottle
 Agent: Forester, Weber, & Assoc.

Assessors Parcel # 110050011, 110060008

800 0 800 1600 Feet



**TULARE COUNTY RESOURCE MANAGEMENT AGENCY
 - CURRENT PLANNING -
 STAFF REPORT/ENVIRONMENTAL ASSESSMENT INITIAL STUDY
 FOR TENTATIVE PARCEL MAP PPM 02-011**

I. GENERAL:

1. **Applicant:** William L. Cottle
P. O. Box 1012
Exeter, CA 93221
2. **Property Owners:** Same
3. **Authorized Agent:** Forester, Weber & Associates
1620 W. Mineral King Suite B
Visalia, CA 93291

4. **Proposed Parcelization:**

Parcel No.	Size	Proposed Use	Zoning
1	20 acres	Agricultural/Residential	AE-20
2	20 acres	Agricultural/Residential	AE-20
3	20 acres	Agricultural/Residential	AE-20
4	20 acres	Agricultural/Residential	AE-20
5	20 acres	Agricultural/Residential	AE-20
6	20 acres	Agricultural/Residential	AE-20
7	40 acres	Residential/Agricultural Commercial	AE-80
Remainder	80 acres	Agricultural	AE-40

5. **Site Information:**

Size: 240 acres

Location: West side of Road 188, 4,100 feet south of Avenue 336, southwest of Woodlake.

Section 4 & 9, Township 18, Range 26, MDB&M; APN(s): 110-050-11 & 110-060-008

II. COMPLIANCE WITH ADOPTED PLANS, POLICIES AND STANDARDS:

1. **General Plan:**

- A. **Applicable Land Use & Circulation Element(s):** Rural Valley Lands Plan

Land Use Designation: The Rural Valley Lands Plan designates the site as agricultural. The proposal maintains the minimum parcel sizes for agricultural use established by the Rural Valley Lands Plan and Zoning.

Circulation: The 1964 Tulare County Area General Plan, as amended, Avenue 336 and Road 188 are undesignated roads.

- B. 1972 Environmental Resources Management Element (ERME), Open Space Plan:** Intensive Agricultural
- C. 1988 Noise Element:** The 1988 Noise Element indicates site is not located within a noise impacted area. The proposed project will not generate any significant amount of noise. Future development would create a temporary elevation in noise levels.
- D. 1974 Urban Boundaries Element:** The subject site is not located within any Urban Improvement Area/Urban Development Boundary or Urban Area Boundary.

Compliance with General Plan: Yes

2. Zoning and Land Use:

Site: Proposed Parcels 1, 2, 3, 4, 5 and 6 are located in the AE-20 (Exclusive Agricultural-20 acre minimum) Zone with each parcel containing 20 acres. Proposed Parcels 1, 2, 3, 5 contain citrus orchards. Proposed Parcel 4 contains 3 single-family dwellings, two sheds and a citrus orchard. Proposed Parcel 6 is undeveloped. Proposed Parcel 7 is located in the AE-80 (Exclusive Agricultural-80 acre minimum) Zone is 40 acres and contains a citrus orchard. The proposed Remainder is located within the AE-40 (Exclusive Agricultural-40 acre minimum) Zone, approximately 80 acre and contains a citrus orchard.

Compliance with zoning: Yes

Surrounding area:

North – AE-20/orchard, scattered residents

East – AE-20/orchard, scattered residents

South – AE-40/orchard, scattered residents

West – AE-40/orchard, scattered residents/Venice Hill

3. Subdivision Ordinance Characteristics:

Section 66426 of the State Map Act, allows a parcel map rather than requiring a subdivision map when each parcel being created is at least 20 acres or more and has an approved access to a maintained public street. This proposal to create 7 parcels each having 20 or more acres and access from each parcel to a maintained public street meets the exception for a parcel map.

Exceptions requested: and as follows:

1. Section 7-01-1280 (formerly 7021) requires that cul-de-sacs in non-mountainous areas shall not exceed 660 feet in length. The proposed PVAE serving Parcels 2, 3, 4, 7 and the Remainder is over 2,640 feet in length and the proposed PVAE serving Parcels 5 and 6 is over 1,980 feet in length, thus exceeding the maximum length of 660 feet allowed by the Ordinance for the proposed cu-de-sac length.
2. Section 7-01-2230 (formerly 7103.4) requires improvements that conform with the Tulare County PVAE Improvement Standards. PVAE improvements consist of three basic elements: 1) width to easement, 2) improvements to the surface of the private road within the PVAE, 3) driveway approach, which connects the private road within the PVAE to a County maintained right of way.

There are some options on how the Tulare County Improvement Standards will be applied because Parcels 2 & 3 have double frontage on both proposed PVAE's. The choice of access for Parcels 2 & 3 will not be determined until development occurs on those parcels, therefore, an exact pre-determination of how many parcels will be served by each of the proposed PVAE's is difficult to make. The northerly PVAE could serve 2 or 4 parcels and the southerly PVAE could serve 3 or 5 parcels as follows:

- a. When Parcels 2 & 3 join Parcels 5 & 6 the northerly PVAE would serve as a four parcel standard. With regards to the Tulare County Improvement Standards Plate A-17-B, "Vehicular Access Easements," provides that improvements to the surface of the private road within the PVAE that serves four parcels, the standard easement width shall be 26 feet and the pavement width shall be 20 feet. This would reduce the easement for Parcels 4, 7 and the Remainder to a three parcel standard. Easement width for a three parcel standard shall be 20 feet and the pavement width shall be 18 feet. Under Plate A-17-B the PVAE shall be connected to a County road with a County standard driveway approach and the surface of the PVAE shall consist of a 3-inch thick layer of aggregate base with a surface treatment of penetrating oil.

- b. When Parcels 2 & 3 gain access along the southerly easement the northerly PVAE only serves Parcels 5 & 6 for a two parcel standard. Plate A-17-B, "Vehicular Access Easements," provides that improvements to the surface of the private road within the PVAE that serves a two parcel standard easement width shall be 18 feet and the pavement width shall be 16 feet. This will increase the southerly PVAE to a Class 1 road for Parcels 2, 3, 4, 7 and the Remainder. With regards to the Tulare County Improvement Standards Plate A-1 "Class 1 road," provides that improvements to the surface of the private road that serves five parcels (Parcels 2, 3, 4, 7 and the Remainder) be as follows: 1) the easement width shall be 56 feet; 2) the pavement width shall be 36 feet; 3) the Class 1 road shall have a standard turnaround located on the Remainder; 4) the Class 1 road shall be connected to a County road with a County standard drive approach; 5) the Class 1 road shall be designed by a Registered Civil Engineer which details construction of the Class 1 road, including curve radii, drainage facilities, and erosion control measures as needed.
- c. There is also the possibility of either Parcel 2 or Parcel 3 gaining access along the northerly easement with Parcels 5 & 6 creating a three parcel standard and either Parcel 2 or Parcel 3 gaining access along the southerly edge with Parcels 4, 7 and the Remainder creating a four parcel standard.

Staff Comment:

Applicants have requested an exception to two of the elements for the northerly easement required in the Tulare County Improvement Standards 1) improvements to the surface of the PVAE; 2) driveway approach, which connects to Road 188, a County maintained right-of-way, stating the easement is currently of decomposed granite and request no further improvements (as is). Applicants are proposing easement width for a four parcel standard along the northerly easement of 26 feet (same as required). Applicants are requesting an exception for the southerly easement to all three elements required in the Tulare County Improvement Standards 1) easement width; 2) improvements to the surface of the PVAE; 3) driveway approach, which connects to Road 188 a County maintained right-of-way. Applicants propose an easement width of 26 feet required for a four parcel standard for the southerly easement but no further improvements (as is) stating the easement is currently decomposed granite.

4. **Preliminary Geological/Hydrological Report:** Waived by the Tulare County Planning Director upon recommendation of the Tulare County Health and Human Services Agency Environmental Health Department. All parcels are considerable in size and meet the minimum acreage for their zones. Therefore, the project does not require further delineation of geological/hydrological. Upon future subdivision a geological/hydrological report would be required.
5. **Final Map Waiver:** Not Applicable

III. ENVIRONMENTAL SETTING:

1. Topographical Features:

Slope: Topographical maps indicate the average slope on the site is 0 to 15%. (Exhibit No. A)

Water Courses: The Tulare Irrigation District Canal is 850 feet south and the St. Johns River is less than a mile to the south.

2. Flooding Potential:

FIRM Flood Hazard Map designation: Flood Zone C, not likely to flood.

State Reclamation Board Map designation: Not Applicable

3. Soils:

On site soil type:

Lassen stony sandy loam, San Joaquin sandy loam, San Joaquin clay loam, Centerville clay and Wutchumna-Rock outcrop association rated severe sewage disposal limitations, high shrink/swell potential.

Exeter loam rated severe sewage disposal limitations, moderate shrink/swell potential.

Grangeville sandy loam and Visalia sandy loam are rated moderate sewage disposal limitations, low shrink/swell potential.

Cajon fine sandy loam rated slight for sewage disposal, low shrink/swell potential.

Agricultural Capability Rating: Prime/Non-prime

4. Biotic Condition:

Habitat Community Type: Agricultural with scattered residential.

According to the National Diversity Data Base (NDDDB), there have been no sightings of any endangered, threatened, rare, candidate and special concern species in the area.

5. Water Table:

Highest recorded water table on-site: Approximately 30 and 40 feet according to the HHSA, Environmental Health Services Division.

6. **Agricultural Preserve Status:**

Site is located within Agricultural Preserve No. 1519. (See attached Agricultural Preserve Checklist, Attachment No. 2)

Compliance with Agricultural Preserve requirements: Yes

IV. **DESCRIPTION OF PROJECT PROPOSAL:**

1. **History:**

The subject site was created by deed prior to 1972. The AE-20, AE-40 and the AE-80 Zoning were applied to the site in 1977 with the adoption of the Rural Valley Lands Plan rezoning study.

2. **Vehicular Access:**

Direct access to Road 188, a 40-foot wide, County maintained right-of-way for Parcel 1. Ultimate right-of-way is 60-feet with improved width of 21.6 feet. Indirect access to Road 188 by means of a proposed 26' wide, 1,980-foot long private vehicular access easement (PVAE) for Parcels 5 & 6 across Parcels 1 & 2 of subject map. Also, indirect access to Road 188 by means of a proposed 26' wide, 2,640-foot long PVAE for Parcels 2, 3, 4, 7 & the Remainder across land within the subject site.

3. **Water Service:**

Existing individual domestic wells located on Parcels 1 and 4, proposed for Parcels 2, 3, 5, 6, 7 and the Remainder.

4. **Sewage Disposal Service:**

Existing individual sewage disposal system located on Parcel 4, proposed for Parcels 1, 2, 3, 5, 6, 7 and the Remainder.

5. **Agencies Notified:**

Replies Received (Date)

RMA Engineering, Flood, Traffic
HHS Environmental Health
Tulare County Fire Warden
City of Woodlake
Department of Fish and Game
Kaweah Delta Water Con. District
Natural Resources Conservation District

8-15-02 revised 9-19-02
7-23-02

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

VI. DETERMINATION:

A Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act of 1970, as amended, and approved by the Environmental Assessment Officer for public review indicating that the project will not have a significant effect on the environment.

VII. SUBSEQUENT ACTIONS:

1. Appeals:

The Site Plan Review Committee's decision for approval or denial of the Tentative Parcel Map is final unless the decision is appealed to the Board of Supervisors within ten (10) calendar days after the decision. Said appeal shall be in writing and shall specifically set forth the project case number and the reasons for the appeal and shall be accompanied by the appropriate appeals filing fee. The appeal letter should be sent to the Tulare County Board of Supervisors, 2800 West Burrel Avenue, Visalia, CA. 93291.

2. Fish and Game Fee:

State Department of Fish and Game Certificate of Fee Exemption has been approved for this project by the Environmental Assessment Officer, indicating the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code. As such, the Fish and Game Code requires the applicant pay to the Tulare County Clerk's office a \$45 document handling fee for the required filing of the Certificate of Fee Exemption. The fee shall be paid at the time the Tulare County Planning and Development Department files 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 \$45 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.

3. **Taxes:**

The final map or the resolution of the Site Plan Review Committee approving the tentative parcel map and waiving the requirement for the filing and approval of the final parcel map cannot be recorded to divide the property for which taxes or special assessments are due and payable and/or are delinquent. In such cases, the taxes or special assessments must be paid before the map or resolution can be recorded. In addition, please be advised that the Tulare County Subdivision Ordinance, pursuant to the State Map Act, prohibits the recording of the map or resolution until the applicant files with the County Tax Collector a security deposit for the payment of property taxes or special assessments which are not yet due and payable.

4. **School Impact Fees:**

The subject site is located within the Visalia Unified School District which have implemented developer's fees for all assessable space for new residences pursuant to Government Code Section 53080. These fees are required to be paid prior to the issuance of any permit for the construction of new or expanded residential structures. [Please contact the TCRMA-Permits Center or the applicable school district(s) for the most current school fee amounts.]

NOTICE: Pursuant to Government Code Section 66020(d)(1), this will serve to notify you that the 90-day approval period, in which you may protest to the school district the imposition of fees or other payment identified above, will begin to run from the date on which they are paid to the school district(s) or to another public entity authorized to collect them on the district(s) behalf, or on which the building or installation permit for this project is issued, whichever is earlier.

5. **Right to Farm Notice:**

In accordance with Section 7905(a) of the Tulare County Ordinance Code, and as a condition of approval of the parcel map, a Right to Farm Notice shall be placed on the face of the final map, or a separate sheet shall be signed by the vested owners of the property and shall be returned to be recorded with the resolution approving a waiver of final map. (Attachment No. 1)

VIII. RECOMMENDATIONS TO SITE PLAN REVIEW COMMITTEE:

The Agency Staff recommends as follows:

- A. That the Site Plan Review Committee find the project will not have a significant effect on the environment and certify that a **NEGATIVE DECLARATION** has been completed in compliance with the California Environmental Quality Act of 1970, as amended.

- B. That the Site Plan Review Committee deny the request for exception from Section 7-01-2230 (formerly 7103.4) which requires improvement to a 2 parcel standard serving Parcels 5 and 6 and improvement to a Class 1 road serving Parcels 2, 3, 4, 7 and the Remainder because the Ordinance requires the subdivider to pay the costs to improve a proposed PVAE that will serve as sole access to proposed parcels. Even though the proposed parcels are presently agricultural in nature, this does not prevent future residential development on these parcels. The cost will create a situation where the responsibility for the PVAE improvements would fall on the individual parcel owners as they develop each parcel. Also, determining what the applicable PVAE improvements for each individual building permit would be an inequitable process that must be re-evaluated with each building permit.
- C. That the Site Plan Review Committee deny the request for exception from Section 7-01-1280 (formerly 7021) which requires cul-de-sacs in non-mountainous areas shall not exceed 660 feet in length because at this time the possibilities of the northerly easement a 2, 3, or a 4 parcel standard and the southerly easement a Class 1, a 3, or a 4 parcel standard road.
- D. That the Site Plan Review Committee approve the tentative parcel map subject to the following conditions:
1. In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code, the content of the Right to Farm Notice (Attachment No. 1) shall be placed in a prominent location on the final map for acknowledgment by the subdivider; or, the Notice itself shall be signed by the subdivider and recorded as a separate sheet to accompany the final map.
 2. A soil report (foundation investigation) for the expansive properties of the building pads on Parcels 1, 2, 3, 7 and the Remainder shall be prepared by a person licensed to practice soil engineering and submitted to and approved by the Resource Management Agency prior to issuance of a building permit for any new main building.
 3. The Private Vehicular Access Easement (PVAE) serving Parcels 2, 3, 4, 7 and the Remainder shall be improved to a Class 1 road standard pursuant to Section 7-01-2230 of the Ordinance Code. A 56-foot wide easement with a 36-foot wide surface improved in accordance with Plate A-1 of the County Improvement Standards with a standard turnaround located on the Remainder and a standard drive approach connection to Road 188 is required. An encroachment permit shall be obtained from the Tulare County Resource Management Agency prior to any construction within County road right of way.
 4. The Private Vehicular Access Easement (PVAE) serving Parcels 5 and 6 shall be improved to a two-parcel standard pursuant to Section 7-01-2230 of the Ordinance Code. An 18-foot wide easement with a 16-foot wide surface improved in accordance with Plate A-17B of the County Improvement Standards with a standard turnaround located on Parcel 6 and standard drive approach connection to Road 188 is required. An encroachment permit shall be obtained from the Tulare county Resource Management Agency prior to any construction within County road right of way.

5. An improvement plan and profile shall be designed by a Registered Civil Engineer which details construction of the two PVAE's including curve radii, drainage facilities, and erosion control measures as needed. The parcel map shall not be recorded and no grading or construction of the PVAE shall commence until the plan has been approved by the Resource Management Agency.
6. The subdivider shall make necessary arrangements for the relocation of all overhead and underground public utility facilities that interfere with any improvement work required to be constructed within a County road right of way. The subdivider shall make arrangements with the serving public utility company for the cost of relocation of such facilities as no relocation costs will be borne by the County.
7. The improvement requirements, as identified in Conditions 3 & 4 above shall be noticed by certificate on the final map as either completed prior to the filing of the final parcel map, or within a reasonable time after approval of the final parcel map in accordance with an agreement executed with the County for such improvements pursuant to Ordinance Section 7-01-2440.

IX. CREDITS:

This report prepared by:

Susan Simon
 Susan Simon, Project Planner
 Current Planning Branch, Project Review Division

11-8-02
 Date

This report approved by:

for Mary E. Beattie
 Beverly Cates, Manager
 Current Planning Branch, Project Review Division

11-15-02
 Date

X. ATTACHMENTS:

- (x) Tentative Parcel Map**
- (x) Environmental Impacts Checklist**
- (x) Discussion of Environmental Effects**
- (x) Agricultural Preserve Checklist**
- (x) Maps**
- (x) Draft Resolution(s)**
- (x) Consulting Agency List**
- (x) Correspondence**

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 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.

Susan Simon
Signature

11-15-02
Date

Susan Simon
Printed Name

Project Planner
Title

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
--------------------------------------	---	------------------------------------	--------------

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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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: The proposed project is to divide 240 acres into 7 parcels and a remainder. No net change will occur in potential residential development of the parcels since the same amount of development (# of residences) could occur without the proposed division as ministerial actions. According to the Scenic Highways Element of the Tulare County General Plan, the subject site is not located adjacent to or near a designated Scenic Highway. The existing use on the project site is agriculture (citrus orchard), which is consistent with uses found on surrounding properties. The proposal will also not create significant additional lighting or glare. With potential development, new lighting/glare would be consistent with those found in the area with existing scattered rural residences. Further, with each parcel containing at least 20 acres, any glare onto surrounding properties and roadways would be minimized. Based on these analyses, potential impacts on the aesthetics of the project are considered to be less than significant.

2. AGRICULTURAL RESOURCES

- 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

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------	---	------------------------------	-----------

- agricultural land as defined in Section 51201(C) of the Govt. Code to non-agricultural use?
- b) Conflict with existing zoning for agriculture use, or a Williamson Act contract?
- 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?

Analysis: The project complies with the Uniform Rules of the Williamson Act (see Attachment No. 2, Agricultural Preserve Checklist), and will remain in agriculture as no new development is proposed at this time. Agricultural uses on the project site are more than 95%, resulting in no impact.

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?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 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)?
- d) Substantially alter air movement, moisture, or temperature, or cause any substantial change in climate?
- e) Expose sensitive receptors to substantial pollutant concentrations?
- f) Create objectionable odors affecting a substantial number of people?

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------------	---	------------------------------------	--------------

Analysis: The proposed project is to allow division of 240 acres into 7 parcels and a remainder parcel. Prior to this parcel map, the maximum potential number of residences (without special use permits) allowed by current zoning is 12 residences. This number will not be increased after the proposed division of land. Therefore, no increase in air quality impacts will be created by this project. However, based on the projection of 12 residences, daily traffic to and from the proposed site would be an estimated 120 maximum vehicle trips. The project was evaluated using the air quality emission thresholds set forth in the San Joaquin Valley Air Pollution Control District's (APCD) "Guide for Assessing and Mitigating Air Quality Impacts" (GAMAQI), and due to the small scale of the proposed use, it qualifies under the Guide's "Small Project Analysis Level" (SPAL). The SPAL threshold of significance for residential projects is 1,453 vehicle trips per day (January 2002 revision). Thus, the project's potential maximum of 120 vehicle trips per day falls substantially below the air quality threshold of significance. Further, potential dust created by construction of future residences on the site will be temporary, and all improvements will be subject to County standards for surfacing, grading, etc., which would further minimize air pollution. Therefore, potential impacts to air quality from the project are considered to be less than significant. Therefore, potential impacts to air quality from the project are considered to be less than significant.

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <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
--------------------------------	---	------------------------------	-----------

- 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: According to the Natural Diversity Data Base (NDDB), there have been no sightings of any endangered, threatened, rare, candidate and special concern species in the area. Further, the proposed division of land will not likely contribute to or cause any conflict with the existing biological resources in the area since the subject site has been agriculturally utilized for citrus orchards and scattered residences for many years, and the same uses are likely to continue after the division since the parcels are large and zoned for agricultural and related rural residential uses. Other land uses requiring special use permit approval could potentially be developed, but would require site-specific analysis at the time of proposal. Therefore, potential impacts to biological resources are considered to be less than significant.

5. CULTURAL RESOURCES

Would the project:

- a) Cause a substantial adverse change in the 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?

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------	---	------------------------------	-----------

- e) Disturb unique architectural features or the character of surrounding buildings?

Analysis: The project site contains agricultural land, which has been utilized for citrus orchards for many years. The surrounding area contains similar agricultural uses along with scattered residences. The project site is not located on or near any rivers, riparian habitat, or in an area which may suggest the existence of any prehistoric or historical archaeological resource.

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.
 - ii) Strong seismic ground shaking?
 - iii) Seismic related ground failure, including liquefaction?
 - iv) Landslides?
 - v) Subsidence?
- b) Result in substantial soil erosion, siltation, changes in topography, the loss of topsoil or unstable soil conditions from excavation, grading or fill?
- 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?
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------	---	------------------------------	-----------

- (1997), creating substantial risks to life or property?
- 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?
- f) Result in substantial soil degradation or contamination?

Analysis: According to the Seismic Safety Element of the Tulare County General Plan, the project site is not located on or near a known earthquake fault. On-site soils are ranked high for shrink-swell potential and ranked severe for septic absorption rate, however, a condition of approval will require an engineered sewage disposal plan approved by the County. Large-sized parcels containing a minimum of 20 acres will be created with this project, requiring development to be served by individual septic tank systems with leach lines based on County Subdivision Ordinance policies. All new sewage disposal systems will be subject to State and County health and building regulations. Therefore, potential impacts to soils is considered to be less than significant with the project.

7. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 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?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 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?

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------	---	------------------------------	-----------

- 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 the project area?
- 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?
- g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?
- 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 proposed project is to allow a division of 240 acres into 7 parcels and a remainder parcel. The project does not include any hazardous materials and according to the April 1998 State of California Hazardous Waste and Substances Sites List, the site is not an existing waste site, therefore, no impact will result from this project.

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

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------------	---	------------------------------------	--------------

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 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"/> |
| e) 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 checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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: According to FIRM Map (Community-Panel Number 065066 480, dated September 29, 1986), the subject site is within Flood Zone C and is not likely to flood; therefore, no avoidance measures are required. The project is to divide 240 acres into seven parcels and a remainder parcel. No new development is being proposed. Any future development must have an engineered sewage disposal plan approved by the County. No wastewater will be generated by the proposed project except that which will be handled by (engineered) sewage disposal systems required in conjunction with associated residences for Parcels 1, 2, 3, 7 and the Remainder. Thus, impacts to hydrology/drainage patterns from the project are considered to be

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------------	---	------------------------------------	--------------

less than significant.

9. LAND USE AND PLANNING

Would the project:

- a) Physically divide an established community?
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with 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 proposed property is zoned AE-20 (Exclusive Agricultural – 20 acre minimum), AE-40 (Exclusive Agricultural – 40 acre minimum) and AE-80 (Exclusive Agricultural – 80 acre minimum) and contains citrus orchards and 3 single-family residences, which are allowed for use by owners (and relatives) of the property. The proposed division will not change the land use. The proposed division of land meets minimum acreage requirements under zoning and the Rural Valley Lands Plan.

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 of the Tulare County General Plan, the site does not contain any of the mineral or natural resources referenced above, therefore no significant impact will be created by the proposed project.

11. NOISE

Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------	---	------------------------------	-----------

- the local general plan or noise ordinance, or applicable standards of other agencies?
-
- b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?
-
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
-
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
-
- 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?
-
- 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?
-

Analysis: The site is zoned for residential and agricultural uses, and the planned use of the project site will not change as a result of the proposed land division. The project is not located within any existing or projected noise source as identified in the 1988 Noise Element. Future development would create a temporary elevation in noise levels or ground-borne vibrations from construction, but would be subject to County building requirements and limited to daytime hours, thus, the proposed project will not create an increase in noise levels, therefore, no impacts will result from this project.

12. POPULATION AND HOUSING

Would the project:

- a) Cumulatively exceed official regional or local population projections?
-
- b) Substantially change the demographics in the area?
-
- c) Induce substantial population growth in an area, either directly (for example, by

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------	---	------------------------------	-----------

- 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 proposed division of land is designated for agricultural and residential uses and no new development potential is created by the division, therefore, resulting in no impact to population and housing.

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?
- e) Electrical power or natural gas?
- f) Communication?
- g) Other public or utility services?

Analysis: All of the Tulare County Fire, Safety, and other public services are sufficient to adequately serve the subject property and surrounding area. No letters from affected utility or public service agencies were received regarding difficulties to serve. No changes are proposed for the use of the property, therefore, no impacts will result from this project.

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------------	---	------------------------------------	--------------

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?
- 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?

Analysis: Based upon a survey of the site and a review of the Environmental Resources Management Element, the proposed project does not include any recreational uses nor will it increase the use of any existing recreational facilities within the surrounding areas.

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)?
- b) Exceed, either individually or cumulatively, a level of service standard established by the County Circulation Element?
- 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?
- 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?
- e) Result in inadequate emergency access?
- f) Result in inadequate parking capacity?

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------------	---	------------------------------------	--------------

- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
- h) Substantially accelerate physical deterioration of public and/or private roads?

Analysis: The project is zoned and designated for residential and agricultural uses. The proposed project is to divide a 240-acre parcel into 7 parcels and a remainder parcel. The planned use of the project site will not change and, therefore, no increased impacts to County roads will result from this project. The project will not exceed the 100 vehicles peak hour threshold to require a traffic study or traffic impact mitigation. The private roads have existed for over 20 years and will be improved to include two standard turnouts for emergency vehicle access under conditions of approval for the project. The turnouts will be subject to County Fire Department requirements.

16. UTILITIES AND SERVICE SYSTEMS

Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 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?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction that could cause significant environmental effects?
- 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?
- 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?

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
--------------------------------	---	------------------------------	-----------

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

Analysis: The proposed project is to allow a division of land. No development is proposed at this time. Any future development of the proposed parcels will require building permits, which will be reviewed and approved by County and State agencies prior to issuance. A condition of approval will require future sewage disposal systems be engineered and approved by the County's Environmental Health Department, therefore, there will be no impact.

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?
- b) Does the project have environmental impacts 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 "No Impact" are appropriate for the Mandatory Findings of Significance for this project. No "potentially significant impacts" were identified, and no potential "less than significant impacts" were identified that cannot be reduced to a level less than significant by application and enforcement of State standards and/or County ordinances and/or standard conditions of approval.

TO: CALIFORNIA DEPARTMENT
OF FISH AND GAME
Environmental Services
1416 Ninth Street, 12th Floor
Sacramento, CA 95814

FROM: TULARE COUNTY RESOURCE
MANAGEMENT AGENCY
Current Planning Division
5961 South Mooney Blvd.
Visalia, CA 93277-9394

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Responsible Agency Finding

PROJECT LOCATION/CASE FILE NO./APPLICANT:

Located on the west side of Road 188, 4,100 feet south of Avenue 336, southwest of Woodlake. Tentative Parcel Map No. PPM02-011 for William L. Cottle, P. O. Box, Exeter, CA 93221 (Agent: Forester, Weber & Associates, 1620 W. Mineral King Suite B., Visalia, CA 93291.

APN: 110-050-11 Section 4 South, Township 18 South, Range 26 East, M.D.B. & M., and
APN: 110-060-08 Section 9 South Township 18 South, Range 26 East, M.D.B.&M.

PROJECT DESCRIPTION AND ZONING:

Tentative Parcel Map for the division of 240 acres into 7 parcels and a remainder (Parcel 1, 2, 3, 4, 5 and 6 each contain 20 acres and are located in the AE-20 (Exclusive Agricultural-20 acre minimum) Zone. The proposed Remainder contains approximately 80 acres and is located in the AE-40 (Exclusive Agricultural-40 acre minimum) Zone. Proposed Parcel 7 contains 40 acres and is located in the AE-80 (Exclusive Agricultural-80 acre minimum) Zone.

FINDINGS OF EXEMPTION:

Proposed Parcels 1, 2, 4, 5, 7 and the Remainder contain citrus orchards. The surrounding area contains foothill agricultural and scattered residences. Proposed Parcel 3 is currently developed with 3 single-family residences, two sheds and citrus orchards and proposed Parcel 6 is undeveloped. No sensitive habitat type exists and, therefore, cannot be removed. A Negative Declaration has been prepared for this project and will be considered by the Site Plan Review Committee at a future public hearing.

CERTIFICATION:

I hereby certify that the public agency has made the above findings and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

I hereby certify that the action of this project is taken by a public agency acting in a Responsible Agency capacity as defined by Section 21069 of the Public Resources Code, and the filing of a Notice of Determination is exempt from filing fees in accordance with provisions of Section 711.4(g) of the Fish and Game Code.

Mary E. Beatie
Signature of Authorized Agency Official

TULARE COUNTY RESOURCE
MANAGEMENT AGENCY
Lead Agency

Mary E. Beatie, Environmental Assessment Coordinator
Name Printed and Title

Date

11-13-02

Susan Simon, Project Planner
Contact Person

N/A

Responsible Agency

FILE COPY

NOTICE OF COMPLETION

*State of California
Office of Planning and Research
P O Box 3044
Sacramento, CA 95812-3044*

Project Title: PPM 02-011, William L. Cottle

Project Location - Specific: West side of Road 188, 4,100 feet south of Avenue 336, southwest of Woodlake.

Section 4 & 9, Township 18 South, Range 26 East, MDB&M; APNs 110-050-11 & 110-060-08

Project Location - City: Woodlake

Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: Tentative Parcel Map for the division of 240 acres into 7 parcels and a remainder (Parcels 1, 2, 3, 4, 5 and g each contain 20 acres and are located in the AE-20 (Exclusive Agricultural-20 acre minimum) Zone. Proposed Parcel 7 contains 40 acres and is located in the AE-80 (Exclusive Agricultural-80 acre minimum) Zone. The proposed Remainder contains approximately 80 acres and is located in the AE-40 (Exclusive Agricultural-40 acre minimum) Zone.

Lead Agency: Tulare County Resource Management Agency **Division:** Current Planning

Address Where Copy of Environmental Document Is/Will Be Available: Tulare County Resource Management Agency, 5961 S. Mooney Blvd., Visalia CA 93277-9394

Review Period: 20 days

Contact Person: Susan Simon

Area Code / Phone / Extension: (559) 733-6291 ext. 4226

Notice of Completion and Environmental Document Transmittal Form

See NOTE below

SCH #

1. Project Title: Tentative Parcel Map PPM 02-011
2. Lead Agency: Tulare County Resource Management Agency
3a. Street Address: 5961 S. Mooney Blvd.
3c. County: Tulare

3. Contact Person: Susan Simon
3b. City: Visalia
3c. Phone: (559) 733-6291 ext. 4226.

3d. Zip: 93277-9394

Project Location:

4. County: Tulare
4a. City/Community: Ivanhoe
4b. Assessor's Parcel No.: 110-050-11 & 110-060-08
4c. Section 4 & 9 Twp. 18 S Range 26 E MDB&M
5a. Cross Streets: Road 188 and Avenue 336
5b. For Rural, Nearest Community: Ivanhoe
6. Within 2 miles: a. State Hwy: 216
b. Airports: Woodlake
c. Railways: N/A
d. Waterways: Tulare Irrigation Canal & St. Johns River

7. Document Type:

- 01. NOP
02. Early Cons.
03. Neg. Dec.
04. Draft EIR
05. CEQA Supplemental/Subsequent EIR
06. NOE
07. NOC
08. NOD
09. NEPA NOI
10. FONSI
11. Draft EIS
12. EA
13. OTHER Joint Document
14. Final Document
15. Other:

8. Local Action Type

- 01. General Plan Update
02. New Element
03. General Plan Amend.
04. Master Plan
05. Annexation
06. Specific Plan
07. Community Plan
08. Redevelopment
09. Rezone
10. Land Division (Subd., Parcel Map, Tract Map)
11. Use Permit
12. Waste Mgmt Plan
13. Cancel Ag Preserve
14. Other

9. Development Type

- 01. Residential: Units: Acres:
02. Office: Sq.ft.: Acres: Employees:
03. Shopping/Comm. Sq.ft.: Acres: Employees:
04. Industrial: Sq.ft.: Acres: Employees:
05. Water Facilities MGD:
06. Transportation Type:
07. Mining: Mineral:
08. Power: Type: Watts:
09. Waste Treatment: Type:
10. OCS Related
11. Other: Agricultural

10. Total Acres: 240

11. Total Jobs Created: N/A

12. Project Issues Discussed in Document

- 01. Aesthetic/Visual
02. Agricultural Land
03. Air Quality
04. Archaeological/Historic
05. Coastal Zone
06. Economic
07. Fire Hazard
08. Flooding/Drainage
09. Geologic/Seismic
10. Jobs/Housing Balance
11. Minerals
12. Noise
13. Public Services
14. Schools
15. Septic Systems
16. Sewer Capacity
17. Social
18. Soil Erosion
19. Solid Waste
20. Toxic/Hazardous
21. Traffic/Circulation
22. Vegetation
23. Water Quality
24. Water Supply
25. Wetland/Riparian
26. Wildlife
27. Growth Inducing
28. Incompat. Land Use
29. Cumulative Effects
30. Other:

13. Funding (approx.) Federal \$ 0 State \$ 0 Total \$ 0

14. Present Land Use and Zoning: Parcels 1, 2, 4 & 5 are Zoned AE-20 (Exclusive Agricultural-20 acre minimum) each containing citrus orchards. Parcel 3 is Zoned AE-20 (Exclusive Agricultural-20 acre minimum) is currently developed with 3 single-family residences, two sheds and a citrus orchard. Parcel 6 is Zoned AE-20 (Exclusive Agricultural-20 acre minimum-20 acres) is undeveloped. Parcel 7 is Zoned (AE-80 (Exclusive Agricultural-80 acre minimum) and contains a citrus orchard. The Remainder is Zoned AE-40 (Exclusive Agricultural-40 acre minimum) and contains citrus orchards.

15. Project Description: Tentative Parcel Map for the division of 240 acres into 7 parcels and a remainder (Parcels 1, 2, 3, 4, 5 and g each contain 20 acres and are located in the AE-20 (Exclusive Agricultural-20 acre minimum) Zone. Proposed Parcel 7 contains 40 acres and is located in the AE-80 (Exclusive Agricultural-80 acre minimum) Zone. The proposed Remainder contains approximately 80 acres and is located in the AE-40 (Exclusive Agricultural-40 acre minimum) Zone.

16. Signature of Lead Agency Representative:

Date: November 13, 2002

NOTE: Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. from a Notice of Preparation or previous draft document) please fill it in.

BEFORE THE SITE PLAN REVIEW COMMITTEE

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF TENTATIVE)

RESOLUTION NO. 02-092

PARCEL MAP NO. PPM 02-011)

Resolution of the Site Plan Review Committee of the County of Tulare conditionally approving Tentative Parcel Map No. PPM 02-011, submitted by William L. Cottle, P. O. Box 1012, Exeter, CA 93221 (agent: Forester, Weber & Associates, 1620 W. Mineral King Suite B, Visalia, CA 93291) for a division of 240 acres into 7 parcels and a Remainder (Parcel 1, 2, 3, 4, 5, and 6 = 20 acres, Parcel 7 = 40 acres and the Remainder = 80 acres) in the AE-20 (Exclusive Agricultural-20 acre minimum), AE-80 (Exclusive Agricultural-80 acre minimum), and AE-40 (Exclusive Agricultural-40 acre minimum) Zones located on the west side of Road 188, 4,100 feet south of Avenue 336, southwest of Woodlake.

WHEREAS, the Site Plan Review Committee has given public notice of the proposed tentative parcel map as provided in Section 7-01-2305 (formerly Section 7105.1b) of the Ordinance Code of Tulare County, and

WHEREAS, the Site Plan Review Committee considered the staff report and found the facts and findings contained therein to be essentially true and correct, and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meetings of the Site Plan Review Committee on December 20, 2002 and

WHEREAS, at that meeting of the Site Plan Review Committee, public testimony was received and recorded from Fred Weber (agent) Herman Cassaday and Michael R. McLean spoke in support of the proposal, and no one spoke in opposition to the proposal, and

WHEREAS, the Site Plan Review Committee reviewed said parcel map for conformity to the regulations contained in Sections 7-01-1000 to 7-01-2855 (formerly Sections 7000 to 7126) of the Ordinance Code of Tulare County.

NOW, THEREFORE, BE IT RESOLVED that this Committee hereby adopts the following findings with regard to this matter:

1. The Planning Director has waived the requirement for a preliminary geological-hydrological report pursuant to Section 7-01-2295 (formerly Section 7105.1) of the Ordinance Code.
2. The proposed tentative parcel map complies with all zoning regulations applicable to the subject property.

3. 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.
4. The inspection of the PVAE by Committee Member Mike Whitlock and Fred Weber, agent, determined that the existing width is adequate. With improvements for compaction, oil-penetration surfacing and drainage, the PVAE would adequately serve the maximum potential for the large parcels.
5. There are no roads that align with either PVAE to the east making it less likely to become a future roadway.
6. Evidence was presented at the public hearing that the subdivider agrees to construct the improvements as identified in Condition 3 hereinbelow, either prior to the filing of the final parcel map, or pursuant to an agreement as set forth in Section 7-01-2440 (formerly Section 7108) of the Ordinance Code.
7. The proposed tentative parcel map complies with all zoning regulations applicable to the subject property.
8. The Site Plan Review Committee, after consideration of all evidence presented, found that approval of said parcel map will promote the orderly growth of the unincorporated portions of the County and will assure the health, safety, and welfare of the people of the County.
9. The proposed tentative parcel map, together with the provisions for its design and improvements, is consistent with the Tulare County General Plan, as amended.

AND, BE IT RESOLVED THAT:

A. The Site Plan Review Committee hereby finds said parcel map will not have a significant effect on the environment and certifies that a Negative Declaration of said tentative parcel map 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, as amended, and that the Committee has reviewed and considered the information contained in the Negative Declaration prior to the approval of the project.

B. The Site Plan Review Committee hereby approves Tentative Parcel Map No. PPM 02-011 subject to the following conditions:

1. In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code, the content of the attached Right to Farm Notice shall be placed in a prominent location on the final map for acknowledgment by the subdivider; or, the Notice itself shall be signed by the subdivider and recorded as a separate sheet to accompany the final map.
2. A soil report (foundation investigation) for the expansive properties of the building pads on Parcels 1, 2, 3, 7 and the Remainder shall be prepared by a person licensed to practice soil engineering and submitted to and approved by the Resource Management Agency prior to issuance of a building permit for any new main building.
3. The existing 16-foot wide decomposed granite surfacing within the 26-foot wide Private Vehicular Access Easements (PVAE's) shall be improved (oil-penetration, compaction, cross-slope for drainage) in accordance Plate A-17B of the County Improvement Standards. A standard (Plate A-17 of said standards) drive approach connection to Road 188 is required for both the northern and southern PVAE's. An encroachment permit shall be obtained from the Tulare County Resource Management Agency prior to any construction within County road right of way.
4. A plan detailing the requirements of Condition 3 above shall be submitted to and approved by the Tulare County Resource Management Agency Engineering Branch.
5. The subdivider shall make necessary arrangements for the relocation of all overhead and underground public utility facilities that interfere with any improvement work required to be constructed within a County road right of way. The subdivider shall make arrangements with the serving public utility company for the cost of relocation of such facilities as no relocation costs will be borne by the County.
6. The improvement requirements, as identified in Condition 3 above shall be noticed by certificate on the final map as either completed prior to the filing of the final parcel map, or within one year after approval of the final parcel map in accordance with an agreement executed with the County for such improvements pursuant to Ordinance Section 7-01-2440.

The foregoing resolution was adopted upon motion of Committee Member Whitlock, seconded by Committee Member Cates, at a regular meeting of the Site Plan Review Committee on December 20, 2002 by the following roll call vote:

AYES: Whitlock, Cates, Geaney

NOES: None

ABSTAIN: None

ABSENT: None

SITE PLAN REVIEW COMMITTEE



Beverly Cates, Chairperson

NOTICE OF DETERMINATION

TO: Tulare County Clerk
Room 103, Courthouse
Visalia, CA 93291

FROM: Tulare Co. Site Plan Review Committee
5961 S. Mooney Blvd.
Visalia, CA 93277-9394

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resource Code.

Project Title/Case File No. PPM 02-011 – Applicant: William L. Cottle, P. O. Box 1012, Exeter, CA 93221

State Clearinghouse No. (if any):

Lead Agency: Tulare County Resource Management Agency /Site Plan Review Committee

Staff Contact Person: Susan Simon, Project Planner Telephone Number: 733-6291

Project Location: West side of Road 188, 4,100 feet south of Avenue 336, southwest of Woodlake.

Project Description: Tentative Parcel Map for the division of 240 acres into 7 parcels and a remainder. Parcel 1, 2, 3, 4, 5 and 6 each contain 20 acres and are located in the AE-20 (Exclusive Agricultural – 20 acre minimum) Zone, proposed Parcel 7 contains 40 acres and is located in the AE-80 (Exclusive Agricultural – 80 acre minimum) Zone, and the proposed remainder parcel contains approximately 80 acres and is located in the AE-40 (Exclusive Agricultural – 40 acre minimum) Zone.

This is to advise that the TULARE COUNTY SITE PLAN REVIEW COMMITTEE has approved the above described project on December 20, 2002, and has made the following determinations regarding the above described project:

- 1. The project () will (X) will not have a significant effect on the environment.
- 2. () An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
(X) A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The EIR or Negative Declaration and record of project approval may be examined at: 5961 S. Mooney Blvd., Visalia, California 93277

- 3. Mitigation measures () were (X) were not made a condition of the approval of the project.
- 4. A Statement of Overriding Considerations () was (X) was not adopted for the project.

By: Beverly Cates
Chairman, Tulare Co. Site Plan Review Committee

FILED
TULARE COUNTY

JAN 29 2003

GREGORY B. HARDCASTLE
ASSESSOR/CLERK RECORDER

BY: Gregory B. Hardcastle

00 (X)
3:17 de ()

COFE Attached
D.F. & G. Fees Req'd
() N.D.
() E.I.R.

Filed with the Tulare County Clerk on _____, 20____

TO: CALIFORNIA DEPARTMENT
OF FISH AND GAME
Environmental Services
1416 Ninth Street, 12th Floor
Sacramento, CA 95814

FROM: TULARE COUNTY RESOURCE
MANAGEMENT AGENCY
Current Planning Division
5961 South Mooney Blvd.
Visalia, CA 93277-9394

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Responsible Agency Finding

PROJECT LOCATION/CASE FILE NO/APPLICANT:

Located on the west side of Road 188, 4,100 feet south of Avenue 336, southwest of Woodlake. Tentative Parcel Map No. PPM02-011 for William L. Cottle, P. O. Box, Exeter, CA 93221 (Agent: Forester, Weber & Associates, 1620 W. Mineral King Suite B., Visalia, CA 93291.

APN: 110-050-11 Section 4 South, Township 18 South, Range 26 East, M.D.B. & M., and

APN: 110-060-08 Section 9 South Township 18 South, Range 26 East, M.D.B.&M.

PROJECT DESCRIPTION AND ZONING:

Tentative Parcel Map for the division of 240 acres into 7 parcels and a remainder (Parcel 1, 2, 3, 4, 5 and 6 each contain 20 acres and are located in the AE-20 (Exclusive Agricultural-20 acre minimum) Zone. The proposed Remainder contains approximately 80 acres and is located in the AE-40 (Exclusive Agricultural-40 acre minimum) Zone. Proposed Parcel 7 contains 40 acres and is located in the AE-80 (Exclusive Agricultural-80 acre minimum) Zone.

FINDINGS OF EXEMPTION:

Proposed Parcels 1, 2, 4, 5, 7 and the Remainder contain citrus orchards. The surrounding area contains foothill agricultural and scattered residences. Proposed Parcel 3 is currently developed with 3 single-family residences, two sheds and citrus orchards and proposed Parcel 6 is undeveloped. No sensitive habitat type exists and, therefore, cannot be removed. A Negative Declaration has been prepared for this project and will be considered by the Site Plan Review Committee at a future public hearing.

CERTIFICATION:

I hereby certify that the public agency has made the above findings and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

I hereby certify that the action of this project is taken by a public agency acting in a Responsible Agency capacity as defined by Section 21069 of the Public Resources Code, and the filing of a Notice of Determination is exempt from filing fees in accordance with provisions of Section 711.4(g) of the Fish and Game Code.

Mary E. Beatie
Signature of Authorized Agency Official

Mary E. Beatie, Environmental Assessment Coordinator
Name Printed and Title

11-13-02
Date

N/A
Responsible Agency

TULARE COUNTY RESOURCE
MANAGEMENT AGENCY
Lead Agency

Susan Simon, Project Planner
Contact Person

Attachment No. 7
Consulting Agency List and Correspondence



RESOURCE MANAGEMENT AGENCY

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

Britt L. Fussel Public Works
Roger Hunt Administration
Michael C. Spata. Planning

JAKE RAFFER, JR., DIRECTOR

ASSOCIATE DIRECTOR

July 22, 2013

PROJECT REVIEW - CONSULTATION NOTICE

To: Interested Agencies (see attached list)

From: Chuck Przybylski, Project Planner

Subject: Change of Zone - PZ 13-002, PZI 13-003 and PPM 13-025 for Herman Cassaday

The Tulare County Resource Management Agency, Development Services, has received an application for a Change of Zone Initiation (PZI 13-003), Change of Zone (PZ 13-002) and Parcel Map (PPM 13-025). The project is a Change of Zone from AE-80 (Exclusive Agriculture-80 acre minimum) to AE-20 (Exclusive Agriculture-20 acre minimum), and a division of land of a 39.66 acre parcel into two approximately 19.83 acre parcels on Assessors Parcel Number 110-050-026. The site is located near Venice Hill, east of the community of Ivanhoe, ½ mile west of Road 188 and one mile south of Ave. 336. The site is currently open space and approximately 5 acres of non producing navel oranges. The applicant intends to lease one parcel to a local farm to plant fruit trees (Avacodo or Cherry). The remaining parcel will be retained as a homesite. Please see applicants attached letter. A copy of the application package is attached for your information.

Please review this project 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. The following information checked below is also applicable for your consideration regarding this project:

(a) Please indicate in your response whether this department should prepare a Negative Declaration or Environmental Impact Report (EIR). In the event an EIR is prepared, I will be in further contact with you as to the scope and content of the environmental information pertinent to your agency's statutory responsibilities. Note that Public Resources Code Section 21080(c) requires substantial evidence in the record to show a significant effect on the environment. Any recommendation for preparation of an EIR requires submittal of such evidence with your comments. If there is no such evidence, a Negative Declaration may be prepared. Recommendations or suggestions for changes or mitigation measures requested by agencies having jurisdiction by law over natural resources affected by the project must be accompanied by a proposed reporting or monitoring program for those changes or measures in accordance with Public Resources Code Section 21081.6.

(b) The Tulare County Guidelines for Implementing the California Environmental Quality Act (CEQA), indicate this project to be Categorical Exempt and therefore, the preparation of an environmental document is not necessary. However, if your organization has substantial evidence that would indicate to the contrary, please explain.

Also, please forward any comments and/or recommendations you may have regarding the proposal to our office by **August 22, 2013**, so that they may be considered during the review process. **If you do not have any 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.

PROJECT NO: PZ 13-002, PZI 13-003 and PPM 13-025 Cassaday/Ivanhoe

CONSULTING AGENCY LIST

TULARE COUNTY AGENCIES	STATE AGENCIES
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> R.M.A. - Building Division <input checked="" type="checkbox"/> R.M.A. - Code Compliance Division <input checked="" type="checkbox"/> R.M.A. - Countywide Planning Division <input checked="" type="checkbox"/> R.M.A. - Community Dev./Redevelopment Division <input checked="" type="checkbox"/> R.M.A. - Engineering/Flood/Traffic/Subdivision Division <input type="checkbox"/> R.M.A. - Parks and Recreation Division <input type="checkbox"/> R.M.A. - Building Services Division <input type="checkbox"/> R.M.A. - General Services Division <input type="checkbox"/> R.M.A. - Transportation/Utilities Division <input checked="" type="checkbox"/> R.M.A. - Solid Waste Division <input checked="" type="checkbox"/> H.H.S.A. - Environmental Health Services Division <input type="checkbox"/> H.H.S.A. - HazMat Division <input checked="" type="checkbox"/> Tulare County Fire Department <input checked="" type="checkbox"/> Sheriff's Department: <ul style="list-style-type: none"> Visalia Headquarters Traver Substation Orosi Substation <input checked="" type="checkbox"/> Pixley Substation ** Porterville Substation <input type="checkbox"/> Agricultural Commissioner <input type="checkbox"/> Education Department <input type="checkbox"/> Airport Land Use Commission <input checked="" type="checkbox"/> Supervisor <u>District 4</u> <input type="checkbox"/> Assessor 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Dept. of Fish & Game Dist 4 <input type="checkbox"/> _____, DFG Area Biologist <input type="checkbox"/> Alcoholic Beverage Control <input type="checkbox"/> Housing & Community Development <input type="checkbox"/> Reclamation Board <input checked="" type="checkbox"/> Regional Water Quality Control Board - Dist. 5 <input checked="" type="checkbox"/> Caltrans Dist. 6 <input type="checkbox"/> Dept. of Water Resources <input type="checkbox"/> Water Resources Control Board <input type="checkbox"/> Public Utilities Commission <input checked="" type="checkbox"/> Dept. of Conservation <input type="checkbox"/> State Clearinghouse (15 copies) <input type="checkbox"/> Office of Historic Preservation <input type="checkbox"/> Dept. of Food & Agriculture <input type="checkbox"/> State Department of Health <input type="checkbox"/> State Lands Commission <input type="checkbox"/> State Treasury Dept. - Office of Permits Assist.
LOCAL AGENCIES	OTHER AGENCIES
<ul style="list-style-type: none"> <input type="checkbox"/> Levee Dist. No 1 <input type="checkbox"/> Levee Dist. No 2 <input type="checkbox"/> _____ Irrigation Dist <input type="checkbox"/> _____ Pub Utility Dist <input type="checkbox"/> _____ Comm. Service Dist <input type="checkbox"/> _____ Town Council <input type="checkbox"/> _____ Elem. School Dist <input type="checkbox"/> _____ School Dist <input type="checkbox"/> City of _____ <input type="checkbox"/> County of _____ <input type="checkbox"/> Deer Creek Storm Water District <input type="checkbox"/> _____ Advisory Council <input type="checkbox"/> _____ Fire District <input type="checkbox"/> _____ Mosquito Abatement <input type="checkbox"/> Kaweah Delta Water Cons. District <input checked="" type="checkbox"/> SJV Unified Air Pollution Control Dist 	<ul style="list-style-type: none"> <input type="checkbox"/> U.C. Cooperative Extension <input type="checkbox"/> Audubon Society - Condor Research <input type="checkbox"/> Native American Heritage Commission <input type="checkbox"/> District Archaeologist (Bakersfield) <input type="checkbox"/> TCAG (Tulare Co. Assoc. of Govts) <input type="checkbox"/> LAFCo (Local Agency Formation Comm.) <input type="checkbox"/> Pacific Bell <input type="checkbox"/> GTE (General Telephone) <input type="checkbox"/> P.G. & E. <input checked="" type="checkbox"/> Edison International <input checked="" type="checkbox"/> The Gas Company <input checked="" type="checkbox"/> Tulare County Farm Bureau <input type="checkbox"/> Archaeological Conservancy (Sacto) <input type="checkbox"/> Dept. of Social Services, Community Care Division <input checked="" type="checkbox"/> SBC @ P.O. Box 1419, Alhambra, CA 91802 <input type="checkbox"/> FAA
FEDERAL AGENCIES	
<ul style="list-style-type: none"> <input type="checkbox"/> Army Corps of Engineers <input type="checkbox"/> Fish & Wildlife <input type="checkbox"/> Bureau of Land Management <input type="checkbox"/> Natural Resources Conservation Dist. <input type="checkbox"/> Forest Service <input type="checkbox"/> National Park Service 	

Attachment No. 8
Location and Property Ownership Map for Hearing
Notification

Attachment No. 9
Public Hearing Notice

NOTICE OF PUBLIC HEARING AND AVAILABILITY
OF ENVIRONMENTAL DOCUMENTS

A **Categorical Exemption** for the **Zone Change** has been approved for public review by the Tulare County Environmental Assessment Officer. Copies are available for review and comment at the Resource Management Agency, Permit Center, 5961 South Mooney Blvd., Visalia, California 93277-9394. Comments and recommendations on the adequacy of the environmental document may be filed at the aforementioned address during the public review period established for each project.

2. **PROJECT:** Zone Change No. PZ 13-002
APPLICANT/AGENT: Herman Cassaday/Forester, Weber & Associates, LLC
LOCATION: near Venice Hill, 1/2 mile west of road 188, one mile south of Avenue 336, and two miles east of the community of Ivanhoe.
PROJECT DESCRIPTION: Addendum to a Negative Declaration for a Zone Change on approximately 39.66 acres to Assessors Parcel Number 110-050-026, changing the zoning designation from Exclusive Agriculture-80 acre minimum (AE-80) to Exclusive Agriculture-20 acre minimum (AE-20) Zone.
ENVIRONMENTAL DOCUMENT: Amendment to Negative Declaration
REVIEW PERIOD: 10 days until Monday, August 26, 2013 at 5:00 p.m.
PUBLIC HEARING: Planning Commission on Wednesday, August 28, 2013, at 9:00 a.m.

All meetings are held at the Board of Chambers, 2800 West Burrel Avenue, Visalia, California 93291

PLANNING COMMISSION meetings start at 9:00 a.m.

All interested parties are invited to attend and be heard. For further information regarding this project, please call (559) 624-7000 or for **environmental questions please, call Hector Guerra, Chief Environmental Planner at 624-7121.**

If you challenge the decision on any of the foregoing matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Tulare County Resource Management Agency, Planning Branch within the review period described herein.

In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 624-7000 48-hours in advance of the meeting.

MICHAEL C. SPATA, ENVIRONMENTAL ASSESSMENT OFFICER
HECTOR GUERRA, CHIEF ENVIRONMENTAL PLANNER

TO BE PUBLISHED ONCE ONLY ON: August 15, 2013

SEND BILL AND TEAR SHEET TO:
TUL CO RESOURCE MGMT.
5961 SOUTH MOONEY BLVD.
VISALIA, CA 93277-9394

SEND TO: Visalia Times Delta