



**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 13-004 Terra Bella Medical Clinic

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 13-004, from R-2 (Two Family Residential) to P-O (Professional Office) on approximately 21,000 square foot portion of Assessors Parcel Number (APN) 318-084-001, to construct a 4,212 square foot medical clinic located on the eastern edge the Road 238 and Magnolia Ave intersection within the community of Terra Bella.
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 Categorical Exemption pursuant to 14 California Code Regulations, Section 15303(c) (commercial buildings less than 10,000 square

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZ 13-004 Terra Bella Medical Clinic

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feet) prepared for the project is applicable to the Change of Zone, as being in compliance 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 the Categorical Exemption pursuant to 14 California Code Regulations, Section 15303(c) (commercial buildings less than 10,000 square feet) prepared for the project reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act of 1970.
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 has received a petition for a change of zone from Family HealthCare Network on approximately a 21,000 sq. ft. portion of Assessors Parcel Number 320-180-040; changing the zoning designation from Two Family Residential (R-2) to Professional Office (PO).

The applicant intends to construct a 4,212 sq. ft. medical clinic on a parcel owned by the Terra Bella Union Elementary School District. The Terra Bella community plan designates the entire parcel as Public/Quasi-Public (PQP) and it is zoned Two Family Residential, (R-2), in which schools are an allowed use.

The construction of a local medical clinic, however, would require a zone change to PO. No General Plan Amendment is required, as the medical clinic is consistent with the land use designation. The proposed zone change would bring the parcel into conformance with the Terra Bella General Plan Land use designation of the site.

The project site is currently leased to the Family HealthCare Network from the School District. The project is expected to operate Monday through Friday from 10

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a.m. to 7 p.m. and Saturday from 8 a.m. to 5 p.m. The project is expected to employ approximately 16 persons and serve approximately 45 customers per day.

Currently, persons from the community are required to commute to the City of Porterville for their medical needs. A medical clinic located in Terra Bella, serving the community and surrounding area, would reduce travel time, air emissions and costs for persons within the community.

ENVIRONMENTAL SUMMARY:

A Final Environmental Impact Report was certified by the County on December 4, 2002 (SCH# 2002071075) for the adoption of the Terra Bella/Ducor Community plan. The proposed project is within the Terra Bella Urban Development Boundary and is designated and zoned for urban uses. The site is currently developed as a school site and surrounded on three sides by urban development and would be considered an infill project. Notably, the proposed construction of the medical clinic building is less than 10,000 square feet and would be considered exempt pursuant to the 14 California Code Regulations Section 15303(c) (commercial buildings less than 10,000 square feet).

ENTITLEMENT(S):

The existing zoning is Two Family Residential Zone (R-2) and is intended for duplex dwelling units. Currently medical clinics are not an allowed use within the R-2 Zone. The request is to amend the current zone designation from R-2 to P-O to accommodate medical clinic facilities. The proposed medical clinic would be an allowed use within the P-O Zone.

The requested P-O zoning allows for professional office and commercial uses including medical and dental clinics (Tulare County Zoning Ordinance Section 8.1, page 1, Uses A. #3).

The Professional and Administrative Office Zone (P-O) allows any use permitted in the R-3 Multiple-Family Zone, sale of pharmaceuticals, medical and hygienic supplies and packaged confections, clinic, dental or medical offices, Business and Professional offices, Optometrist, Optician, incidental and accessory structures and uses located on the same site with and necessary for the operation of a permitted use.

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

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZ 13-004 Terra Bella Medical Clinic

DATE: September 10, 2013

and Procedures 391).

The site is located within the Urban Development Boundary (UDB) for the Community of Terra Bella and designated Public/Quasi Public (PQP). The General Plan Update 2030 provides a framework for development of unincorporated communities throughout the County. The Terra Bella Plan provides guidance to development within the Community.

The PQP designation allows schools, churches and other public uses. According to the Terra Bella Community Plan, the PQP designation is applied to those uses associated with a government function, public institution or other use which accommodates the needs of the general public. This includes local schools, post offices and churches. A community medical clinic would be considered a use which accommodates the needs of the general public and therefore, would be allowed within the PQP designation.

The proposed change in zone designation from R-2 to P-O is consistent with General Plan policy including the Terra Bella Community Plan policy.

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 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

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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 13-004 TERRA BELLA MEDICAL)
CLINIC)

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 13-004, from R-2 (Two Family Residential) to P-O (Professional Office) on approximately 21,000 square foot portion of Assessors Parcel Number (APN) 318-084-001, to construct a 4,212 square foot medical clinic located on the eastern edge the Road 238 and Magnolia Ave intersection within the community of Terra Bella.
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 13-004 TERRA BELLA MEDICAL)
CLINIC)

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 Categorical Exemption pursuant to 14 California Code Regulations, Section 15303(c) (commercial buildings less than 10,000 square feet) prepared for the project is applicable to the Change of Zone, as being in compliance 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 the Categorical Exemption pursuant to 14 California Code Regulations, Section 15303(c) (commercial buildings less than 10,000 square feet) prepared for the project

reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act of 1970.

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 13-004) RESOLUTION NO. Draft
TERRA BELLA HEALTH CLINIC)

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve a petition by Family HealthCare Network, 305 E. Center Avenue, Visalia, CA 93291 (Owner: Terra Bella Union Elementary School District, 9121 Road 240, Terra Bella, CA 93270), for a requested change of zone from the R-2 (Two Family Residential) Zone to the P-O (Professional Office) Zone, on 21,000 square foot parcel, located on the east side of Road 238 (3rd St.), approximately 330 feet north of Avenue 95 (Terra Bella Blvd.), in the community of Terra Bella.

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 Categorical Exemption that was prepared for the project and is applicable to the project site and the Change of Zone, together with any comments received during the public review process, in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970, prior to taking action on the 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 PZ 13-004 to reclassify a 21,000 square foot parcel located on the east side of Road 238 (3rd St.), approximately 330 feet north

of Avenue 95 (Terra Bella Blvd.), in the community of Terra Bella, from the R-2 Zone to the P-O Zone.

2. The subject parcel is presently zoned R-2 and contains school facilities. Surrounding properties are zoned R-2 and contain school facilities and residential uses.
3. The purpose of this application is to obtain the appropriate zoning consistent with the Terra Bella Community Plan and to allow the construction of a 4,212 square foot community Health Clinic.
4. The site is located inside the Urban Development Boundary (UDB) for the Community of Terra Bella and designated Public/Quasi Public (PQP). The PQP designation allows schools, churches and other public uses, including uses allowed in the P-O Zone.
5. The proposed change in zone designation from R-2 to P-O is consistent with General Plan policy including the Terra Bella Community Plan. This zone change would bring medical services to an area that is currently deficient in providing this service to the Community.
6. The site has direct access to Road 298, which is classified as a "local" road in the Terra Bella Community Plan, is County-maintained, with 33.5 foot wide asphalt composite (AC) pavement; 60 feet of existing and ultimate right of way. The Tulare County Building Line Setback Ordinance requires that all above and below ground facilities be constructed at least 50 feet from the centerline of Road 238.
7. The 22 on-site parking spaces exceeds the applicable minimum parking requirements, which is 17 (1 space per 250 sq. ft), set forth in the Tulare County Development Standards for commercial and industrial uses.
8. 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.

- D. This Planning Commission hereby recommends the following conditions:

Standard Conditions of Approval:

1. Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Planning Commission (Planning Commission Exhibit "A") and with the Site Plan Development Standards pertaining to a use of this type adopted by the Planning Commission on February 20, 1970.
2. Regardless of Condition No. 1 above, the Planning and Development Director is authorized to approve minor modifications in the approved plans upon a request by the applicant, or his successors as long as said modifications do not materially affect the determination of the Planning Commission. Such modifications shall be noted on the approved plans and shall be initialed by the Planning and Development Director.
3. All exterior lighting shall be so adjusted as to deflect direct rays away from public roadways and adjacent properties.
4. The proposed facility shall be maintained and operated in accordance with all State and County health regulations.
5. Any structures built shall conform to the building regulations and the building line setbacks of the Ordinance Code of Tulare County insofar as said regulations and setbacks are applicable to such structures.
6. If there are conditions set down herein which require construction of improvements, they shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Planning Commission may grant exceptions to this condition upon request by the applicant.
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 PZ 13-004: 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.”

Environmental Health Services Division Conditions of Approval

8. Domestic water services shall be provided by the Terra Bella Irrigation District and sewer services by the Terra Bella Sewer Maintenance District. A conditional “Will Serve” letter has been provided with the application. The applicant shall submit documentation indicating compliance with the Districts’ ordinance and conditions at the time of building permit.
9. The facility is subject to the California State Medical Waste Laws. The applicant shall secure a Medical Waste Facility permit with the Tulare County Environmental Health Services Division prior to commencement of the operation.

Planning Conditions of Approval:

10. All parking and internal circulation shall be designed so that vehicles enter and exit the site by moving forward. There shall be no maneuvering or backing onto the public right-of-way.
11. No parking shall be allowed along Road 238 or along the interior circulation areas.
12. Disposal of solid waste from the medical operation shall be managed in compliance with all State and County health requirements.
13. No landscape materials shall be used that constitute a threat to human safety, nor shall any landscape material be located in such a manner as to impair vision of motorists or endanger the lives and safety of pedestrians.
14. Landscaping shall be in conformance with Tulare County Water Efficient Landscaping Ordinance No. 3029 and in the event of conflict between the Landscaping Standards and the ordinance, the most restrictive regulation or standard shall apply.

AND, BE IT FURTHER RESOLVED as follows:

A. This Commission hereby recommends that the Board of Supervisors find there is no substantial evidence that said Change of Zone will have significant effect on the environment and determine that the proposed construction of the medical clinic building is less than 10,000 square feet and would be considered exempt per the California Environmental Quality Act Section 15303 (c). That the Categorical Exemption that was prepared for the current Change of Zone request reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970.

B. This Commission hereby recommends that the Board of Supervisors approve the Amendment to the Zoning Regulations Case No. PZ 13-004 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

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AYES:

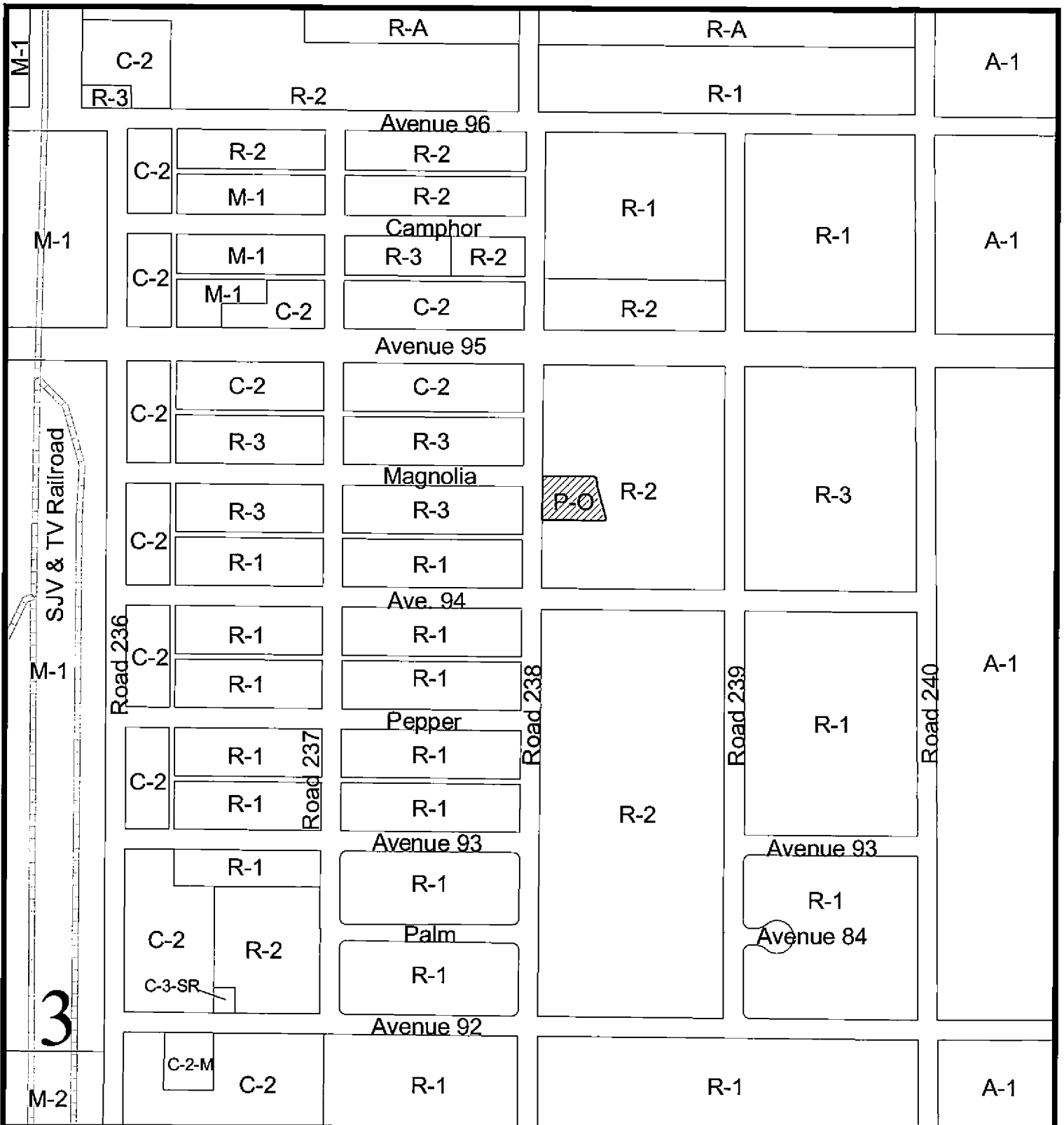
NOES:

ABSENT:

Chairman, Board of Supervisors

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

By: _____
Deputy



APN: 320-180-040
 Zone Change from R-2 to P-O
 (PZ 13-004)



ORDINANCE NO. _____
 AMENDING A PORTION OF PART 219
 NE 1/4 OF SEC. 3, T22S & T23S, R27EM.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 Whillatch
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 13-004	Agenda Date:	8/28/2013
Applicant: Family HealthCare Network	Agenda Item Number:	
Agent: BJ Perch Construction Inc.	AGENDA ITEM TYPE	
Subject: Petition for a change of zone on approximately 21,000 square feet of Assessor's Parcel Number 320-180-040; changing the zoning designation from Two Family Residential (R-2) to Professional Office (PO). Exceptions: N/A Waiver: N/A Environmental Review: A Categorical Exemption per 14 CCR Section 15303(c) (commercial building less than 10,000 square feet). Motion(s): One Motion Contact Person: Chuck Przybylski	Presentation	
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	X
	Continued Public Hearing	
	Discussion	
	ACTION REQUESTED	
	Resolution – Board of Supervisors	
	Resolution – Planning Commission	X
	Decision – Director	

RECOMMENDATIONS:

That the Planning Commission:

1. Hold a public hearing
2. Recommend approval of a Categorical Exemption pursuant to 14 California Code Regulations, Section 15303(c) (commercial buildings less than 10,000 square feet) prepared for the project and is applicable to the Change of Zone, as being in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines;
3. Recommend approval of PZ 13-004 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

SUBJECT: PZ 13-004 Family Healthcare Network/Terra Bella

DATE: August 28, 2013

PROJECT SUMMARY:

The Tulare County Resource Management Agency has received a petition for a change of zone from Family HealthCare Network on approximately a 21,000 sq. ft. portion of Assessors Parcel Number 320-180-040; changing the zoning designation from Two Family Residential (R-2) to Professional Office (PO).

The applicant intends to construct a 4,212 sq. ft. medical clinic on a parcel owned by the Terra Bella Union Elementary School District. The Terra Bella community plan designates the entire parcel as Public/Quasi-Public (PQP) and it is zoned Two Family Residential, (R-2), in which schools are an allowed use.

The construction of a local medical clinic, however, would require a zone change to PO. No General Plan Amendment is required, as the medical clinic is consistent with the land use designation. The proposed zone change would bring the parcel into conformance with the Terra Bella General Plan Land use designation of the site.

The project site is currently leased to the Family HealthCare Network from the School District. The project is expected to operate Monday through Friday from 10 a.m. to 7 p.m. and Saturday from 8 a.m. to 5 p.m. The project is expected to employ approximately 16 persons and serve approximately 45 customers per day.

Currently, persons from the community are required to commute to the City of Porterville for their medical needs. A medical clinic located in Terra Bella, serving the community and surrounding area, would reduce travel time, air emissions and costs for persons within the community.

ENVIRONMENTAL SUMMARY:

A Final Environmental Impact Report was certified by the County on December 4, 2002 (SCH# 2002071075) for the adoption of the Terra Bella/Ducor Community plan. The proposed project is within the Terra Bella Urban Development Boundary and is designated and zoned for urban uses. The site is currently developed as a school site and surrounded on three sides by urban development and would be considered an infill project. Notably, the proposed construction of the medical clinic building is less than 10,000 square feet and would be considered exempt pursuant to the 14 California Code Regulations Section 15303(c) (commercial buildings less than 10,000 square feet).

ENTITLEMENT(S):

The existing zoning is Two Family Residential Zone (R-2) and is intended for duplex dwelling units. Currently medical clinics are not an allowed use within the R-2 Zone. The request is to amend the current zone designation from R-2 to P-O to accommodate medical clinic facilities. The proposed medical clinic would be an allowed use within the P-O Zone.

The requested P-O zoning allows for professional office and commercial uses including medical and dental clinics (Tulare County Zoning Ordinance Section 8.1, page 1, Uses A. #3).

SUBJECT: PZ 13-004 Family Healthcare Network/Terra Bella
DATE: August 28, 2013

The Professional and Administrative Office Zone (P-O) allows any use permitted in the R-3 Multiple-Family Zone, sale of pharmaceuticals, medical and hygienic supplies and packaged confections, clinic, dental or medical offices, Business and Professional offices, Optometrist, Optician, incidental and accessory structures and uses located on the same site with and necessary for the operation of a permitted use.

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 site is located within the Urban Development Boundary (UDB) for the Community of Terra Bella and designated Public/Quasi Public (PQP). The General Plan Update 2030 provides a framework for development of unincorporated communities throughout the County. The Terra Bella Plan provides guidance to development within the Community.

The PQP designation allows schools, churches and other public uses. According to the Terra Bella Community Plan, the PQP designation is applied to those uses associated with a government function, public institution or other use which accommodates the needs of the general public. This includes local schools, post offices and churches. A community medical clinic would be considered a use which accommodates the needs of the general public and therefore, would be allowed within the PQP designation.

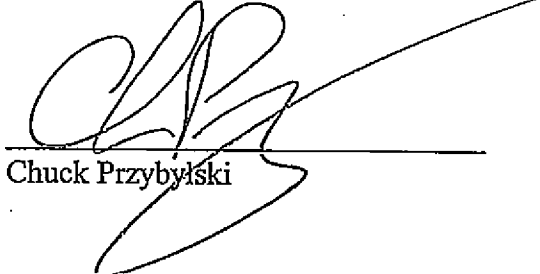
The proposed change in zone designation from R-2 to P-O is consistent with General Plan policy including the Terra Bella Community Plan policy.

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."

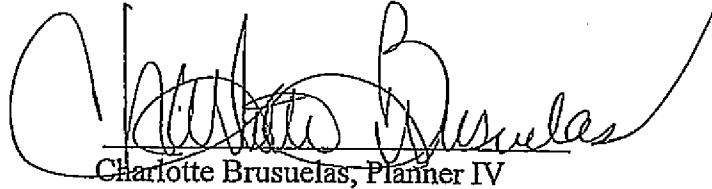
SUBJECT: PZ 13-004 Family Healthcare Network/Terra Bella
DATE: August 28, 2013

PROJECT PLANNER



Chuck Przybylski

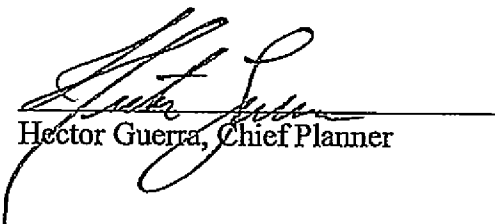
PROJECT REVIEW DIVISION



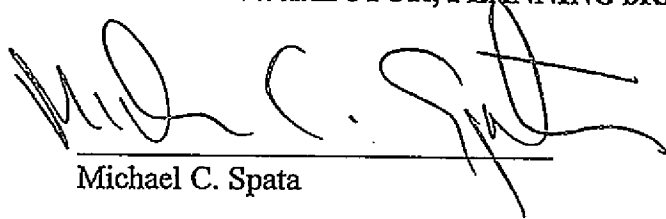
Charlotte Brusuelas, Planner IV

ENVIRONMENTAL PLANNING DIVISION

ASSISTANT DIRECTOR, PLANNING BRANCH



Hector Guerra, Chief Planner



Michael C. Spata

ATTACHMENTS:

- Attachment No. 1 – Resolution Recommending Approval of PZ 13-004
 - 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 – Family Health Care Network letter
- Attachment No. 5 – CEQA Exemption
- Attachment No. 6 – Consulting Agency List and Correspondence
- Attachment No. 7 – Location and Property Ownership Map for Hearing Notification
- Attachment No. 8 – Public Hearing Notice

Attachment No. 1
Resolution Recommending Approval of PZ 13-004

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE)
ZONING REGULATIONS, CASE NO. PZ 13-004) RESOLUTION NO. Draft
TERRA BELLA HEALTH CLINIC)

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve a petition by Family HealthCare Network, 305 E. Center Avenue, Visalia, CA 93291 (Owner: Terra Bella Union Elementary School District, 9121 Road 240, Terra Bella, CA 93270), for a requested change of zone from the R-2 (Two Family Residential) Zone to the P-O (Professional Office) Zone, on 21,000 square foot parcel, located on the east side of Road 238 (3rd St.), approximately 330 feet north of Avenue 95 (Terra Bella Blvd.), in the community of Terra Bella.

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 Categorical Exemption that was prepared for the project and is applicable to the project site and the Change of Zone, together with any comments received during the public review process, in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970, prior to taking action on the 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 PZ 13-004 to reclassify a 21,000 square foot parcel located on the east side of Road 238 (3rd St.), approximately 330 feet north

of Avenue 95 (Terra Bella Blvd.), in the community of Terra Bella, from the R-2 Zone to the P-O Zone.

2. The subject parcel is presently zoned R-2 and contains school facilities. Surrounding properties are zoned R-2 and contain school facilities and residential uses.
3. The purpose of this application is to obtain the appropriate zoning consistent with the Terra Bella Community Plan and to allow the construction of a 4,212 square foot community Health Clinic.
4. The site is located inside the Urban Development Boundary (UDB) for the Community of Terra Bella and designated Public/Quasi Public (PQP). The PQP designation allows schools, churches and other public uses, including uses allowed in the P-O Zone.
5. The proposed change in zone designation from R-2 to P-O is consistent with General Plan policy including the Terra Bella Community Plan. This zone change would bring medical services to an area that is currently deficient in providing this service to the Community.
6. The site has direct access to Road 298, which is classified as a "local" road in the Terra Bella Community Plan, is County-maintained, with 33.5 foot wide asphalt composite (AC) pavement; 60 feet of existing and ultimate right of way. The Tulare County Building Line Setback Ordinance requires that all above and below ground facilities be constructed at least 50 feet from the centerline of Road 238.
7. The 22 on-site parking spaces exceeds the applicable minimum parking requirements, which is 17 (1 space per 250 sq. ft), set forth in the Tulare County Development Standards for commercial and industrial uses.
8. 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.

- D. This Planning Commission hereby recommends the following conditions:

Standard Conditions of Approval:

1. Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Planning Commission (Planning Commission Exhibit "A") and with the Site Plan Development Standards pertaining to a use of this type adopted by the Planning Commission on February 20, 1970.
2. Regardless of Condition No. 1 above, the Planning and Development Director is authorized to approve minor modifications in the approved plans upon a request by the applicant, or his successors as long as said modifications do not materially affect the determination of the Planning Commission. Such modifications shall be noted on the approved plans and shall be initialed by the Planning and Development Director.
3. All exterior lighting shall be so adjusted as to deflect direct rays away from public roadways and adjacent properties.
4. The proposed facility shall be maintained and operated in accordance with all State and County health regulations.
5. Any structures built shall conform to the building regulations and the building line setbacks of the Ordinance Code of Tulare County insofar as said regulations and setbacks are applicable to such structures.
6. If there are conditions set down herein which require construction of improvements, they shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Planning Commission may grant exceptions to this condition upon request by the applicant.
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 PZ 13-004; 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.”

Environmental Health Services Division Conditions of Approval

8. Domestic water services shall be provided by the Terra Bella Irrigation District and sewer services by the Terra Bella Sewer Maintenance District. A conditional “Will Serve” letter has been provided with the application. The applicant shall submit documentation indicating compliance with the Districts’ ordinance and conditions at the time of building permit.
9. The facility is subject to the California State Medical Waste Laws. The applicant shall secure a Medical Waste Facility permit with the Tulare County Environmental Health Services Division prior to commencement of the operation.

Planning Conditions of Approval:

10. All parking and internal circulation shall be designed so that vehicles enter and exit the site by moving forward. There shall be no maneuvering or backing onto the public right-of-way.
11. No parking shall be allowed along Road 238 or along the interior circulation areas.
12. Disposal of solid waste from the medical operation shall be managed in compliance with all State and County health requirements.
13. No landscape materials shall be used that constitute a threat to human safety, nor shall any landscape material be located in such a manner as to impair vision of motorists or endanger the lives and safety of pedestrians.
14. Landscaping shall be in conformance with Tulare County Water Efficient Landscaping Ordinance No. 3029 and in the event of conflict between the Landscaping Standards and the ordinance, the most restrictive regulation or standard shall apply.

AND, BE IT FURTHER RESOLVED as follows:

A. This Commission hereby recommends that the Board of Supervisors find there is no substantial evidence that said Change of Zone will have significant effect on the environment and determine that the proposed construction of the medical clinic building is less than 10,000 square feet and would be considered exempt per the California Environmental Quality Act Section 15303 (c). That the Categorical Exemption that was prepared for the current Change of Zone request reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970.

B. This Commission hereby recommends that the Board of Supervisors approve the Amendment to the Zoning Regulations Case No. PZ 13-004 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

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AYES:

NOES:

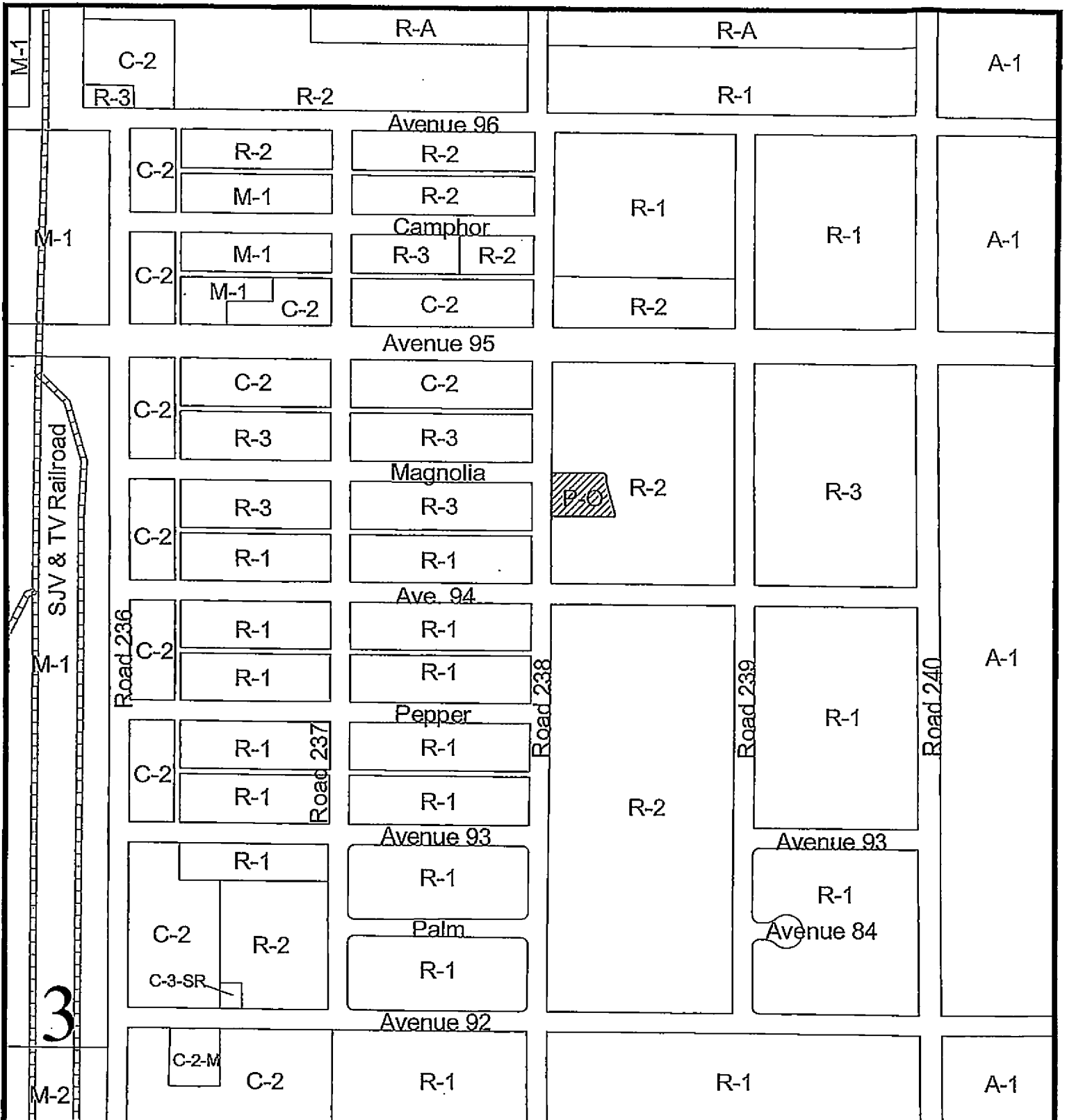
ABSENT:


Chairman, Board of Supervisors

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

By: _____
Deputy

Exhibit B
Draft Zoning Map



 APN: 320-180-040
 Zone Change from R-2 to P-O
 (PZ 13-004)



ORDINANCE NO. _____
 AMENDING A PORTION OF PART 219
 NE 1/4 OF SEC. 3, T22S & T23S, R27EM.D.B.& M.
 OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.
 TULARE COUNTY BOARD OF SUPERVISORS
 ADOPTED: / /



Exhibit C
Site Plan

Attachment No. 2
Planning Commission Staff Report

ATTACHMENT NO. 2

TULARE COUNTY RESOURCE MANAGEMENT AGENCY
- PLANNING BRANCH -
Staff Report
Zone Change No. PZ 13-004

I. GENERAL:

1. **Applicant:** Family HealthCare Network
Marisol A. de la Vega Cardoso
305 E. Center Ave
Visalia, CA 93291
2. **Owner** Terra Bella Union Elementary School District
9121 Road 240
Terra Bella, CA 93270
3. **Agent** BJ Perch Construction Inc.
BJ Perch
7034 W. Pershing Ct. Suite A
Visalia, CA 93291
4. **Requested Action:** The Tulare County Resource Management Agency, has received an application for a Change of Zone. The Zone Change, PZ 13-004 (Terra Bella Medical Clinic) is an application to change the zone on an approximately 21,000 sq. ft. of Assessors Parcel Number 320-180-040. The zoning designation would be changed from Two Family Residential Zone (R-2) to Professional Office (PO). The applicant intends to construct a 4,212 square foot medical clinic to serve the community.
5. **Location:** The site is located on the Terra Bella School District's playground field located on the eastern edge the Road 238 and Magnolia Ave intersection, between the Terra Bella Head Start buildings to the South and the First Presbyterian Church of Terra Bella to the North, within the Community of Terra Bella.

APN: 320-180-040

Section 3, Township 23 South, Range 27 East, MDB&M

II. PROJECT FACTS:

1. **General Plan Document:** December 12 2014: Terra Bella Community Plan
2. **Project Description** The Tulare County Resource Management Agency has received a request from Family HealthCare Network for a zoning amendment on

approximately a 21,000 sq. ft. portion of Assessors Parcel Number 320-180-040, changing the zoning designation from Two Family Residential (R-2) to Professional Office (PO).

The applicant intends to construct a 4,212 sq. ft. medical clinic on a parcel owned by the Terra Bella Union Elementary School District. The Terra Bella community plan designates the entire parcel as Public/Quasi-public and zoned Two Family Residential, (R-2), in which schools are an allowed use. The construction of a local medical clinic, however, would require a zone change to PO. No General Plan Amendment is required, as the medical clinic is consistent with the land use designation. The project site is currently leased to the Family HealthCare Network from the School District. The project is expected to operate Monday through Friday from 10 a.m. to 7 p.m. and Saturday from 8 a.m. to 5 p.m. The project is expected to employ approximately 16 persons and serve approximately 45 customers per day. Currently persons from the community are required to commute to the City of Porterville for their medical needs. A medical clinic located in Terra Bella, serving the community and surrounding area would reduce time and costs for persons within the community.

Parking: The Tulare County Developments Standards state that off-street parking areas shall be paved with asphalt, concrete or other approved material and maintained so as to eliminate dust or other approved material and maintained so as to eliminate dust or mud and shall be graded and drained as to dispose of all surface water.

Off-street parking requirements applicable to the project:

1. **Office Space (general – 1 space / 250 sq. ft.):**

(4,212± sq. ft. net floor area)

Off-street Parking Spaces Required

17
17

2. Parking space dimension requirements applicable to the project:

<u>Commercial District</u>		<u>Aisle Width</u>
<u>Width</u>	<u>Length</u>	90 deg.
9' 6"	19'	25'

In addition to the above requirements, for clinics if the gross floor area is less than 7,500 sq. ft. an off street parking area shall be provided which is equal to ½ of the gross floor area. (4,212/2=2,106 sq. ft. or greater parking area).

22 parking spaces will be provided on site for automobiles including two spaces for disabled persons. The automobile parking area will be surfaced with pavement and

constructed to County standards. 17 parking spaces with a space requirement greater than 2,106 sq ft. is required by the County Zoning Ordinance Section 15.A.2.

Signage: A monument sign is proposed to be erected at the entry Road 238. The proposed sign will comply with the Tulare County Zoning Ordinance Section 8.1 A. 16.

Fencing: Fencing currently exists to the north and east of the site. A chain link fence will be constructed on the southern side of the project.

Lighting: Overhead lighting will be installed in the parking area. Standard Conditions require lighting to be cast downward.

Landscaping: The proposal includes landscaping as shown on the site plan.

3. **Other Facts:**

a. **Fire Protection:** Tulare Co. Fire Dep't., Terra Bella Fire Station No. 21, approximately 1,000 feet to the northwest on Avenue 95.

b. **Police Protection:** Tulare Co. Sheriff's Dep't., Porterville Sub-Station.

c. **Sewer and Water Service:** According to the County of Tulare Terra Bella Sewer Maintenance District (conversation July 8, 2013), there is more than enough wastewater capacity to serve the project. The proposed site plan for the building permit will be required to show compliance with the Terra Bella Sewer Maintenance District ordinances. The Terra Bella Irrigation District provides water to Terra Bella and thus the project site. The applicant received a will serve letter from the District to provide water services to the project site.

III. **COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICIES:**

1. **Zoning and Land Use:**

Site – R-2: The site contains existing school facilities.

North – R-2: Church and single family residences.

East – R-2: Single family residences, agriculture, Dry Gulch.

West – R-2, R-1, C-2: Single family residences and some commercial uses.

South –R-2: Existing school facilities.

2. Zoning, Entitlement, and Other Ordinance Characteristics:

The existing zoning is Two Family Residential Zone (R-2) and is intended for duplex dwelling units. Currently medical clinics are not an allowed use within the R-2 Zone. The request is to amend the current zone designation from R-2 to P-O to accommodate medical clinic facilities. The proposed medical clinic would be an allowed use within the P-O Zone, subject to conditions of approval.

The requested P-O zoning allows for professional office and commercial uses including medical and dental clinics (Tulare County Zoning Ordinance Section 8.1, page 1, Uses A. #3).

The Professional and Administrative Office Zone (P-O) allows any use permitted in the R-3 Multiple-Family Zone, sale of pharmaceuticals, medical and hygienic supplies and packaged confections, clinic, dental or medical offices, Business and Professional offices, Optometrist, Optician, incidental and accessory structures and uses located on the same site with and necessary for the operation of a permitted use.

The Tulare County Building Line Setback Ordinance requires that all above and below ground facilities be constructed at least 50 feet from the centerline of the right-of-way of County Line Road.

3. Access/Circulation: Direct access to Road 238.

Road 238 is classified as a "Local" road. Local roads serve primarily to provide direct access to adjacent land and access higher order street systems, such as collectors.

The proposed Project would generate an average 62 trips per day. The medical center will operate Monday through Friday from 10 a.m. to 7 p.m. and on Saturday from 8 a.m. to 5 p.m. The project anticipates approximately 16 employees, 1 delivery and approximately 45 customers per day.

The Traffic Engineering Handbook states that the capacity of a two-lane rural highway ranges between 2,000 and 2,800 passenger cars per hour, total for both directions of flow. The General Plan does not list Road 238 as being deficient in level of service (LOS). The proposal's approximate AADTs would have a less than significant impact to the LOS of County Line Road.

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 site is located within the Urban Development Boundary (UDB) for the Community of Terra Bella and designated Public/Quasi Public (PQP). The General Plan Update 2030 provides a framework for development of unincorporated communities throughout the County. The Terra Bella Plan provides guidance to development within the Community.

The PQP designation allows schools, churches and other public uses. According to the Terra Bella Community Plan, the PQP designation is applied to those uses associated with a government function, public institution or other use which accommodates the needs of the general public. This includes local schools, post offices and churches. A community medical clinic would be considered a use which accommodates the needs of the general public and therefore, would be allowed within the PQP designation.

The proposed change in zone designation from R-2 to P-O is consistent with General Plan policy including the Terra Bella Community Plan policy. This development would bring medical services to an area that is already designated for urban development.

Land Use Chapter: The site is located within the Terra Bella Community Plan which designates the site as "Public-Quasi Public."

Environmental Resource Chapter: The Tulare County General Plan Environmental Resource Chapter designates the site as "Urban Expansion."

Planning Framework Chapter: The subject site is within the Terra Bella Urban 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 Earlimart Urban Development Boundary.

5. **Planning Commission Development Standards:**

The Tulare County Development Standards have been adopted by the Planning Commission and utilized by the Board of Supervisors as policy to guide the development of property in Tulare County and to provide safeguards for health,

safety and general welfare. For a use not specified, the same standards shall be provided as are required for the most similar specified use, as determined by the Director of the Tulare County Resource Management Agency-Development Services Division.

IV. ENVIRONMENTAL SETTING:

1. Topographical Setting:

Terrain is level, typical of most valley lands.

2. Flooding Potential:

The eastern portion of the site is located within the AE Flood Zone, Base Flood Elevation determined, according to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 069107C, Panel No. 1958E, dated June 16, 2009. Compliance with Tulare County Engineering standards for building within the AE zone would be complied with and building elevations are shown on the site plan. The remainder of the site is within Zone X.

3. Soils:

<u>Type</u>	<u>Capability Class</u>	<u>Shrink/Swell Potential</u>	<u>Septic Tank Absorption</u>	<u>Prime</u>
Honcut sandy loam 2-5%	2 (irrigated)	Low	Slight	Yes

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. Furthermore, the Environmental Impact Report (2003) prepared for the Terra Bella Community Plan indicates no sensitive wildlife or plant species have been reported to exist within or near the project area. It is unlikely the site is used as habitat or migration of species of concern.

According to the California Natural Diversity Data Base (CNDDDB), no species of concern were located on the subject site. The CNDDDB map does show a kit fox siting in 1975 along the railroad tracks approximately ¼ mile from the project site. However, there have been no sitings in the areas since. Furthermore, the project parcel and surrounding area is currently developed with urban uses. The project site is located on an existing school playground fields and the entire school site is fenced from the surrounding properties. The surrounding properties are developed as single family dwellings containing pets, such as dogs. The nearby land has been heavily impacted by agriculture and mortality to this species has

been documented from the conversion of habitat (O'Farrell et al. 1986) and agricultural land has been found to not be suitable habitat for kit fox (USFWS, 5 year Summary and Evaluation (2009)). In Tulare County most sightings in this area have not occurred since the early 1970's, indicating that even then the population was mostly migratory and sightings were likely when the species was foraging. This further shows that the potential for this species to den on this site is speculative, and besides the Pixley population, not likely to occur in Tulare County. Populations are noted to occur further to the south in Kern County but this area of Tulare County would be well out of their range. (USFWS, 5 year Summary and Evaluation (2009)).

San Joaquin kit foxes inhabit grasslands and scrublands, all of which have been extensively modified in this area. Types of modified habitats include...grazed annual grasslands. Oak woodland, alkali sink scrub land, and vernal pool and alkali meadow communities also provide habitat for kit foxes. Dens are scarce in areas such as this, where there is shallow soils because of the proximity to bedrock, high water tables, or impenetrable hardpan [or claypan] layers. Kit foxes are active year-round and are primarily nocturnal. No evidence of San Joaquin kit fox denning activity was found anywhere on the subject property. There was also no evidence of kit fox tracks or scat anywhere on the subject property.

Under Section 15145, Speculation, "if after a thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." See Section 21083, Public Resource Code, and *Toganga Beach Renters Association v. Department of General Services*, (1976) 58 Cal. App. 3d 712. Given, the above thorough investigation and noting that the chance of kit fox existing near the site is very low to impossible, any effect upon kit fox by this project is found to be so remote, as to be absolutely speculative under Section 15145 of the CEQA Guidelines. However, knowing that special status species are of particular concern to the California Department of Fish and Wildlife and the United States Fish and Wildlife Services, it is recommended to the applicant that they are aware of CDFW's and USFW's Recommendation for Protection of the San Joaquin Kit Fox (1999).

Even though no positive sign of San Joaquin kit fox have been observed, CDFG recommends that kit fox avoidance be performed prior to and during disturbance activities as a standard practice to help avoid or minimize impacts to this wide-ranging species. In the event that kit fox dens are established on the Project Site subsequent to this categorical exemption or during Project-related site preparation (staging) and development work (construction), then appropriate sections of USFWS's Standardized recommendations for Protection of the San Joaquin Kit Fox (1999) should be followed. This prudent course of action (this is the responsibility of the Applicant), routinely advocated by USFWS and CDFW, is recommended to avoid impacts to any kit foxes that might disperse onto the

Project Site and establish a den(s) between now and the commencement of site preparation (staging) and development work (construction).

5. **Water Table:** Approximately 210 feet, according to the Ground to Water Surface Contours – Spring 1995 map.
6. **Agricultural Preserves:** The subject site is not within an agricultural preserve.

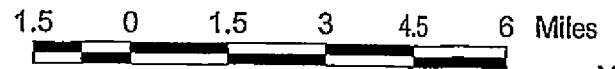
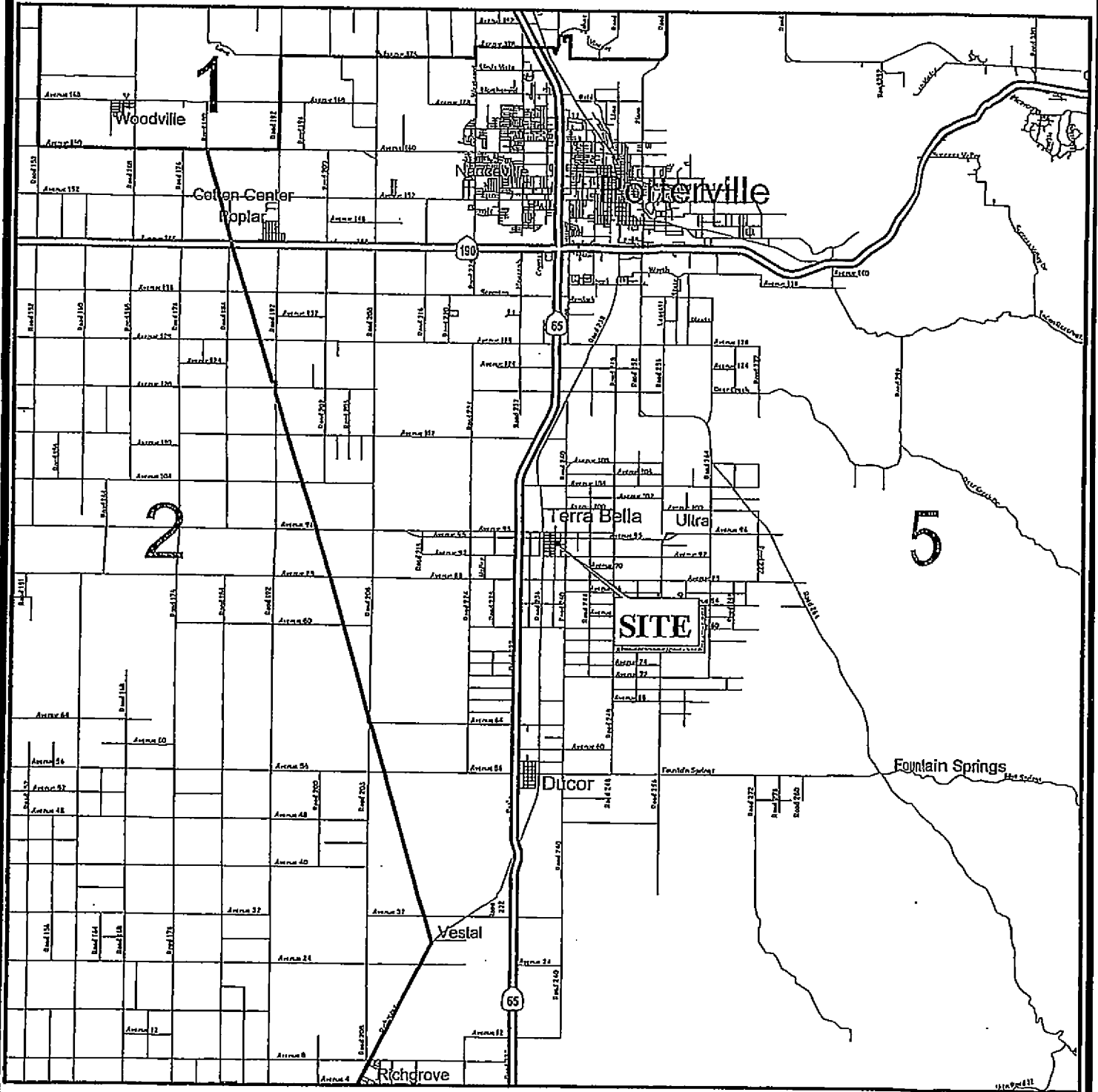
VI. **ENVIRONMENTAL DETERMINATION:**


An EIR was certified by the County for the adoption of the Terra Bella/Ducor Community plan. The proposed project is within the Terra Bella Urban Development Boundary and is designated and zoned for urban uses. The site is currently developed as a school site and surrounded on three sides by urban development and would be considered an infill project. Furthermore, the proposed construction of the medical clinic building is less than 10,000 square feet and would be considered exempt per the California Environmental Quality Act Section 15303 (c).

Attachment No. 3
Graphics



Vicinity Map for PZ 13-004

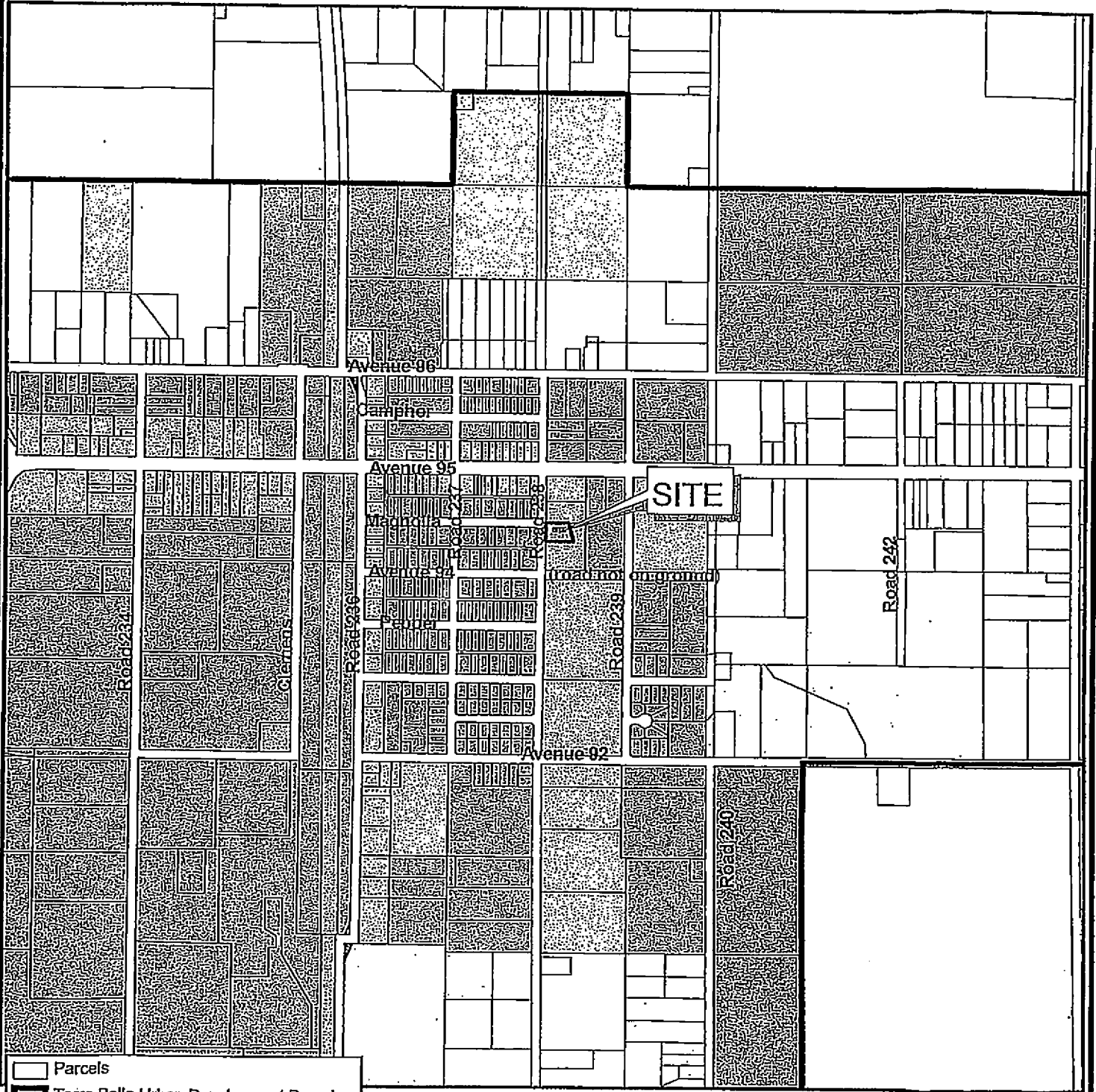


 Supervisorial Districts
Site is within District 5



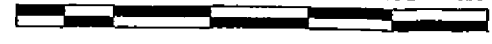


Terra Bella General Plan Map for PZ 13-004



	Parcels
	Terra Bella Urban Development Boundary
Land Use	
	Commercial
	Industrial
	Public/Quasi - Public
	San Joaquin Valley Railroad
	Residential (High Density)
	Residential (Low Density)
	Residential (Medium Density)

500 0 500 1000 1500 2000 Feet

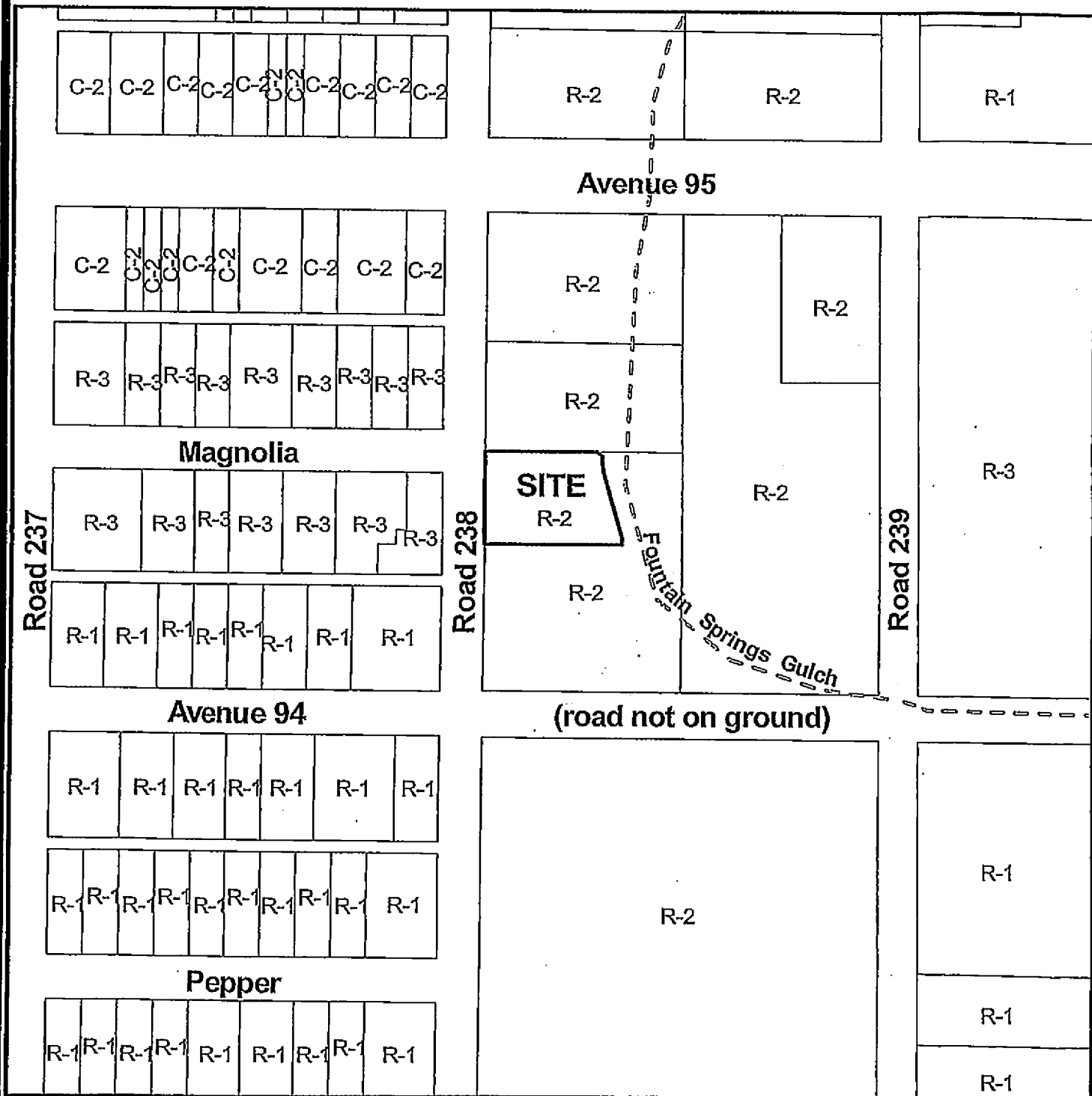


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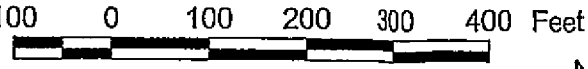




Existing Zoning Map for PZ 13-004

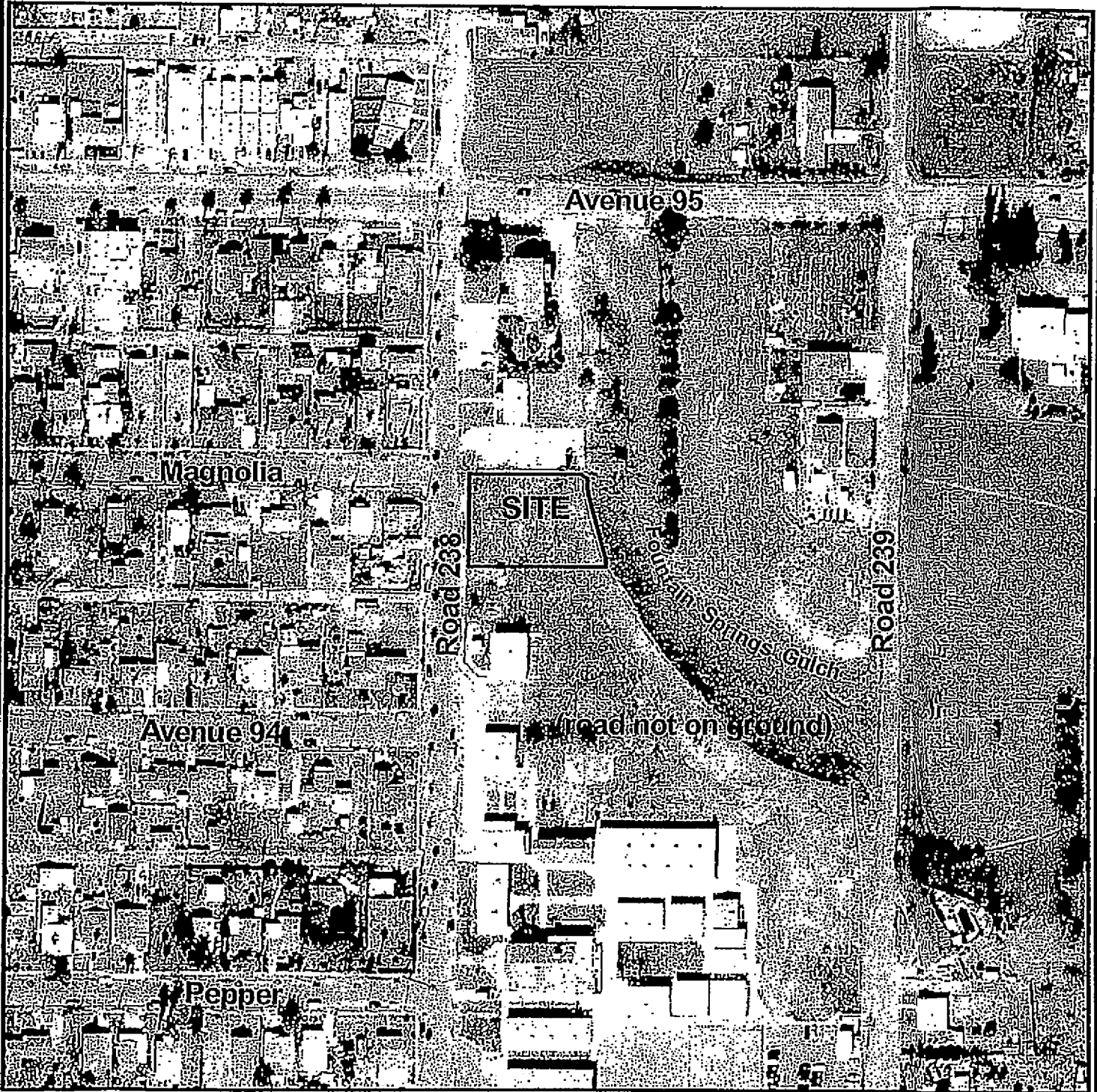


Owner: TERRA BELLA ELEM SCHOOL DISTRICT
 Address: 9121 RD 240
 City, State ZIP: TERRA BELLA CA 93270
 Applicant: Family Health Care Network
 Agent: BJ Perch Construction
 Supervisorial District # 5





Aerial Photograph for PZ 13-004

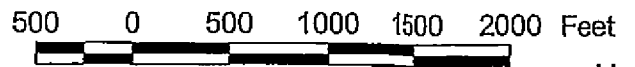
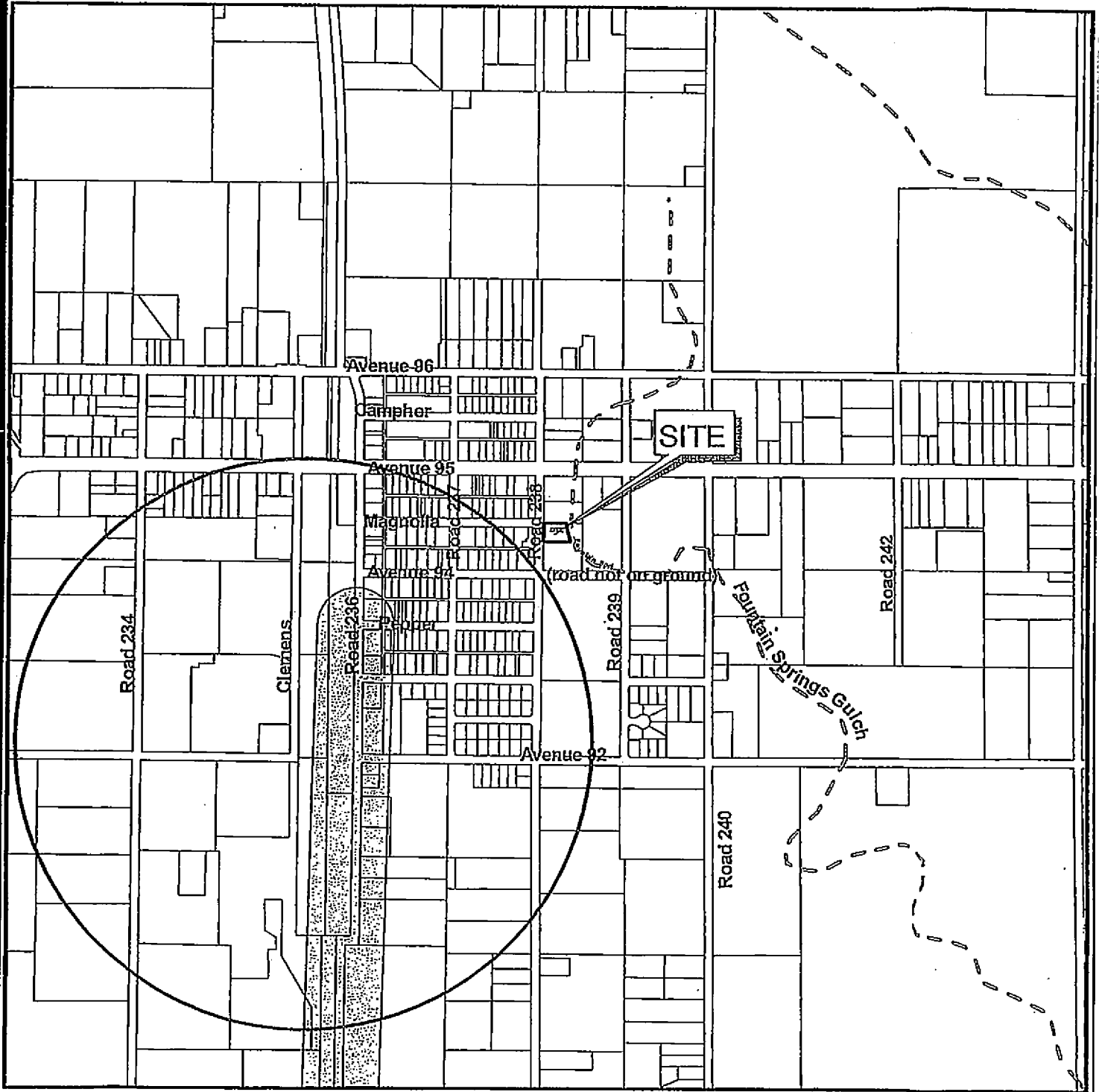




Owner: TERRA BELLA ELEM SCHOOL DISTRICT
Address: 9121 RD 240
City, State ZIP: TERRA BELLA CA 93270
Applicant: Family Health Care Network
Agent: BJ Perch Construction
Supervisorial District # 5





Species of Concern Map for PZ 13-004



- Species of Concern (CNDDDB)
-  San Joaquin adobe sunburst
 -  San Joaquin kit fox

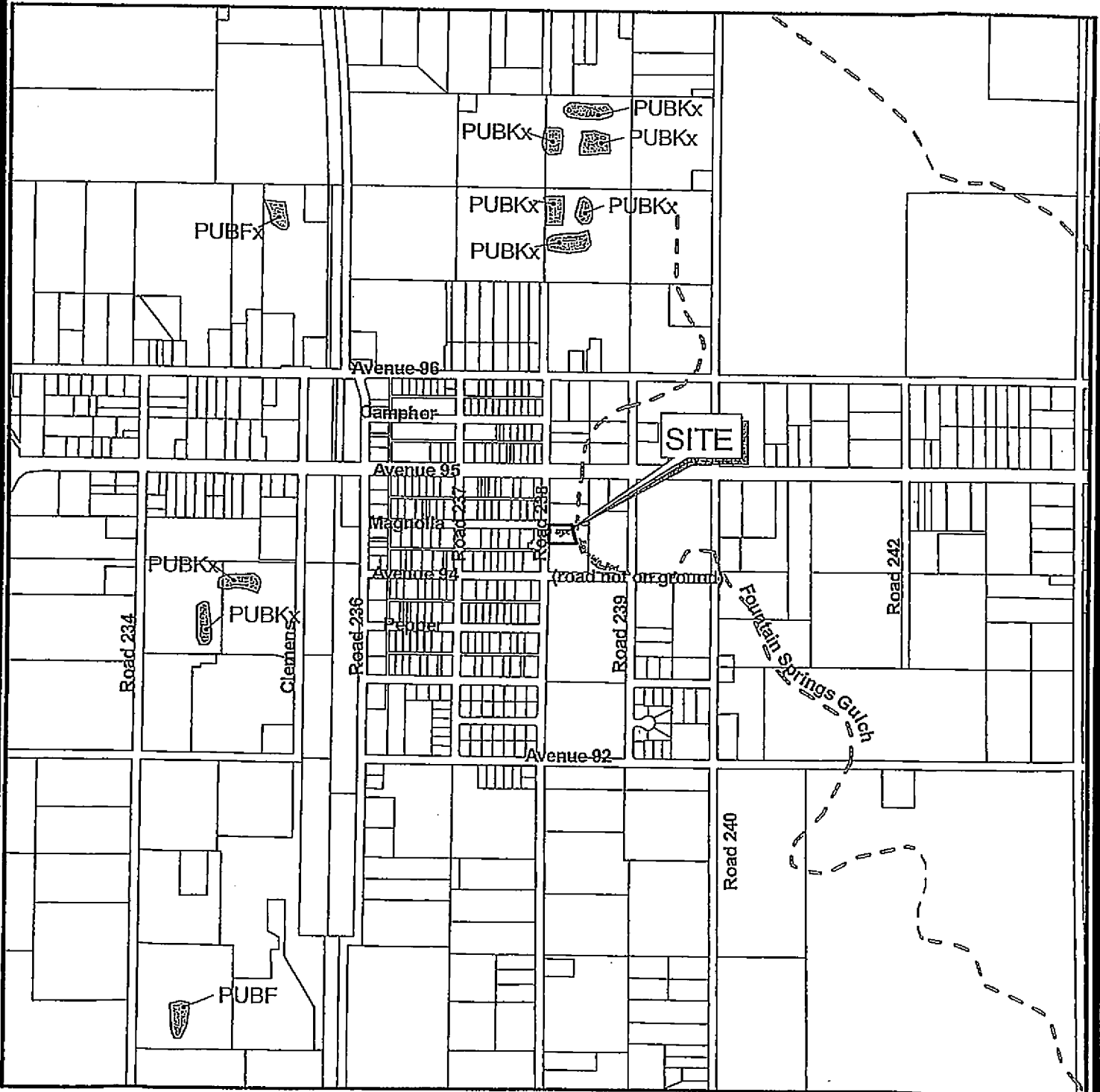
Source: July, 2007 California Natural Diversity Database





County of Tulare

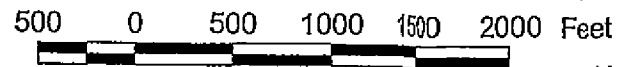




Wetlands Map for PZ 13-004



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

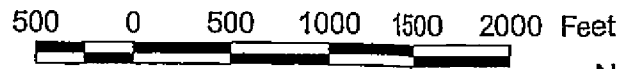
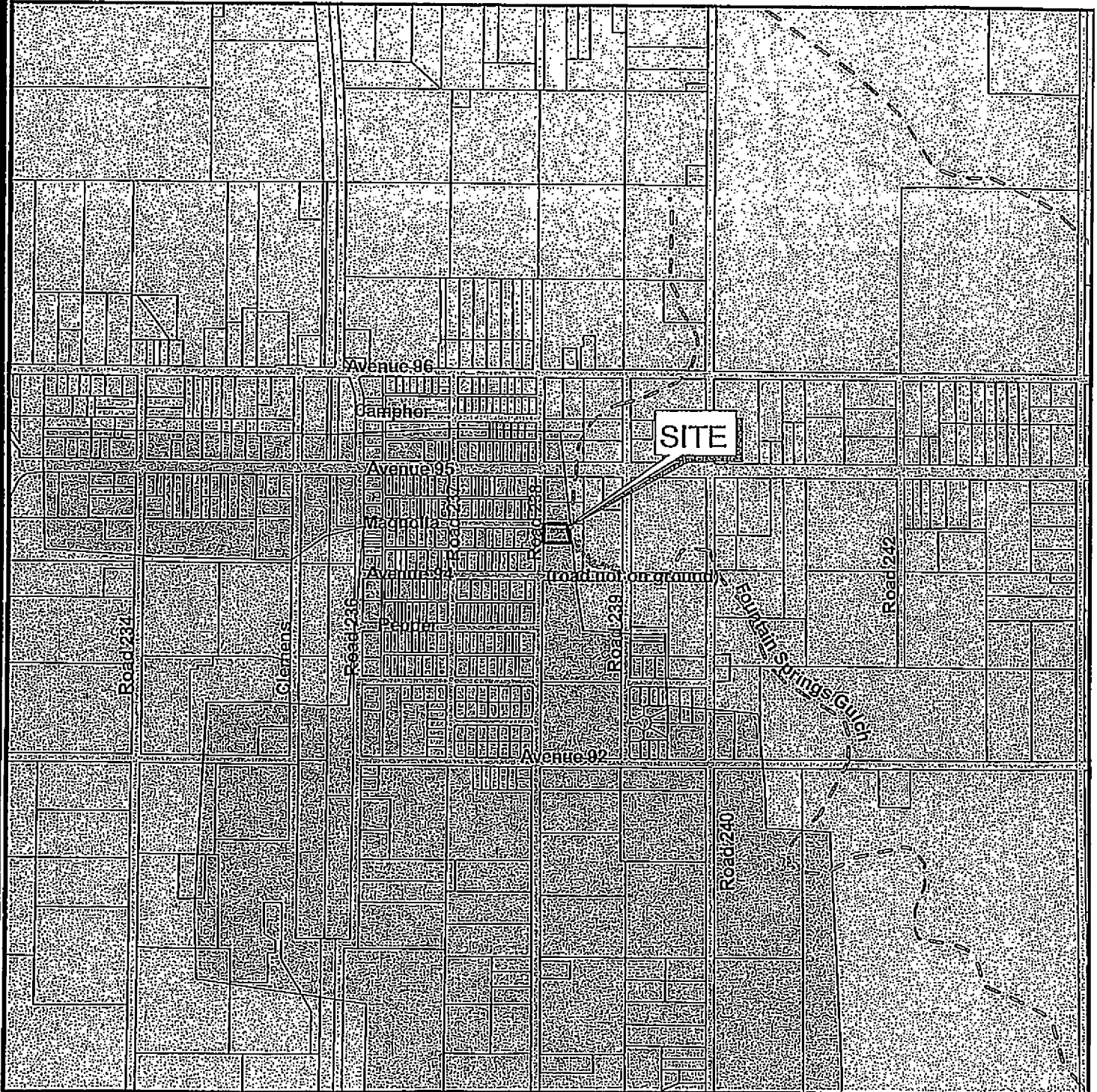


Source: U.S. Fish & Wildlife Service

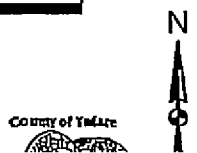




GAP Map for PZ 13-004

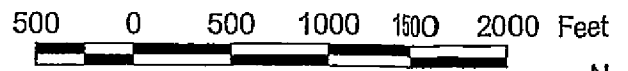
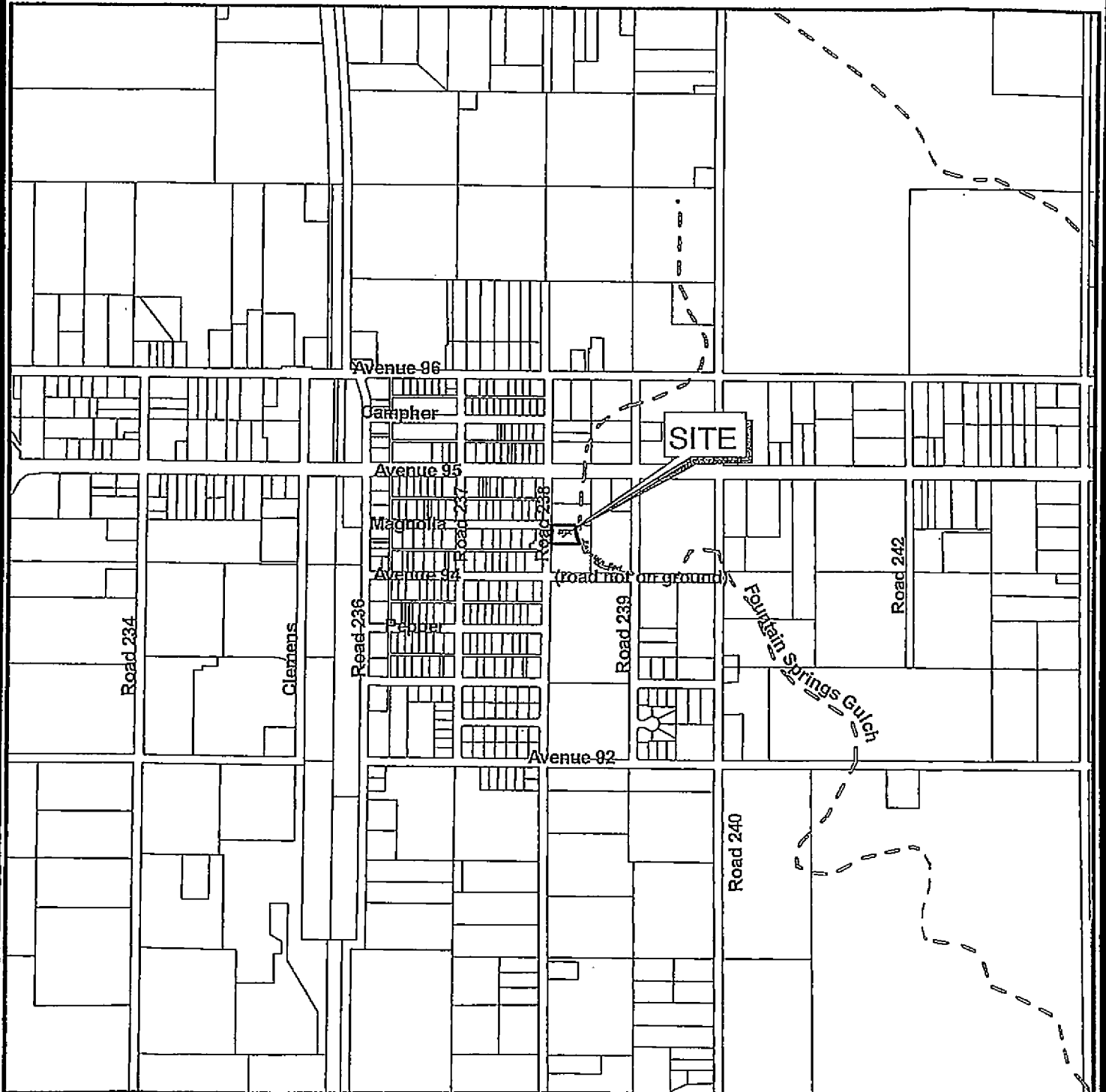


- GAP Analysis
- Cropland_and_Pasture
 - Orchards_Vineyards_Nurseries





Waterways Map for PZ 13-004



--- Waterways

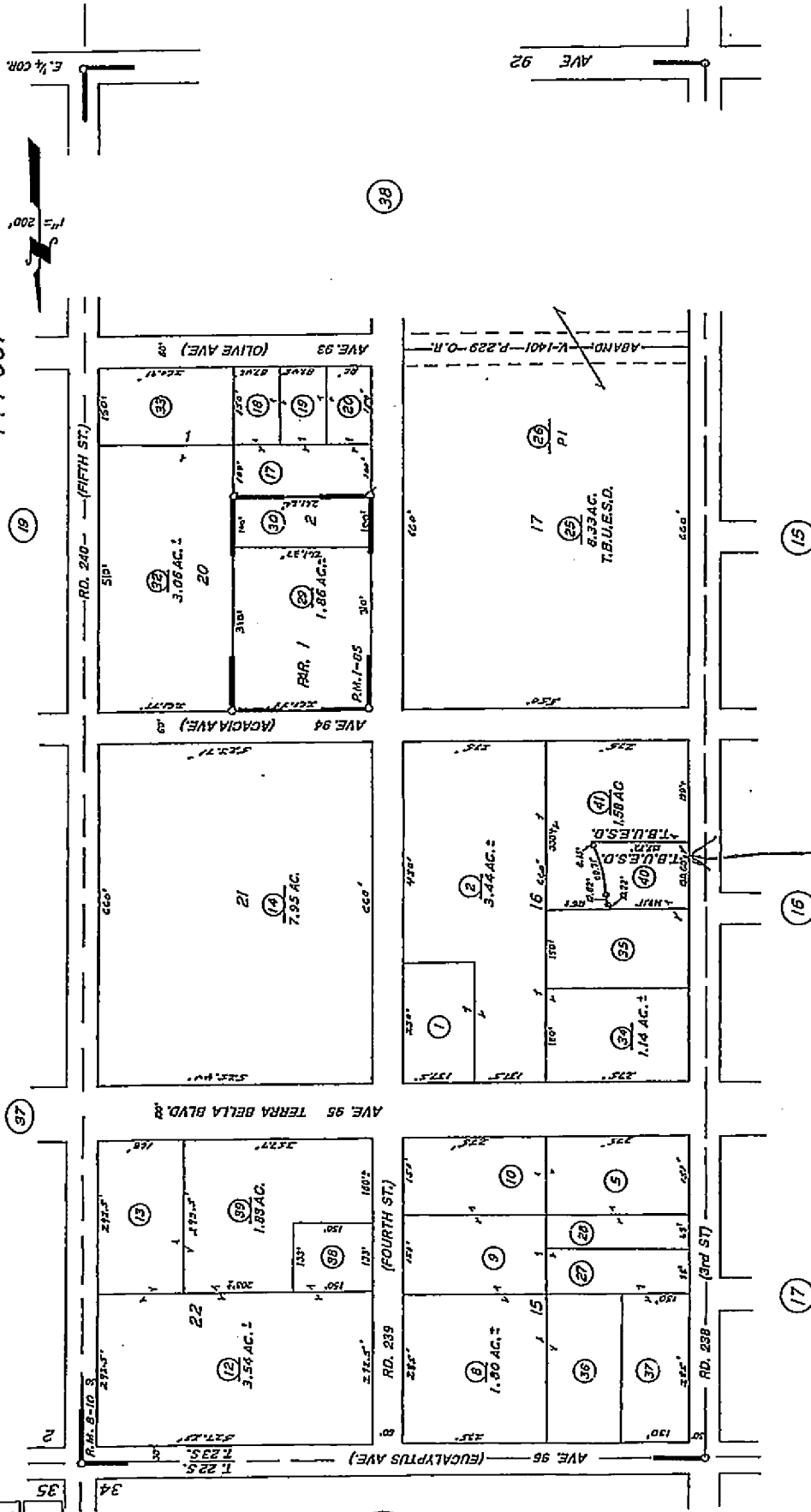


DISCLAIMER
 MAPS PREPARED FOR LOCAL
 PROPERTY ASSESSMENT PURPOSES
 ARE NOT TO BE USED FOR
 TITLE PURPOSES. THE PARCELS SHOWN
 HEREON ARE NOT TO BE CONSIDERED
 AS A GUARANTEE OF THE ACCURACY
 OF THE INFORMATION HEREON.
 REID: 04/25/2003
 SON: 208-0005510
 TECH: JRS

ELY. POR. OF NE 1/4 OF SEC. 3, T.23S., R.27E., M.D.B. & M.

TAX CODE AREA
 144-006 144-001
 144-007 144-002

320-18



VICINITY OF TERRA BELLA
 ASSESSOR'S MAPS BK. 320, PG. 18.
 COUNTY OF TULARE, CALIF.

NOTE -- ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES
 ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES

PARCEL MAP 85, R.M. 1-85
 POR. OF TERRA BELLA R.M. 8-10.

Attachment No. 4
Family HealthCare Network Letter

ABSTRACT

Project Title: New Access Point: Family HealthCare Network – Terra Bella
Applicant Name: Family HealthCare Network
Address: 305 East Center Avenue, Visalia, CA 93291
Project Director: Harry L. Foster, President and Chief Executive Officer
Contact Phone #: 559-737-4777 (Voice) 559-734-1247 (Fax)
E-Mail: hlfoster@fhcn.org **Web Site:** <http://www.fhcn.org>
Funding Requested: Section 330 CHC, MHC **Current Funding Received:** CHC, MHC, ARRA, ACA

Family HealthCare Network (FHCN) was formed in 1976 as a “Community Clinic” in Visalia in Tulare County, California. Its mission is “to provide quality health care to everyone in the communities we serve”. FHCN became a Federally-Qualified Health Center under Section 330 in 1984 and since then has added satellite clinics in Visalia (2), Porterville (2), Hanford, Cutler-Orosi, Farmersville, Goshen, Ivanhoe, Woodlake, Three Rivers, and Springville. FHCN is Joint Commission accredited and provides patient-centered services in the areas of family practice, internal medicine, OB/GYN, family planning, pediatrics, dentistry, integrated behavioral health, radiology, ultrasound, laboratory, complementary and alternative medicine, translation, transportation, health education and nutrition counseling. The majority of FHCN health centers have received NCQA accreditation as a Patient Centered Medical Home. In 2012, FHCN served as a “Health Home” for 112,664 patients providing 515,648 patient visits: 97% of patients lived at 200% of the Federal poverty level; 30% were uninsured, 54% were covered by Medi-Cal; 56% were farmworkers; 42% were best served in a language other than English.

FHCN is proposing to open a satellite site that will enable the corporation to better meet the rising health care needs of one of the fastest growing areas of California in Tulare County. The catchments area is a single census tract 45 which is designated as a Medically Underserved Area and Health Professional Shortage Area for Primary Care and Dental Care. The largest city within this census tract is the city of Terra Bella. As of the U.S. Census 2010, nearly seventy percent (67.52%) of this project’s service area residents lived at or below 200% FPL. Families in poverty frequently live in stressful environments, without the basic necessities and tend to have less access to health care. Diabetes, cardiovascular disease, asthma, adult and childhood obesity are some of the health problems facing the target population.

Unmet health care needs are expanding faster than organizational capacity. Not only is FHCN unable to keep up with demand, but other threats to survival include a sicker patient population and medical facilities that can no longer handle the volume of patients requesting service. Under this New Access Point funding opportunity, FHCN will open a new medical facility in CT 45 in order to meet the current and projected future needs of the growing target population. The new satellite site will have the capacity to support at least 3 FTE medical/dental providers and a comprehensive ancillary and enabling support team. This project addresses the goals of the Affordable Care Act by building the medical capacity of FHCN’s infrastructure to serve additional populations facing access barriers to health care. The project injects over a million dollars into the local economy, creates jobs in the construction and health care industry, improves the corporation’s health care delivery system and is consistent with FHCN’s mission to improve health outcomes and reduce health disparities for high risk groups, including special needs populations such as farmworkers who have been locked out of the “traditional” health care system. Moreover this project demonstrates FHCN’s commitment to proactively respond to the new health care landscape starting January 2014 when millions of Californians will obtain health coverage as a result of the Affordable Care Act — a historic increase in health care coverage.

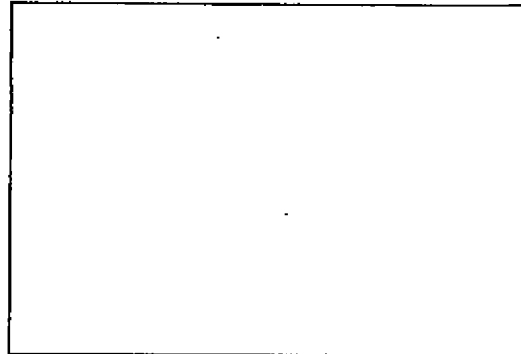
Attachment No. 5
CEQA Exemption

Notice of Exemption

Fee Exempt per Government Code Section 6301

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

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



Lead Agency: Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277

Applicant(s): Family HealthCare Network
305 E. Center Ave.
Visalia, CA 93291

Activity / Project Title: Zone Change No. PZ 13-004

Activity / Project Location – Road 238, approximately 330 feet south of Avenue 96

Activity / Project Location- Section, Township, Range: Section 3 Township 23 S. Range 27 E. , MDB & M

Activity / Project Location – City: Terra Bella

Activity / Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Activity / Project: The Tulare County Resource Management Agency has received a request from Family HealthCare Network for a zoning amendment on approximately a 21,000 sq. ft. portion of Assessors Parcel Number 320-180-040, changing the zoning designation from Two Family Residential (R-2) to Professional Office (PO).

The applicant intends to construct a 4,212 sq. ft. medical clinic on a parcel owned by the Terra Bella Union Elementary School District. The Terra Bella community plan designates the entire parcel as Public/Quasi-public and zoned Two Family Residential, (R-2), in which schools are an allowed use. The construction of a local medical clinic, however, would require a zone change to PO. No General Plan Amendment is required, as the medical clinic is consistent with the land use designation. The proposed zone change would bring the parcel into conformance with the Terra Bella General Plan Land use designation of the site. The project site is currently leased to the Family HealthCare Network from the School District. The project is expected to operate Monday through Friday from 10 a.m. to 7 p.m. and Saturday from 8 a.m. to 5 p.m. The project is expected to employ approximately 16 persons and serve approximately 45 customers per day. Currently persons from the community are required to commute to the City of Porterville for their medical needs. A medical clinic located in Terra Bella, serving the community and surrounding area would reduce time and costs for persons within the community.

Exempt Status:


- Ministerial (Sections 21080(b)(1); 15268);
- Declared Emergency (Sections 21080(b)(3);15269(a));
- Emergency Project (Sections 21080(b)(4);15269(b)(c));
- General Rule Exemption: State CEQA Guidelines Section 15061(b) (3);
- Categorical Exemption: State CEQA Guidelines Section 15303 (c) (Replacement or Reconstruction) (Class 3 Exemption);
- Statutory Exemptions:

Reasons why activity / project are exempt from CEQA: This is a Class 3 Categorical Exemption intended to construct a 4,212 sq ft medical clinic on existing school grounds within the urban area of Terra Bella. For further discussion, see attached Exhibit "A" made a part hereof


Name of Public Agency Approving Activity / Project: County of Tulare

Activity / Project Representative: Chuck Przybylski

Area Code/Telephone: (559) 624-7000

Signature:  Date: 8/6/13 Title: Planning Director/Environmental Assessment Officer

Michael C. Spata

Signature:  Date: 8/6/13 Title: Chief Environmental Planner

Hector Guerra

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

Date Sent to the Clerk of the Board:

CATEGORICAL EXEMPTION FORM

(Fee Exempt per Government Code Section 6301)

Project Name: Zone Change No. PZ 13-004 Family HealthCare/Terra Bella

NOTICE OF EXEMPTION

**ATTACHMENT A:
ENVIRONMENTAL CONSIDERATIONS**



DESCRIPTION OF PROJECT

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970 as defined in the State and County guidelines for the implementation of CEQA.

APN(s): 320-180-040

Case No.: Zone Change No. PZ 13-004

Location: Terra Bella

Project Title: Terra Bella Medical Clinic

Project Description: The Tulare County Resource Management Agency has received a request from Family HealthCare Network for a zoning amendment on approximately a 21,000 sq. ft. portion of Assessors Parcel Number 320-180-040, changing the zoning designation from Two Family Residential (R-2) to Professional Office (PO).

The applicant intends to construct a 4,212 sq. ft. medical clinic on a parcel owned by the Terra Bella Union Elementary School District. The Terra Bella community plan designates the entire parcel as Public/Quasi-public and zoned Two Family Residential, (R-2), in which schools are an allowed use. The construction of a local medical clinic, however, would require a zone change to PO. No General Plan Amendment is required, as the medical clinic is consistent with the land use designation. The project site is currently leased to the Family HealthCare Network from the School District. The project is expected to operate Monday through Friday from 10 a.m. to 7 p.m. and Saturday from 8 a.m. to 5 p.m. The project is expected to employ approximately 16 persons and serve approximately 45 customers per day. Currently persons from the community are required to commute to the City of Porterville for their medical needs. A medical clinic located in Terra Bella, serving the community and surrounding area would reduce time and costs for persons within the community.

REASON PROJECT IS EXEMPT

Exempt Status: (check one and describe in Section 1) below)

- Ministerial
- Statutory
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect Section 15061 (b) (3)

1) Exemption Section Citation (See Addendums and CEQA guidelines for additional information)

Section 15303 (c). New Construction or Conversion of Small Structures: Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

(c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

2) Reasons to support exemption findings (apply the below basic language to the facts in the application).

Pursuant to *Section PRC 15060 of the Public Resource Code*, Tulare County during and immediately after reviewing the application made a determination if CEQA applied to this project, or not. Planning Staff under *Section 16061 of Public Resource Code*, on August 1, 2013 determined the project is exempt from CEQA under 15303 (c). Further, the project would not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Planning staff in their analysis found no substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which impact the environment. Therefore, no further environmental review is required.

EXCEPTIONS TO CATEGORICAL EXEMPTIONS

The following list of *exceptions to exemptions* is to be conducted during the preliminary CEQA analysis. The analysis will look at the following **Exceptions to Categorical Exemptions (a-f)**, under CEQA. The *exceptions* and our determination of their impact to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:¹

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment *may* in a particularly sensitive environment be significant. If in one of these classes, the scrutiny is increased for exempting the project under CEQA.

The project site is located within an urban area and located within the Terra Bella Urban Development Boundary. Development of this site was examined within the Terra Bella Community Plan EIR. The site is currently developed as a school playground.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The project will develop a 4,212 square foot portion of a 21,000 square foot site on an existing developed lot. Development of this site was examined within the Terra Bella Community Plan EIR. The site is currently developed as a school playground.

(c) Significant Effect. A categorical exemption shall not be used for an activity where *there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The project will develop a 4,212 square foot portion of a 21,000 square foot site on an existing developed lot. The establishment of a medical clinic will provide an essential service to the Community. Development of this site was examined within the Terra Bella Community Plan EIR

(d) Scenic Highways. A categorical exemption shall not be used for a project which *may* result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. *This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.*

The project is located in the community of Terra Bella and according to the Tulare County General Plan Update and Terra Bella Community Plan it is not located near a designated scenic highway or any scenic resources.

(e) Hazardous Waste Sites. See list compiled pursuant to Section 65962.5 of the Government Code. <http://www.envirostor.dtsc.ca.gov/public/>

The aforementioned website was accessed on July 26, 2013 and the project site is not located on or near a listed hazardous waste site.

Preliminary Analysis Discussion Item	Discussion of Reasons to Support Finding of Exemption
Aesthetics	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the aesthetics of the area. The subject site is located within an Urban Boundary, designated and zoned for urban uses, and currently exists as a school facility. Furthermore, 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 cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the agricultural resources of the area. Based on a search of Department of Conservation, Farmland Mapping and Monitoring Program (FMMP) maps on 7/22/2013, the project site is not located on Prime agricultural land, or on Farmland of Statewide Importance. The subject site is considered Urban according to the FMMP. The project is not under the Williamson Act.</p>
Air Quality	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the air quality resources of the area. After reviewing the construction activities and operations of this project, and all temporary construction and operational activities there were 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. 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. Furthermore, the Environmental Impact Report (2003) prepared for the Terra Bella Community Plan indicates no sensitive wildlife or plant species have been reported to exist within or near the project area. It is unlikely the site is used as habitat or migration of species of concern.</p> <p>According to the California Natural Diversity Data Base (CNDDB), no species of concern were located on the subject site. The CNDDB map does show a kit fox siting in 1975 along the railroad tracks approximately ¼ mile from the project site. However, there have been no sitings in the areas since. Furthermore, the project parcel and surrounding area is currently developed with urban uses. The project site is located on an existing school playground fields and the entire school site is fenced from the surrounding properties. The surrounding properties are developed as single family dwellings containing pets, such as dogs. The nearby land has been heavily impacted by agriculture and mortality to this species has been documented from the conversion of habitat (O'Farrell et al. 1986) and agricultural land has been found to not be suitable habitat for kit fox (USFWS, 5 year Summary and Evaluation (2009)). In Tulare County most sitings in this area have not occurred since the early 1970's, indicating that even then the population was mostly migratory and sitings were likely when the species was foraging. This further shows that the potential for this species to den on this site is speculative, and besides the Pixley population, not likely to occur in Tulare County. Populations are noted to occur further to the south in Kern County but this area of Tulare County would be well out of their range. (USFWS, 5 year Summary and Evaluation (2009)).</p> <p>San Joaquin kit foxes inhabit grasslands and scrublands, all of which have been extensively modified in this area. Types of modified habitats include...grazed annual grasslands. Oak woodland, alkali sink scrub land, and vernal pool and alkali meadow communities also provide habitat for kit foxes. Dens are scarce in areas such as this, where there are shallow soils because of the proximity to bedrock, high water tables, or impenetrable hardpan [or claypan] layers. Kit foxes are active year-round and are primarily nocturnal. No evidence of San Joaquin kit fox denning activity was found anywhere on the subject property. There was also no evidence of kit fox tracks or scat anywhere on the subject property.</p> <p>Under Section 15145 Speculation "if after a thorough investigation, a Lead Agency finds</p>

	<p>that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." See Section 21083, Public Resource Code, and <i>Toganga Beach Renters Association v. Department of General Services</i>, (1976) 58 Cal. App. 3d 712. Given, the above thorough investigation and noting that the chance of kit fox existing near the site is very low to impossible, any effect upon kit fox by this project is found to be so remote, as to be absolutely speculative under Section 15145 of the CEQA Guidelines. However, knowing that special status species are of particular concern to the California Department of Fish and Wildlife and the United States Fish and Wildlife Services, it is recommended to the applicant that they are aware of CDFW's and USFWS's Recommendation for Protection of the San Joaquin Kit Fox (1999).</p> <p>Even though no positive sign of San Joaquin kit fox have been observed, CDFG recommends that kit fox avoidance be performed prior to and during disturbance activities as a standard practice to help avoid or minimize impacts to this wide-ranging species. In the event that kit fox dens are established on the Project Site subsequent to this categorical exemption or during Project-related site preparation (staging) and development work (construction), then appropriate sections of USFWS's Standardized recommendations for Protection of the San Joaquin Kit Fox (1999) should be followed. This prudent course of action (this is the responsibility of the Applicant), routinely advocated by USFWS and CDFW, is recommended to avoid impacts to any kit foxes that might disperse onto the Project Site and establish a den(s) between now and the commencement of site preparation (staging) and development work (construction).</p>
Cultural Resources	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the cultural resources of the area. No cultural resources assessment has been conducted for this site. However, based on RMA's California Historical Resource Information System Analysis (CHRIS) research, no cultural resources were found on site.</p>
Geology/ Soils	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the geology / soils of the area. Based on a search of the Tulare County Seismic Safety Element in the County General Plan 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 cumulative impact, or create an unusual circumstance that will introduce green house gas (GHG) emissions. 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, or vehicle miles traveled, or operational emissions in excess of CARB's thresholds. Since CEQA does not apply to this project, it is not required to reduce its Climate Action Plan Consistency Reduction Target of 6% per the Tulare County Climate Action Plan. Any construction emissions are considered temporary emissions that would not occur after the CARB Scoping Plan 2020 target year. Therefore, project construction emissions 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 cumulative impact, or create an unusual circumstance that will introduce hazards or hazardous material to the area. The facility is subject to the California State Medical Waste laws. The applicant shall secure a Medical Waste Facility permit with the Tulare County Environmental Health Services Division prior to commencement of the operation.</p>
Hydrology/ Water Quality	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the hydrology /water quality of the area. The 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</p>

	<p>marked as blue (signifying wetlands) that will be impacted by this project. Approximately 210 feet, according to the Ground to Water Surface Contours – Spring 1995 map.</p> <p>The eastern portion of the site is located within the AE Flood Zone, Base Flood Elevation determined, according to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 069107C, Panel No. 1958E, dated June 16, 2009. Compliance with Tulare County Engineering standards for building within the AE zone would be complied with and building elevations are shown on the site plan. The remainder of the site is within Zone X.</p>
Land Use/ Planning	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the land uses, zoning, or planning of the area. Based on a search of the County's General Plan and Zoning Code 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 cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the mineral resources of the area. Based on a search of the CGS Mineral Zone website and the County General Plan, the area is not delineated as a resource zone; and hence, it is unlikely that there are important mineral reserves in the vicinity.</p>
Noise	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the noises of the area. The short term noise during construction is inevitable, but temporary in duration. Construction activities would be restricted to daytime hours and be short term in nature. 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 cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the population, or housing of the area. The project will not displace an existing population or induce population growth.</p>
Public Services	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the public services of the area. 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.</p>
Recreation	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the recreational facilities in the area. This project will not affect the amount of new housing in order to generate the need for new recreational facilities, under the Quimby Act. This Project does not affect existing parks or proposed new parks.</p>
Transportation/ Traffic	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the Countywide, or Statewide roadway facilities in the area. Based on our preliminary estimate of trips generated from this project, the project will not generate enough traffic to impact a County Roadway or Statewide Highway level of service or Caltrans highway thresholds significantly. Furthermore, the project site is located approximately 3,700 feet from State Route 65.</p>
Utilities/ Service Systems	<p>No Significant Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant</p>

- Wastewater
- Storm Drainage
- or Solid Waste

The project will not generate enough demands on the facilities or infrastructure to impact the infrastructure level of service thresholds. This project will not significantly impact the level of service provided by any utility agencies or franchises operating in the area.

According to the County of Tulare Terra Bella Sewer Maintenance District, there is more than enough wastewater capacity to serve the project. The proposed site plan for the building permit will be required to show compliance with the Terra Bella Sewer Maintenance District ordinances. The Terra Bella Irrigation District provides water to Terra Bella and thus the project site. The applicant received a will serve letter from the District to provide water services to the project site.

¹ Article 19, Section 15300.2. Exceptions [to Exemptions].
<http://www.ceres.ca.gov/ceqa/guidelines/art19.html>

Attachment No. 6
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. Füssel Public Works
Roger Hunt Administration
Michael C. Spata Planning

JAKE RAPER, JR., DIRECTOR

ASSOCIATE DIRECTOR

July 26, 2013

PROJECT REVIEW - CONSULTATION NOTICE

To: Interested Agencies (see attached list)
From: Chuck Przybylski, Project Planner
Subject: **Change of Zone - PZ 13-004 for the Family HealthCare Network/Terra Bella**

The Tulare County Resource Management Agency, Development Services, has received an application for a Change of Zone. The Zone Change, PZ 13-004 (Earl Mart Regional Medical Clinic) is an application to change the zone on an approximately 21,000 sq. ft. of Assessor's Parcel Number 320-180-040. The site is located on the Terra Bella School District's playground field located on the eastern edge the Road 238 and Magnolia Ave T intersection, between the Terra Bella Head Start buildings to the South and First Presbyterian Church of Terra Bella to the North, within the Community of Terra Bella. The zoning designation would be changed from Two Family Residential Zone (R-2) to Professional Office (PO). The applicant intends to construct a 4,212 square foot medical center to serve the community. 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 13-004 for the Family HealthCare Network/Terra Bella

CONSULTING AGENCY LIST

TULARE COUNTY AGENCIES	STATE AGENCIES
<p><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: Visalia Headquarters <input type="checkbox"/> Traver Substation <input type="checkbox"/> Oroshi Substation <input type="checkbox"/> Pixley Substation ** <input checked="" type="checkbox"/> Porterville Substation <input type="checkbox"/> Agricultural Commissioner <input type="checkbox"/> Education Department <input type="checkbox"/> Airport Land Use Commission <input checked="" type="checkbox"/> Supervisor District 5 <input type="checkbox"/> Assessor <input checked="" type="checkbox"/> Terra Bella Sewer Maintenance District</p>	<p><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 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.</p>
LOCAL AGENCIES	OTHER AGENCIES
<p><input type="checkbox"/> Levee Dist. No 1 <input type="checkbox"/> Levee Dist. No 2 <input checked="" type="checkbox"/> Terra Bella Irrigation Dist <input type="checkbox"/> _____ Pub Utility Dist <input type="checkbox"/> _____ Comm. Service Dist <input checked="" type="checkbox"/> Terra Bella Town Council <input type="checkbox"/> _____ Elem. School Dist <input checked="" type="checkbox"/> Terra Bella 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</p>	<p><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 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</p>
FEDERAL AGENCIES	
<p><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</p>	

TERRA BELLA IRRIGATION DISTRICT

24790 Avenue 95
Terra Bella CA 93270

Established 1915

559/535-4414
Fax 559/535-5168

EDWIN L. WHEATON, President
Division 3
GLEN R. FOWLER, Vice-President
Division 4
BRENT E. DOYEL
Division 1
GEOFFREY C. GALLOWAY
Division 2
ALFREDO MARTINEZ
Division 5

SEAN P. GEIVET
General Manager
KAREN L. KERWOOD
Secretary-Treasurer
MINASAN LAW FIRM
Legal Counsel
KELLER-WEGLEY
ENGINEERING
Consulting Engineer

July 23, 2013

TO WHOM IT MAY CONCERN

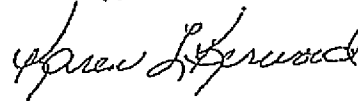
SUBJECT: APN #320-180-040 (TBUESD)

Ladies and Gentlemen:

This letter is to confirm Terra Bella Irrigation District will serve treated domestic water, *which meets the State of California Department of Health Services requirements for drinking water*, to APN #320-180-040. The parcel currently does not have a meter installed. All installation and connection fees will be required prior to the installation of a meter and delivery of water to the parcel. There are no restrictions to the number of residences served by a treated domestic meter. The customer has the option to either install an additional meter to serve an additional residence, or serve each residence from the existing treated water meter.

Should you have any questions or require further information, please contact the District office.

Sincerely,



Karen L. Kerwood, Secretary

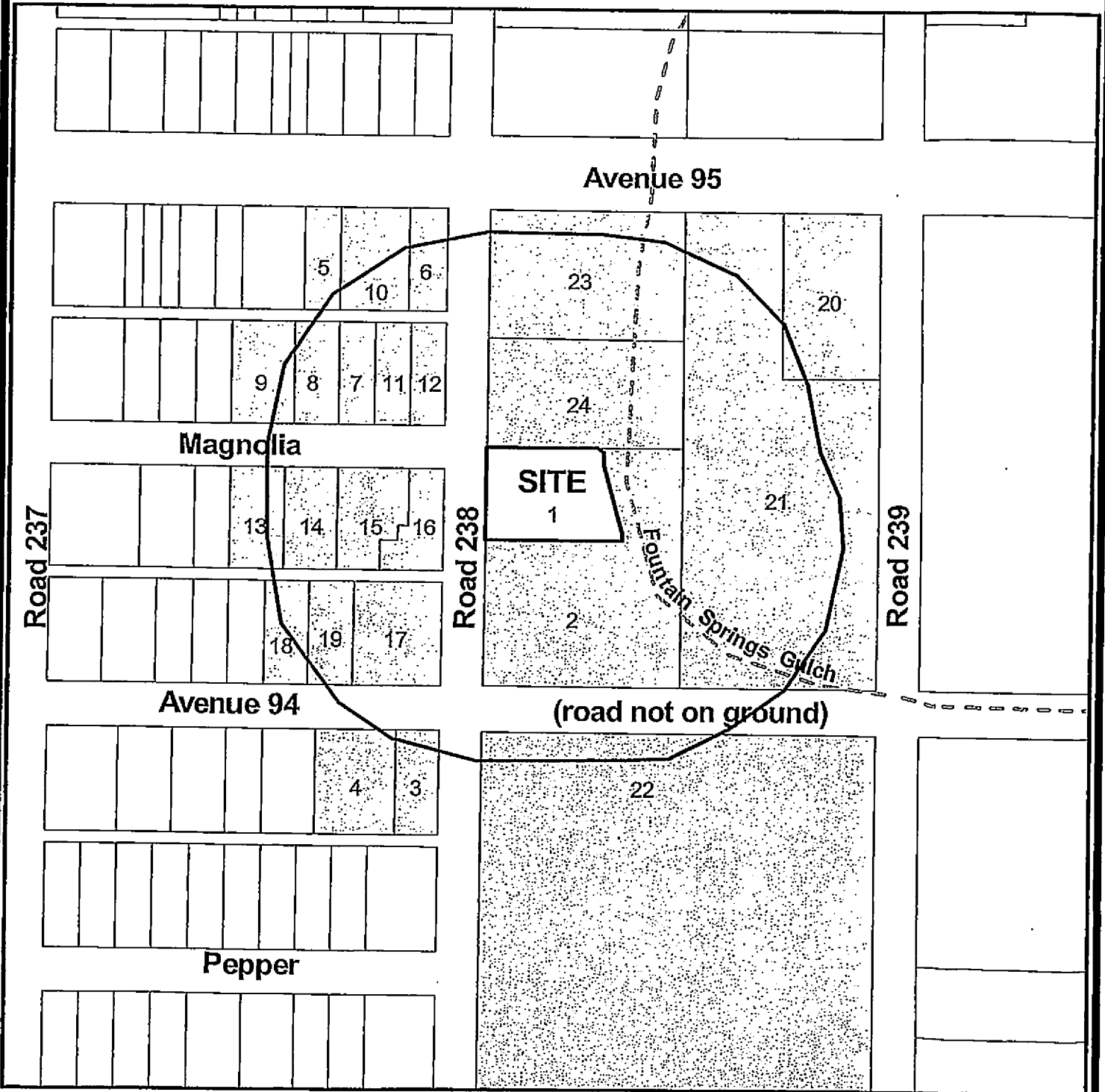
/kk

cc: BJ Perch Construction Inc.

Attachment No. 7
Location and Property Ownership Map for Hearing
Notification



Location and Property Ownership Map for Hearing Notification for PZ 13-004



Owner: TERRA BELLA ELEM SCHOOL DISTRICT
 Address: 9121 RD 240
 City, State ZIP: TERRA BELLA CA 93270
 Applicant: Family Health Care Network
 Agent: BJ Perch Construction
 Supervisorial District # 5



1

Project Site for PZ 13-004

2-24

Properties within 300' of project site,
to receive written notification of proposal



N

