



**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: June 17, 2014

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

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

SUBJECT:

General Plan Initiation #GPI 12-002 Derrel's Mini Storage

REQUEST(S):

That the Board of Supervisors:

- (1) Approve General Plan Initiation #12-002 to proceed as a General Plan Amendment application for a Derrel's Mini Storage proposed by the Applicant, Equity Bak L.P.
- (2) Require that project processing include, but not be limited to, an Environmental Impact Report, General Plan Amendment, Change of Zoning, Phasing Plan, Public Facilities Financing Plan, and Development Agreement.

SUMMARY:

Introduction

This matter embraces the proposed general planning and development of a 19.33 acres site for Service Commercial with a phasing plan based on economic, marketing, timing, and other criteria.

The request is to change the land use designation of approximately 19.33 acres on Assessor Parcel Number (APN) 119-230-007 from Agriculture to Commercial or Light Industrial. The request also proposes to rezone the subject parcel from Exclusive Agricultural – 20 acre minimum (AE-20) zone to Service Commercial (C-3) zone. The project site is currently in agricultural row crops.

SUBJECT: General Plan Initiation #GPI 12-002 Derrel's Mini Storage
DATE: June 17, 2014

The future proposal for the site will be the phased construction of 19.33 acre mini-storage facility. The applicant proposes to use approximately one-half of the lot immediately as a mini storage, while the remainder will continue long-term agricultural operations. The applicant approximates a ten year full buildout of the project site. The project site is located on the north side of Avenue 280 (Caldwell Avenue) ½ mile west of Road 100 (Akers Road). The northeast corner is near Visalia city limits. For reference, see Attachment "A" (Maps Depicting Key Features of Proposed General Plan Initiation).

The applicant is Paul Ridenour representing Derrel's Mini Storage and Equitybak L.P. The agent is Darlene Mata representing DR Mata Consulting.

The applicant withdrew its General Plan application from the city on December 15, 2010 stemming from concerns that the site was not suitable for annexation into the city. Furthermore, the city considered the project premature as the General Plan Update was still in the beginning stages.

Though near the city limits at the northeast corner, the proposed project site is not considered contiguous to the municipal boundary and cannot be annexed into the city without including surrounding property owners. As such, the applicant filed an application with the County.

As will be explained below, the Planning staff of the Tulare County Resource Management Agency (RMA) recommends approval of this proposed Application for a General Plan Initiation (GPI) for a General Plan Amendment for the Derrel's Mini Storage.

However, approval of this GPI **in no way guarantees that the ultimate project will be approved**. Instead, approval of this GPI gives the applicant a fair and reasonable opportunity to "make the case" regarding the potential merits of any resulting planning, development and building project.

If approved for processing, the project will require, among other things, an Environmental Impact Report, General Plan Amendment, Change of Zoning, Phasing Plan, Public Facilities Financing Plan, and Development Agreement. These required documents will help to insure a comprehensive, thorough and fair analysis of the issues associated with this project.

RMA Planning staff's Analysis of Proposed General Plan Initiation

According to Tulare County Policy and Procedure Number 391, the Board of Supervisors shall consider a request for a GPI giving consideration to, among other things, (A) the public need or necessity of the proposed amendment, and (B) whether the proposed amendment would further the goals, objectives and policies of the General Plan and not obstruct their attainment. These considerations are discussed now.

SUBJECT: General Plan Initiation #GPI 12-002 Derrel's Mini Storage
DATE: June 17, 2014

A. Public Need in Service of the Public Interest

As part of RMA Planning staff's evaluation of the proposed GPI, there appears to be a demonstrated public need for this project that is capable of serving the public interest. Specifically, the public need for the project is based on the following considerations:

(1) This proposal can facilitate development by applying **sound land use and environmental planning policies** -- enunciated in the Tulare County General Plan 2030 Update -- through a precisely crafted General Plan Amendment.

(3) This proposal can help **to stimulate much needed economic development through commercial development** that will likely foster private sector jobs, increased income and enhanced property value.

(2) This proposal can present an opportunity to explore implementation of the General Plan 2030 Update **by considering the protection and preservation of prime agricultural land** through a menu of reasonably feasible and reasonably-related mitigation measures evaluated through an Environmental Impact Report.

(4) This proposal can be an example of showing how **sustainable public facilities and services** can be provided based on a Phasing Plan and Public Facilities Financing Plan.

(5) This proposal can demonstrate that **all relevant environmental impacts can be identified, analyzed and mitigated to the extent feasible** in a thoroughly prepared Environmental Impact Report.

(6) This proposal can serve as a **model of intergovernmental coordination and cooperation (including public outreach)** as this planning and development project is processed to reasonably efficient conclusion.

B. Consistency with General Plan Policies

The proposed GPI will further and not thwart numerous policies of the Tulare County General Plan 2030 Update. In doing so, the proposed GPI would be consistent with the policies of the General Plan as set forth in Attachment "B" (RMA Planning staff Analysis of Proposed General Plan Initiation).

Summarizing this analysis, the proposed GPI would further and not thwart numerous General Plan policies primarily relating to Airport Land Use Planning, Coordination and Cooperation with Cities, Impact Mitigation (including Agricultural Land Mitigation), Standards of Approval, Commercial Development, and Sustainable Development.

In the final analysis, this project could serve **as a planning model providing reasonable and effective balance** to various general planning interests such as Agricultural Land Protection, Environmental Resource Management, Fiscal Impact, Public Facilities Financing and Construction, Economic Development,

SUBJECT: General Plan Initiation #GPI 12-002 Derrel's Mini Storage
DATE: June 17, 2014

and Intergovernmental Cooperation.

Intergovernmental Coordination and Cooperation

As part of the preparatory process, the County has reached out to the City of Visalia to discuss the project and listen to their concerns. This is part of a cooperative process to try to approach this proposal in such a way that it can be mutually beneficial and in the public interest.

For example, on June 21, 2013, RMA staff sent to city staff a letter requesting a consultation to discuss the pending GPI proposal. See Intergovernmental Correspondence in Attachment "D" (Intergovernmental Correspondence). RMA staff sent a draft copy of this agenda item to the City of Visalia.

Moreover, city staff expressed concern regarding the applicants' proposal. At this time the city considers the development of the proposed project premature pending the adoption of the Draft General Plan Update which is ongoing at this time.

The County has received two letters from the City of Visalia regarding the proposed project. The first letter was received by the County on September 15, 2011 as a result of a Project Review Committee Consultation process. The second letter was received by the County on July 24, 2013 as a result of the GPI consultation process. The above comment letters and responses are found in Attachment "D" (Intergovernmental Correspondence).

The four major concerns of the city as described in the July 24, 2013 letter (as directed by the City Council) are as follows:

1. High Preliminary Rural Valley Lands Plan Score

A preliminary score of 22 was obtained for the Project Review Committee; however, this is a preliminary score based on preliminary *analytical data regarding the project site*. Upon further examination regarding the subject site, the preliminary score for the updated RVLP could range from 14 to 21. If approved for processing, the applicant will be required to prepare an Environmental Impact Report (EIR) for the project, and as such, will be required to provide a detailed technical evaluation of the RVLP to verify the checklist score. Thus, the applicant would proceed at his risk with respect to the RVLP analysis.

In addition, the Memorandum of Understanding between the City of Visalia and the County stipulates that there may be no General Plan or Zoning Amendments unless appropriate under the RVLP. For projects within the County UAB, the RVLP is one of many factors to be considered, but not the only factor, when considering General Plan Amendments. Please see Attachment "B" (RMA Planning staff Analysis of Proposed General Plan Initiation) and Attachment "C" (RVLP Preliminary Evaluation).

SUBJECT: General Plan Initiation #GPI 12-002 Derrel's Mini Storage
DATE: June 17, 2014

2. Inconsistency with the County's and City's Land Use Designations

County GPU Policy 4.12 (General Plan Designations with City UDB's) recognizes that development proposals within the County's UDB remain compatible with the city's land use designation. The proposed project site is a General Plan Amendment that is outside the County's UDB and all three draft City General Plan boundaries. Development may occur within the UAB of the County if the project complies with a GPU Policy 4.19, which generally relates to the RVLP analysis within a County Adopted City UAB. Please see Attachment "B" (RMA Planning staff Analysis of Proposed General Plan Initiation) for the project's apparent consistency with Tulare County's General Plan.

In regard to the project's consistency with the City of Visalia's Draft General Plan (VDGP), the County provides the following discussion for consideration:

The city's draft General Plan proposes a three tier boundary approach. **The subject site is currently outside of all three boundaries.** The city's General Plan maps the site as a "reserve" land use designation, with a brief paragraph description as follows:

"The reserve land use designation applies to lands that are outside of the Urban Growth Boundary for which future planned development may be appropriate under the criteria as stated in LU-P-33. Use of lands in "reserve" designation is anticipated to remain in agriculture." (VDGP pg. 2-22)

The text on page VDPG 2-58 indicates that the General Plan designates approximately 675 acres of Airport Industrial south of the Visalia Airport. The following VDGP text below also supports airport compatible industrial development south of the airport. However, no Airport Industrial designation is mapped by the Draft General Plan Land Use Map (VDGP pg. 2-18). Instead this area is mapped as reserve. (See Attachment "A" Maps Depicting Key Features of Proposed General Plan Initiation)

Further insight regarding development of the subject area is provided by the City's Draft General Plan as follows:

"Land around the Airport may be developed with site appropriate industrial uses during the planning period, providing it conforms with the land use compatibility required for the Visalia Municipal environs established by the City." (VDGP pg. 2-32)

The proposed draft General Plan text also states as follows:

"The General Plan proposes to shift focus on industrial development to areas south of State Route 198, particularly around the airport" (VDGP pg. 2-57).

SUBJECT: General Plan Initiation #GPI 12-002 Derrel's Mini Storage
DATE: June 17, 2014

Accordingly, there appears to be a reasonable question regarding the interpretation of the Reserve designation outside of the UGB on the same land that could potentially be developed as Airport Industrial.

The following proposed Draft General Plan Policy provides further insight as to how the subject area could potentially be developed:

"Designate land areas for future urban development to be considered (if at all) under separate criteria from City wide growth under Policy LU-P-19 (Urban Boundaries). These areas shall be designated for "reserve", and remain in agricultural zoning until they are designated and pre-zoned for an appropriate urban land use through the city's General Plan Amendment and Zone process. These areas may be re-designated and pre-zoned for an appropriate urban use upon the following findings as reviewed by the Planning Commission and decided on by the City Council.

- 1. The proposed uses and intensity of development are consistent with all applicable policies and constraints as contained in the Visalia Airport Master Plan.*
- 2. Property is adequately served or will be adequately served by public facilities including streets, sewerage, police and fire protection, water supply, and other required facilities' to be fully funded by the proposed development*
- 3. Properties located within the previous development boundary or under the land use designation being proposed within the area are already developed or do not provide the likelihood of being developed in a timeframe appropriate to meet the needs of the community.*
- 4. Properties are determined to provide a significant social and economic benefit to the community.*
- 5. There is determined to be a Community level need for the proposed use, including lack of sufficient acreage already designated for the proposed scale and intensity of the proposed use."*

Please see Visalia Master Plan Consistency, Infrastructure Availability and Alternative Sites in Attachment "D" (Intergovernmental Correspondence) for consistency with the above policy.

In conclusion, the project site, whether designated reserve or airport industrial, may be eligible for urban development. As such, the project site may be considered for development in the County with a General Plan Amendment.

3. Infrastructure Availability

SUBJECT: General Plan Initiation #GPI 12-002 Derrel's Mini Storage
DATE: June 17, 2014

If feasible, the applicant will construct infrastructure to urban development standards, compatible with future water and wastewater systems and city streets/utility setbacks as described in the County's General Plan and MOU with the city. This includes the construction of appropriate road improvements to Caldwell Avenue and Roeben Road to the extent that an appropriate nexus to the project is found. The EIR prepared for the project will analyze the adequacy of infrastructure services for the project including road and wastewater services.

4. Alternative Sites

The applicant met with the city on October 28, 2013 and considered four alternative sites, including sites on the east side of Mooney Blvd. The applicant concluded that none of these alternative sites suited the business needs in serving southwest Visalia. For example, one site was too close to an existing Derrel's Mini Storage, one site was too small, one was not for sale, and the last site had the same infrastructure concerns as the proposed site. The EIR prepared for the project, if approved for processing, will discuss in detail alternative sites, including the sites that were considered with the city.

In addition, RMA staff reached out to city staff on May 7, 2014, requesting a meeting and providing a draft of this agenda item with the attachments. An update of further interaction with the city will be provided when this matter is considered by the Board of Supervisors.

Recommendation

Accordingly, based on thorough analysis of this matter, and recognizing that there is no guarantee that this proposal would result in an approved project, it is respectfully recommended that the Board of Supervisors approve the Application for a General Plan Initiation for a General Plan Amendment for Derrel's Mini Storage by the Applicant Equitybak L.P.

Additionally, if approved for processing, it is recommended further that the project be required to process, among other things, an Environmental Impact Report, General Plan Amendment, Change of Zoning, Phasing Plan, Public Facilities Financing Plan, and Development Agreement.

Alternatives

If the Board of Supervisors is not inclined to approve the proposed General Plan Initiation, then there are other alternatives that the Board may consider:

- (1) Approve, as modified, the Application for a General Plan Initiation for a General Plan Amendment for the Derrel's Mini Storage proposed by the Applicant, Equitybak L.P.;
- (2) Refer the matter to RMA Planning staff for further analysis and return to the Board of Supervisors as directed;

SUBJECT: General Plan Initiation #GPI 12-002 Derrel's Mini Storage
DATE: June 17, 2014

- (3) Refer the matter to the Planning Commission for further analysis and return to the Board of Supervisors as directed; or
- (4) Disapprove the General Plan Initiation Application for a General Plan Amendment, with the effect that the proposal ceases to be processed.

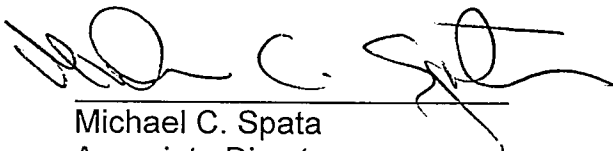
FISCAL IMPACT/FINANCING:

The costs associated with this proposed project would be borne by the applicants and not result in any Net County Cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Tulare County's five-year Strategic Business Plan includes the Quality of Life and Economic Well-Being Goals. Applied here, these goals would be furthered by processing this General Plan Initiation on the grounds that the proposal will implement sound land use and environmental policies of the General Plan; will protect agriculture through a reasonably feasible mitigation approach; will promote economic development through commercial development and agricultural tourism opportunities; and will present the opportunity to engage in a model of intergovernmental coordination and cooperation, including public outreach.

ADMINISTRATIVE SIGN-OFF:



Michael C. Spata
Associate Director

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

Attachment(s)

Attachment "A" — Maps Depicting Key Features of Proposed General Plan Initiation
Attachment "B" — RMA Planning Staff Analysis of Proposed General Plan Initiation
Attachment "C" — Preliminary RVLP Evaluation
Attachment "D" — Intergovernmental Correspondence
Attachment "E" — Comments Letters

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

IN THE MATTER OF THE GENERAL PLAN)
INITIATION #GPI 12-002 DERREL'S) Resolution No. _____
MINI STORAGE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 17, 2014, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

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

BY: _____
Deputy Clerk

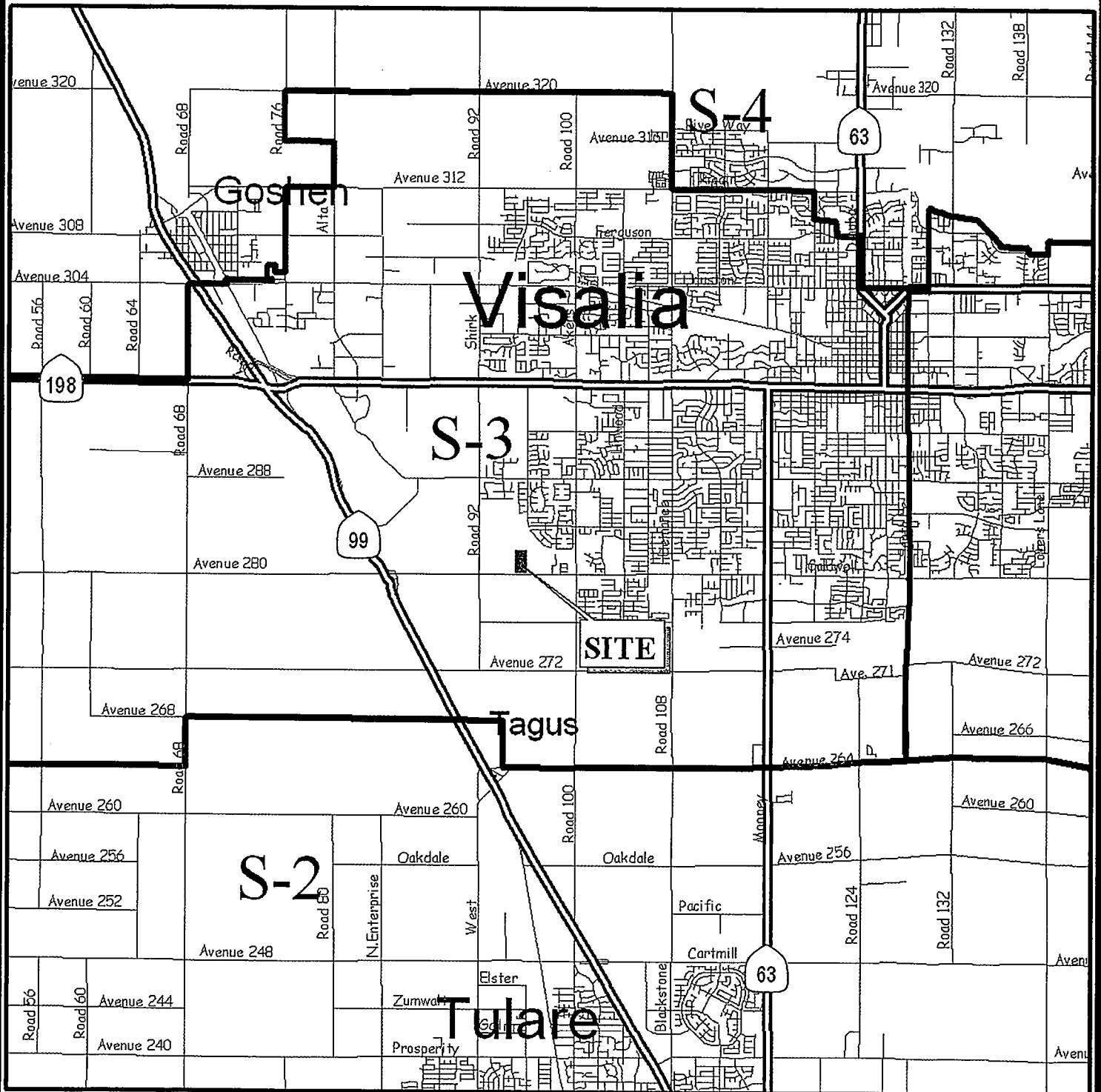
* * * * *

- (1) Approved General Plan Initiation #12-002 to proceed as a General Plan Amendment application for a Derrel's Mini Storage proposed by the Applicant, Equity.Bak L.P.
- (2) Required that project processing include, but not be limited to, an Environmental Impact Report, General Plan Amendment, Change of Zoning, Phasing Plan, Public Facilities Financing Plan, and Development Agreement.


Attachment A
Maps Depicting Key Features of Proposed General Plan
Initiation

Vicinity Map.....	A-1
Aerial Photograph.....	A-2
County-City Boundaries.....	A-3
County of Tulare, General Plan Map.....	A-4
County of Tulare, Zoning Map.....	A-5
City of Visalia, Current Land Use Map.....	A-6
City of Visalia, Draft Land Use map.....	A-7
Airport Zone Map.....	A-8
Site Plan.....	A-9

Vicinity Map for GPI 12-002



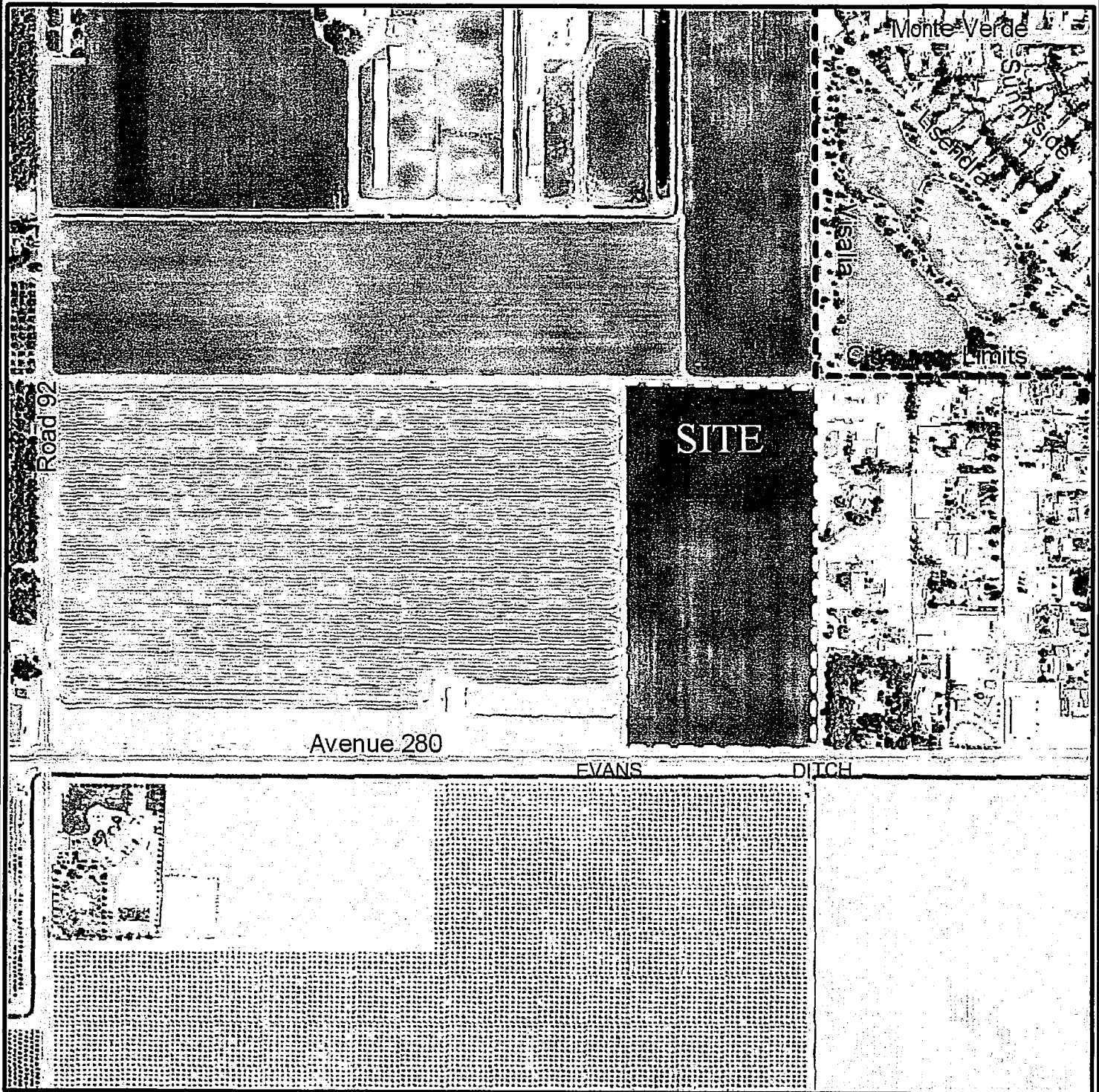
0.75 0 0.75 1.5 2.25 3 Miles

 Supervisorial Districts





Aerial Photograph for GPI 12-002



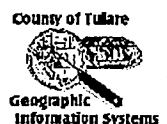
Owner: EQUITYBAK LP
Address: 3265 W ASHLAN
City, State ZIP: FRESNO CA 93722
Applicant: EQUITYBAK L.P.
Agent: MATA
Supervisory District #2
Assessors Parcel # 119230007

250 0 250 500 750 1000 Feet

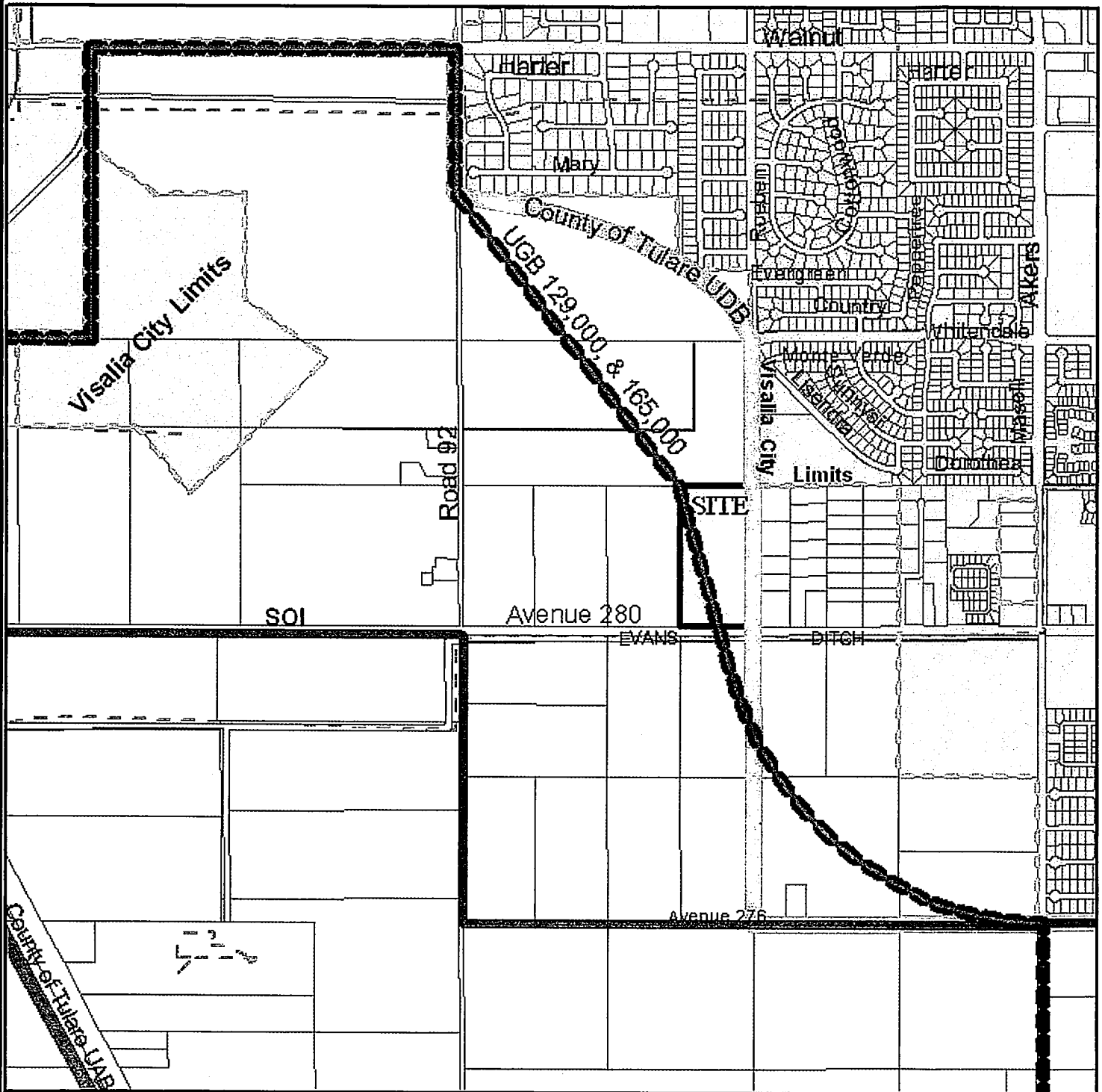
SITE

Project Site for GPI 12-002

A-2



County-City Boundaries Map for GPI 12-002



- Site
- City of Visalia Urban Growth Boundary (UGB)-Population 129,000 (1996)
- City of Visalia Urban Growth Boundary (UGB)-Population 165,000 (1996)
- County of Tulare Urban Development Boundary (1992)
- County of Tulare Urban Area Boundary (1992)
- Spheres of Influence (SOI)
- City Limits

A-3

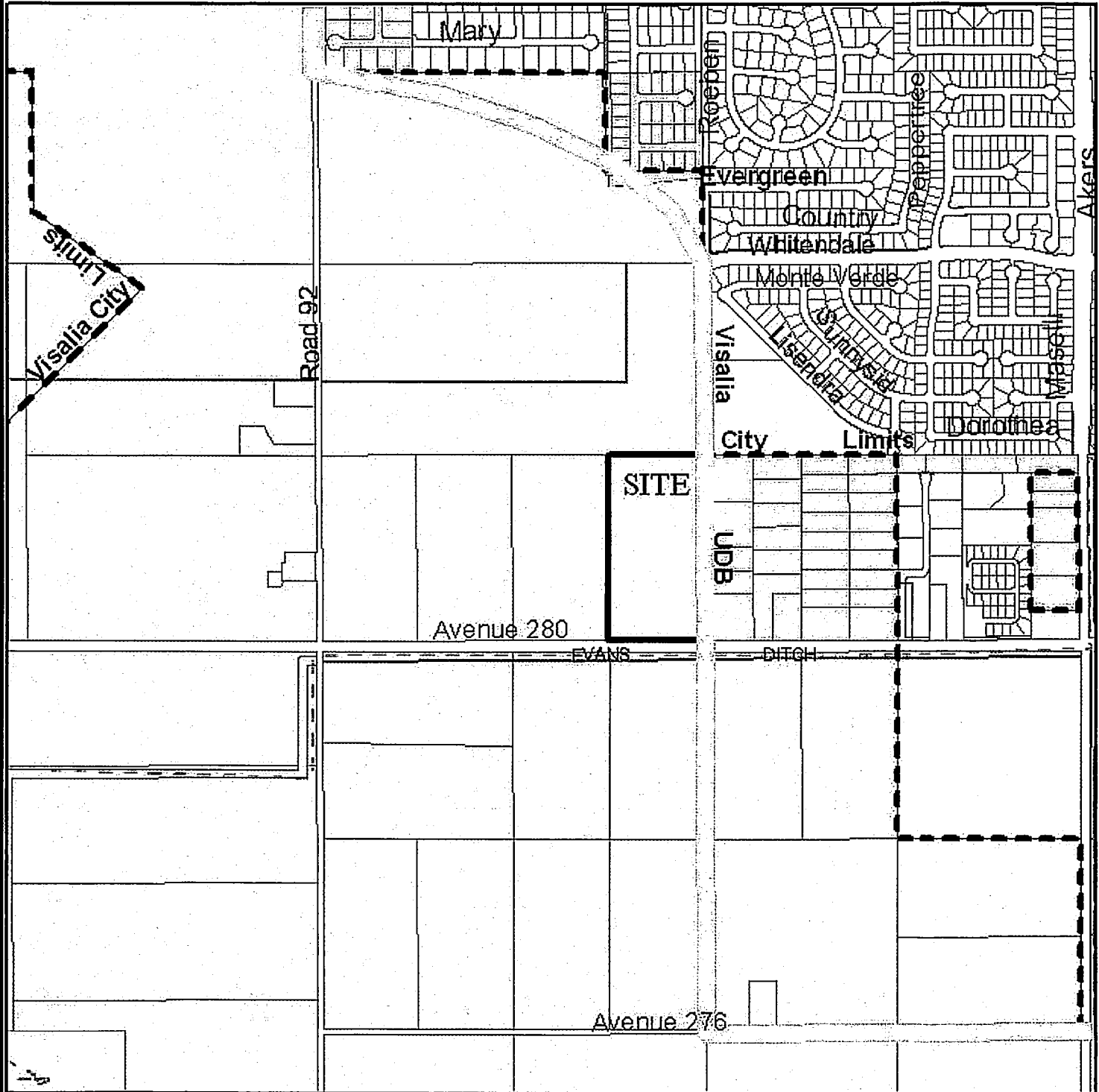


-13- 0.125 0 0.125 0.25 0.375 0.5 Miles





County of Tulare General Plan Map for GPI 12-002



General Plan (County)

- Agriculture
- City Limits
- Rural Residential
- Urban Development Boundary

500 0 500 1000 1500 2000 Feet



A-4

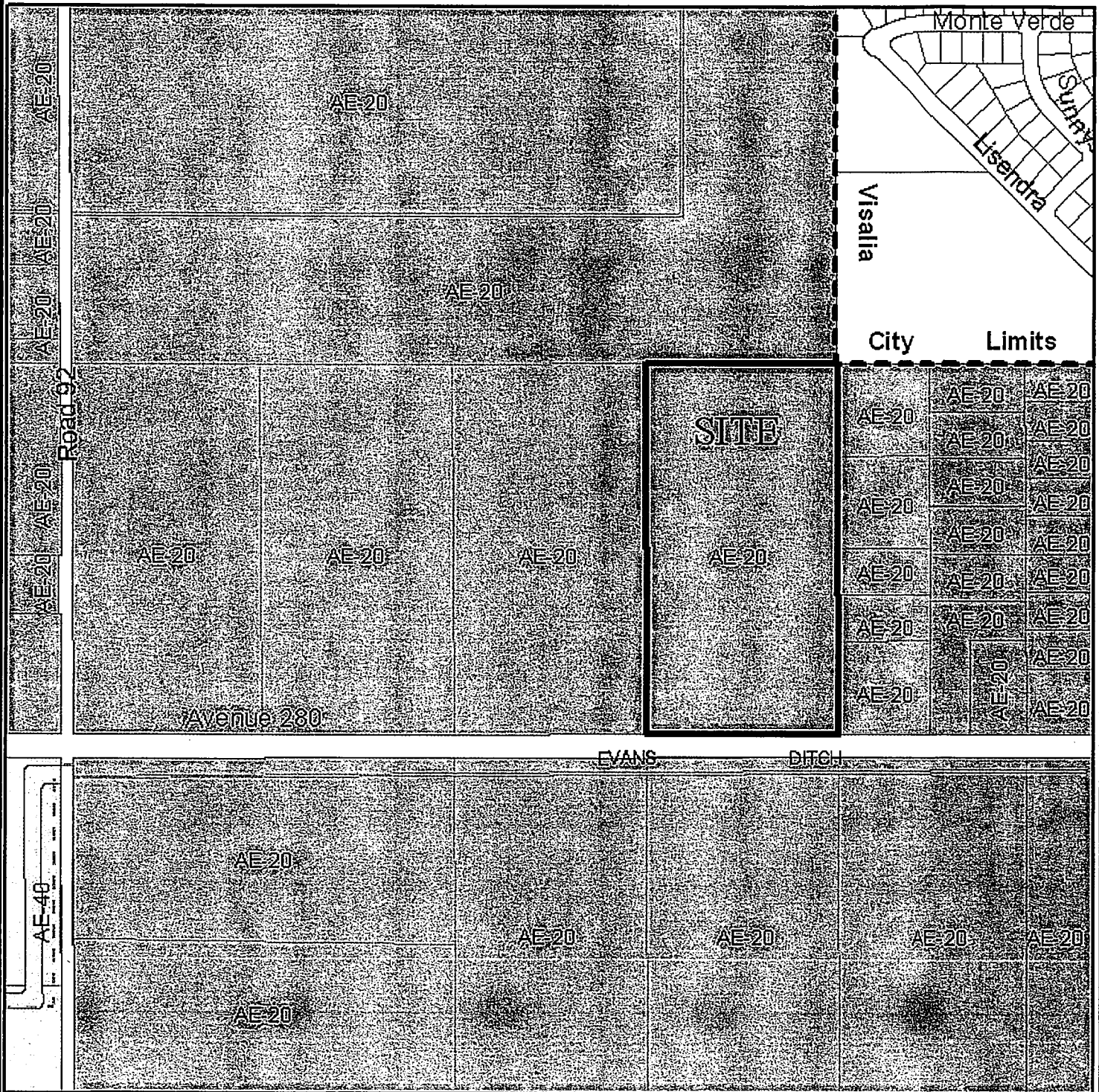
SITE

Project Site for GPI 12-002





Tulare County Existing Zoning Map for GPI 12-002



Owner: EQUITYBAK L P
Address: 3265 W ASHLAN
City, State ZIP: FRESNO CA 93722
Applicant: EQUITYBAK L.P.
Agent: MATA
Supervisory District #2
Assessors Parcel # 119230007

250 0 250 500 750 1000 Feet

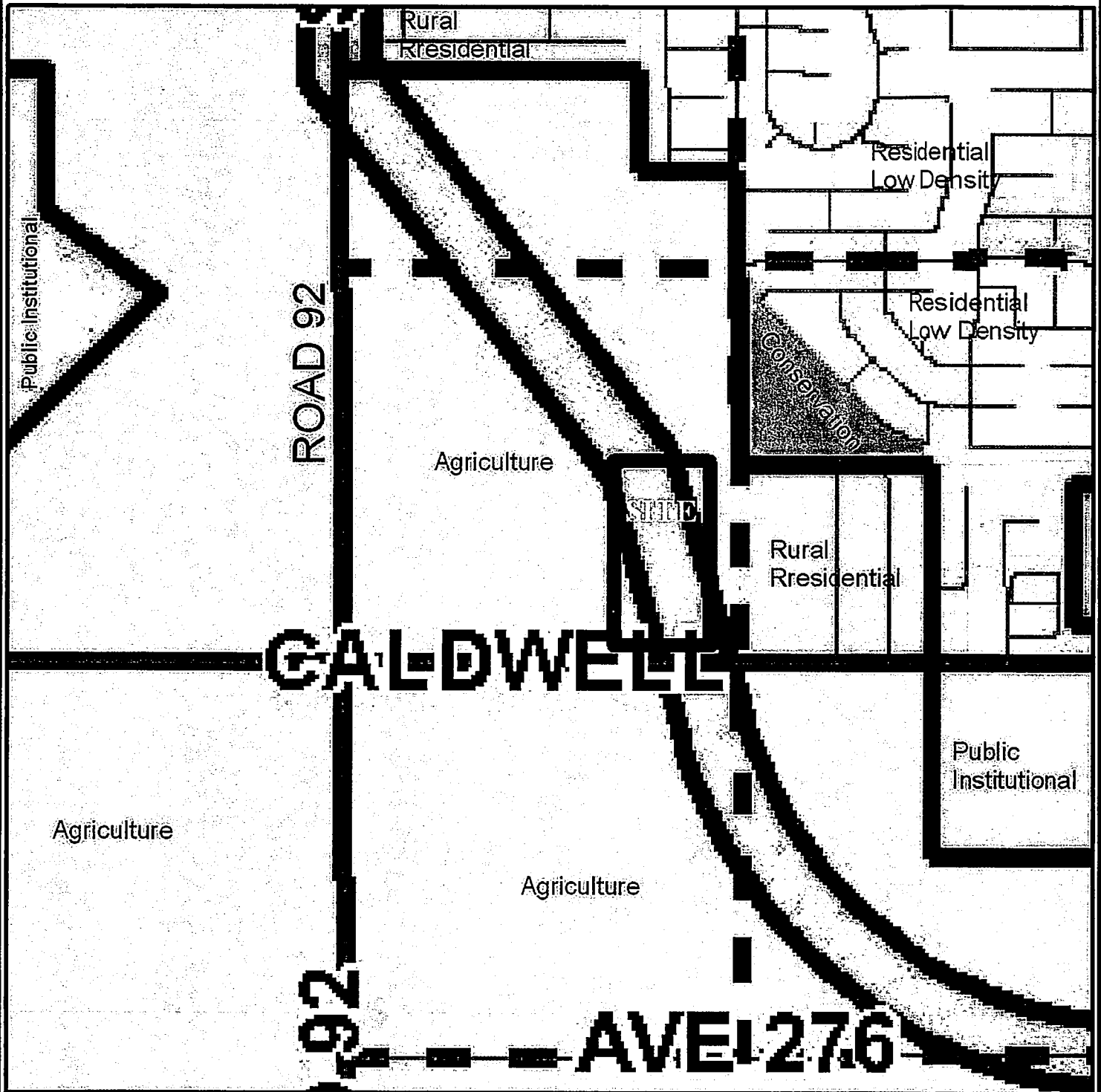
SITE

Project Site for GPI 12-002








A-5



Visalia General Plan Current Land Use Map for GPI 12-002



General Plan (Visalia)

-  Agriculture
-  Conservation
-  Public Institutional
-  Rural Residential
-  Residential Low Density
-  Residential Medium Density
-  City Limits

 Population 129,000

 Population 169,000

(July 1, 2016-)

500 0 500 1000 1500 2000 Feet



A-6

SITE

Project Site for GPI 12-002

County of Tulare

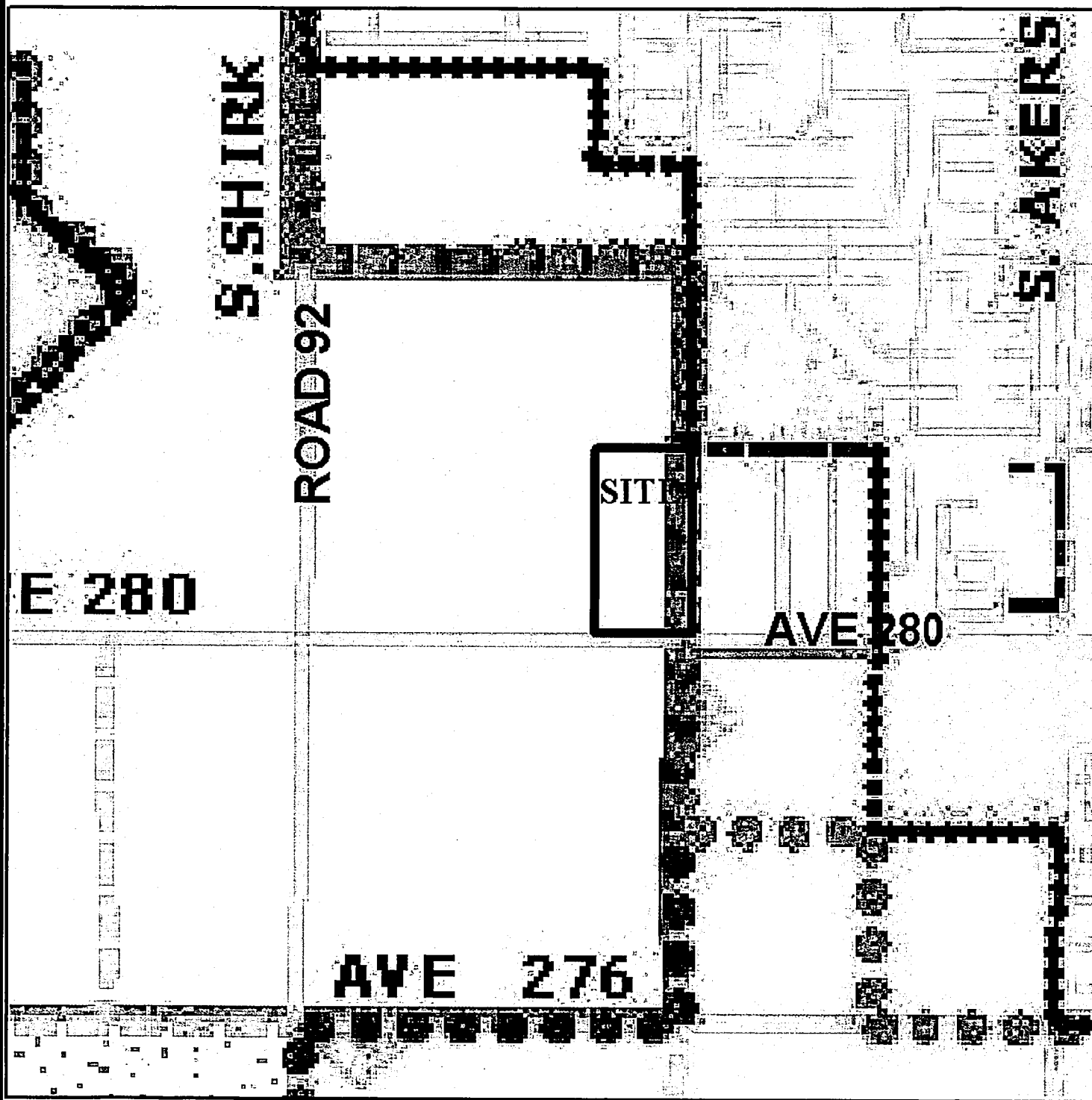


Geographic Information Systems





Visalia General Plan Update Draft Land Use Map for GPI 12-002



General Plan (Visalia)

- Agriculture
- Public Institutional
- Very Low Density Residential
- Residential Low Density
- Reserve
- City Limits

- Urban Growth Boundary
- Urban Development Boundary

500 0 500 1000 1500 2000 Feet



A-7

(March, 2017-)

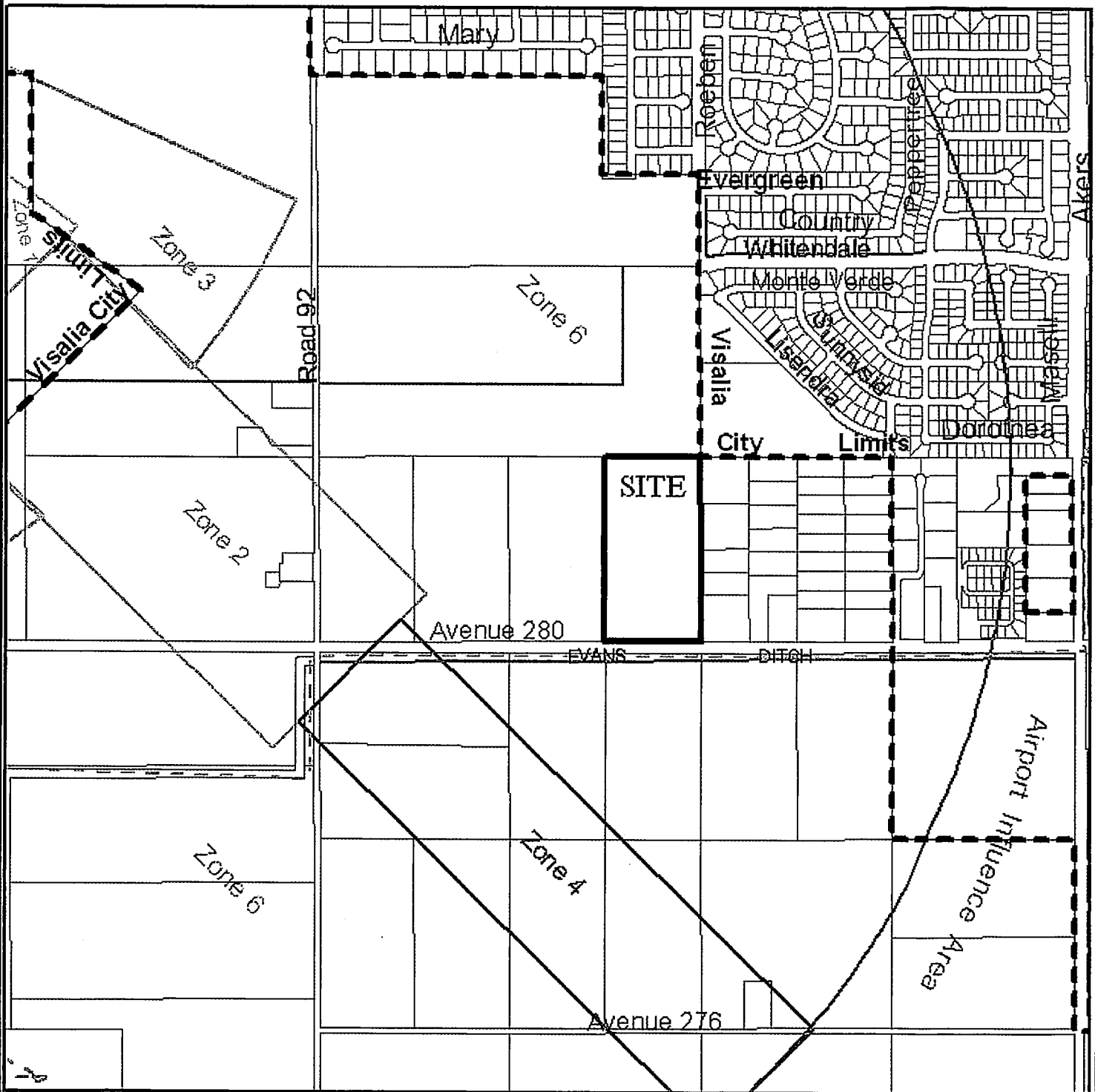
SITE

Project Site for GPI 12-002

County of Tulare



Airport Zone Map for GPI 12-002



Visalia Safety Zones

- Zone 1
- Zone 2
- Zone 3
- Zone 4
- Zone 6

City Limits

500 0 500 1000 1500 2000 Feet



A-8

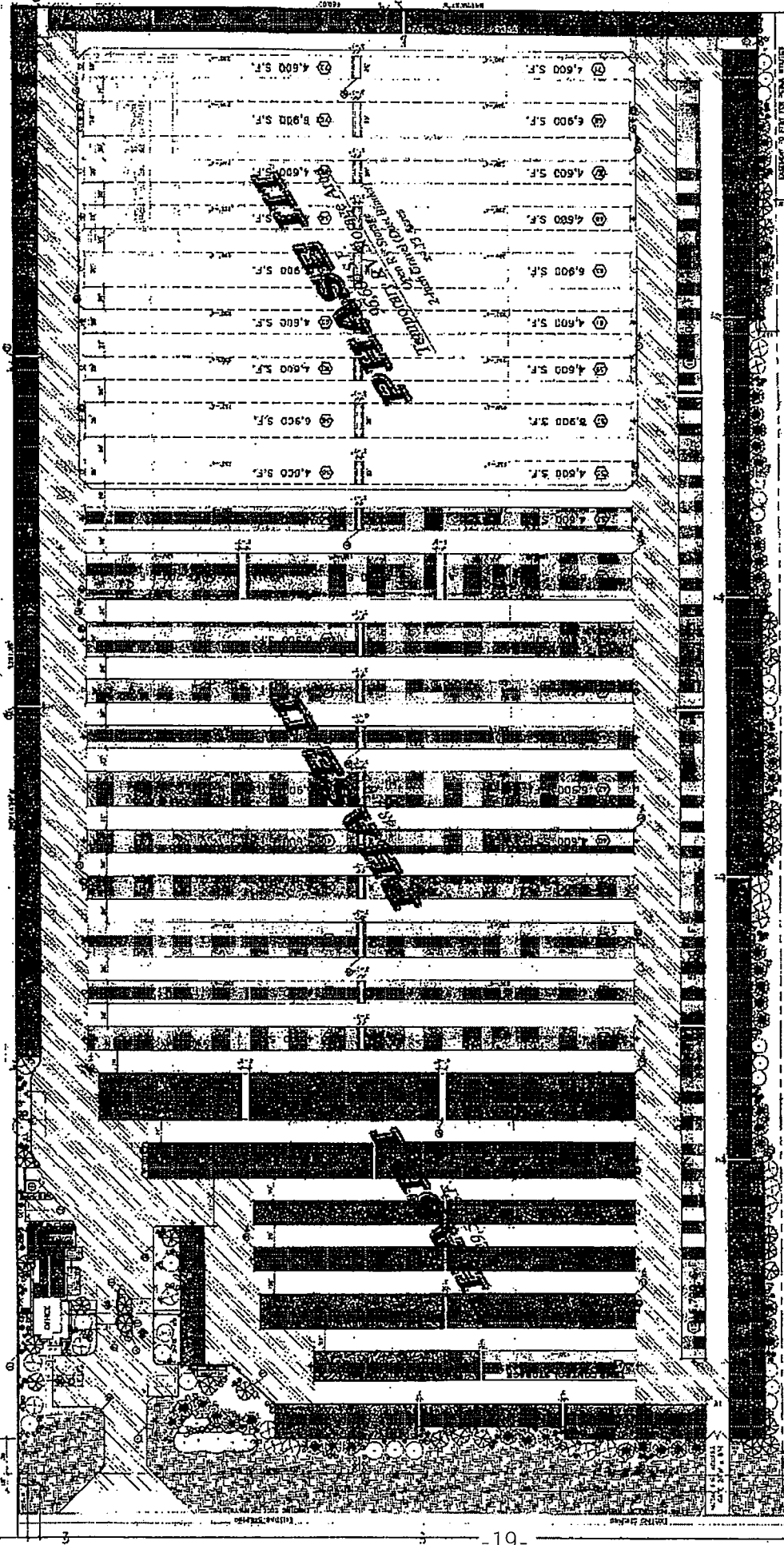
County of Tulare



Geographic
Information Systems



**A-9
Site Plan
for
GPI 12-002
B.O.S. Exhibit "A"**

[illegible]

LANDSCAPE LEGEND		
KEY	COMMON NAME	BOTANICAL NAME
	LYONSIAE WATZ.	ASER PALUDOS.
	BRACHIO PALM	PISTIA GALLIENANA
	"WATER BLUE" REDWOOD	SECONIA SCOPOLIFERA.
	PURPLE LEAF PLUM	PRINUS CRISTATA "PURPLE PLUM"
	SCOPOLIFERA PALM	INDIA LYONSIAE
	"WATSON" BAMBOO	MAHOGA DOMESTICA
	MAHOGA BAMBOO	MAHOGA DOMESTICA "COUNTRY"
	SOCIETY GABLE	TULAGABA "VIRENTA" SOCIETY GABLE"
	DRIFT WHEELIE	PITTOSPERMUM
	FEESCH	

*ALL PLANTS AREAS TO HAVE 1" WALK-ON RAILS.

No Scale

Attachment B
RMA Planning Staff Analysis of Proposed GPI

**Attachment B
County of Tulare
General Plan Initiation #GPI 12-002 Derrel's Mini Storage Equity Bak L.P /Visalia
Planning Staff Analysis of the Proposed GPI
General Plan Consistency**

According to Tulare County's General Plan, the subject property is currently designated "Agriculture", within the County's Urban Area Boundary and outside of the County's Urban Development Boundary. In addition, the zoning of the subject property is AE-20. The property is not within an Agricultural Preserve and is not subject to a Williamson Act Contract.

PF-1.2 Location of Urban Development

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

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

Analysis: The proposed project is located between the County Adopted Urban Area Boundary (UAB) and the County Adopted Urban Development Boundary. An exception to the above policy, as stated in the General Plan Update in Part I, Planning Framework, Policy PF 4.19, is that a project may be suitable for General Plan Amendment if the appropriate under the requirements of the Rural Valley Lands Plan or similar checklist, unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use or zoning classification.

In addition, as the subject site is located between the UDB and UAB, and according to the RVLP Policy Statement, the RVLP analysis is one of many factors to be considered, but not the only factor when approving or denying General Plan Amendments. Thus, consideration of this project may be appropriate when considering various factors in connection with a decision on the project. These factors may include, but are not limited to, voluntary agricultural protection and economic benefits.

Additionally, this proposal can present an opportunity to explore implementation of the General Plan 2030 Update by considering the protection and preservation of prime agricultural land through a menu reasonably feasible and reasonably related mitigation evaluated through an Environmental Impact Report.

Finally, the project received a preliminary RVLP evaluation of 14 points, or within the gray area. If a project falls within the gray area, the Board of Supervisors may consider other factors that are not included within the RVLP system.

PF-4.1 CACUABs for Cities

The County shall establish CACUABs which define the area where land uses are presumed to have an impact upon the adjacent incorporated city, and within which the cities' concerns may be given consideration as part of the land use review process. The

lands within the UAB are considered to be the next logical area in which urban development may occur and the area within which UDBs may ultimately be expanded.

Although it is the policy of the County that this area will at some time become appropriate for urban development, generally no public purpose is served by permitting intensive development therein. As communities grow and expand, it is logical to assume the UDBs may be correspondingly expanded or established until they coincide with the ultimate UAB. The land lying between the Urban Development Boundary and the Urban Area Boundary will generally have an agricultural land use designation or rural residential land use designation in conformity with Land Use Policy LU 3.8: Rural Residential Interface.

Analysis: The proposed project is located between the County's County Adopted Urban Area Boundary (UAB) and the County Adopted Urban Development Boundary (UDB). An exception to the above policy, as stated in the General Plan Update in Part I, Planning Framework, Policy PF 4.19, is that a project may be suitable for General Plan Amendment if the appropriate under the requirements of the Rural Valley Lands Plan or similar checklist, unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use or zoning classification.

In addition, as the subject site is located between the UDB and UAB, and according to the RVLP Policy Statement, the RVLP analysis is one of many factors to be considered, but not the only factor when approving or denying General Plan Amendments. Thus, consideration of this project may be appropriate when considering various factors in connection with a decision on the project. These factors may include, but are not limited to, voluntary agricultural protection and economic benefits.

Additionally, this proposal can present an opportunity to explore implementation of the General Plan 2030 Update by considering the protection and preservation of prime agricultural land through a menu reasonably feasible and reasonably related mitigation evaluated through an Environmental Impact Report.

Finally, the project received a preliminary RVLP evaluation of 14 points, or within the gray area. If a project falls within the gray area, the Board of Supervisors may consider other factors that are not included within the RVLP system.

PF-4.12 General Plan Designations Within City UDBs

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

Analysis: This Policy does not apply. The project is not within a CACUDB.

PF-4.13 City Design Standards

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

Analysis: This Policy does not apply. The project is not within a CACUDB. However, please see the discussion under PF 4.19 regarding large development proposals required to construct to city development standards within the UAB. Furthermore, the project will comply with Policies LU 1.9 and WR 3.3 in regard to sufficient water supply. Although, water service is considered to be problematic at this time, this issue will be discussed thoroughly in the EIR.

PF-4.14 Compatible Project Design

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

Analysis: The project proponent and the County, through consultation with the City of Visalia, will ensure that future infrastructure systems and circulation networks are compatible with the City's plans. The project applicant will prepare a financing and infrastructure plan to address infrastructure funding mechanisms consistent with this policy.

PF-4.15 Coordination with Cities on Development Proposals

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

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

Analysis: This Policy does not apply. The project is not within a CACUDB. The applicant presented the project to the City. However, the applicant's request, though considered by the City, recommended that the project was premature and rejected the project until the City of Visalia General Plan was adopted. Furthermore, at this time, the project is unable to annex into the City because of the distance from existing city limits and intervening rural residential land uses.

PF-4.16 Revenue Sharing

As an incentive for directing urban growth into cities when applications are proposed within the CACUDBs, the County shall promote revenue sharing as an element of negotiation whenever:

1. A city updates its General Plan and requests the County to update its CAC General Plan.
2. When establishment or amendment to Spheres of Influence are proposed.
3. Annexations are proposed by cities, or joint development or redevelopment projects are proposed by any city and the County.

As an additional incentive for directing urban growth into cities, any city proposing changes to a CAC General Plan or other County land use regulations shall pay to the County its cost in considering and implementing such proposal.

Analysis: This Policy does not apply. The project is not within a CACUDB.

PF-4.17 Cooperation with Individual Cities

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

Analysis: At this time, no working committee has been established by the City's or the County to facilitate the policies. The County continues to work with individual cities on development projects within the County Adopted City Boundaries. The County will consult as appropriate with the City of Visalia regarding this project.

PF-4.18 Future Land Use Entitlements in a CACUDB

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

1. This policy will not apply to amendments or changes to a County unincorporated UDB, Hamlet Development Boundary (HDB), including where the boundary line may increase an outward expansion of the overlap area with a CACUDB area that is not coterminous to the city's Urban Development Boundary/Sphere of Influence (UDB or SOI), or to any General Plan amendment adopting a new County unincorporated UDB, an HDB, or Planned Community. County Corridor development nodes will not be located inside a city's UDB or SOI unless mutually agreed by the City and County.
2. This policy will not apply where the General Plan land use designation or the zoning district classification of a particular parcel is inconsistent with an existing special use permit, or legal non-conforming use.
3. As determined by the RVLP checklist, the County shall encourage beneficial reuse of existing or vacant agricultural support facilities for new businesses (including non-agricultural uses), and for which the city cannot or will not annex as per PF-4.24.
4. This policy will not apply where the effect of the amendments to the General Plan land use designation or of the rezoning is to designate or zone the parcel to an agricultural designation or zone except where the effect of the amendment creates a less intensive agricultural designation or zone.
5. This policy will not apply where amendments to the General Plan land use designations or the zoning classifications apply only to that portion of a CACUDB that is overlapped (where exterior UDB's are coterminous) by a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area.
6. This policy will not apply where amendment to the General Plan land use designation or the zoning classification is required to bring the County regulations into compliance with more restrictive State or Federal statutes or regulations.
7. This policy will not apply where amendments to the Zoning Ordinance are part of a comprehensive modernization or restructuring of the processes or procedures set out in the Zoning Ordinance or part of a comprehensive update to the text of the zoning classifications to bring the Zoning Ordinance procedures and text into consistency with the General Plan update. [This comprehensive modernization, restructuring or update would not include any rezonings outside that allowed in this policy. However, revision of processes and procedures and simplification of existing ordinances may occur.]
8. This policy would not apply to a comprehensive update of a CAC General Plan, including rezoning there under, in cooperation with the affected city.
9. This policy would not apply where the County has worked with the city to identify and structure a mutually acceptable alternative General Plan land use designation or zoning classification.

Analysis: This policy only applies to the project through the Memorandum of Understanding (MOU) signed by the City and County on November 9, 2012 as a list of exceptions that the County may

process a General Plan Amendment or Zoning Amendment. However, as stated in Policy PF 4.19, General Plan Amendments may be considered if appropriate under the requirements of the Rural Valley Lands Plan.

The proposed project is located between the County's County Adopted Urban Area Boundary (UAB) and the County Adopted Urban Development Boundary. An exception to the above policy, as stated in the General Plan Update in Part I, Planning Framework, Policy PF 4.19, is that a project may be suitable for General Plan Amendment if the appropriate under the requirements of the Rural Valley Lands Plan or similar checklist, unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use or zoning classification.

In addition, as the subject site is located between the UDB and UAB, and according to the RVLP Policy Statement, the RVLP analysis is one of many factors to be considered, but not the only factor when approving or denying General Plan Amendments. Thus, consideration of this project may be appropriate when considering various factors in connection with a decision on the project. These factors may include, but are not limited to, voluntary agricultural protection and economic benefits.

Additionally, this proposal can present an opportunity to explore implementation of the General Plan 2030 Update by considering the protection and preservation of prime agricultural land through a menu reasonably feasible and reasonably related mitigation evaluated through an Environmental Impact Report.

Finally, the project received a preliminary RVLP evaluation of 14 points, or within the gray area. If a project falls within the gray area, the Board of Supervisors may consider other factors that are not included within the RVLP system.

PF-4.19 Future Land Use Entitlements in a CACUAB

As an exception to the County policies that the Rural Valley Lands Plan (RVLP) does not apply within CACUDBs and is only advisory within CACUABs, the County may work with an individual city to provide that no General Plan amendments or rezonings will be considered to change the current land use designation or zoning classification of any parcel within a CACUAB unless appropriate under the requirements of the Rural Valley Lands Plan (RVLP) or similar checklist or unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use designation or zoning classification. This policy will not apply to amendments or changes to a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area boundary line, including where the boundary line may increase an overlap area with a CACUDB area, or to any General Plan amendment adopting a new UDB, an HDB, or Corridor Plan area that may fall within a CACUDB area. This policy shall not apply within a County unincorporated UDB, an HDB, or Corridor Plan area where that area overlaps a CACUAB area. Development of County corridor development nodes in an affected city's UAB would only occur after the County has provided written consultation and has allowed for a reasonable timed response from the affected city prior to decision making and before the adoption of the Corridor Plan. New development in a city's UAB would be subject to adopted plan lines and setback standards. Adopted facility plans and legally adopted General Plans will be considered during the development review process. Small "stand alone," non urban projects which are defined as residential projects of four or fewer lots or non-residential projects smaller than two acres do not need city standards but shall respect city utility and street master plans for setbacks. Large urban-style projects include residential projects of five or more lots averaging less than one acre per lot and non-residential projects two acres or larger will use uniform urban development standards, financing mechanisms, consent to annexation, application of reciprocal development impact fees and city streets/utility setbacks/disclosure requirements unless the County and

the city have identified and structured acceptable alternatives that will reasonably ensure that these projects should conform to city development standards upon future annexation.

Analysis: As stated above, General Plan Amendments may be considered if appropriate under the requirements of the Rural Valley Lands Plan. The project will be required to comply with City plan lines, setbacks, development standards, financing mechanisms, and consent to annex.

The proposed project is located between the County's County Adopted Urban Area Boundary (UAB) and the County Adopted Urban Development Boundary. An exception to the above policy, as stated in the General Plan Update in Part I, Planning Framework, Policy PF 4.19, is that a project may be suitable for General Plan Amendment if the appropriate under the requirements of the Rural Valley Lands Plan or similar checklist, unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use or zoning classification.

In addition, as the subject site is located between the UDB and UAB, and according to the RVLP Policy Statement, the RVLP analysis is one of many factors to be considered, but not the only factor when approving or denying General Plan Amendments. Thus, consideration of this project may be appropriate when considering various factors in connection with a decision on the project. These factors may include, but are not limited to, voluntary agricultural protection and economic benefits.

Additionally, this proposal can present an opportunity to explore implementation of the General Plan 2030 Update by considering the protection and preservation of prime agricultural land through a menu reasonably feasible and reasonably related mitigation evaluated through an Environmental Impact Report.

Finally, the project received a preliminary RVLP evaluation of 14 points, or within the gray area. If a project falls within the gray area, the Board of Supervisors may consider other factors that are not included within the RVLP system.

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

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

Analysis: This Policy does not apply. The project is not within a CACUDB.

PF-4.21 Application of the RVLP Checklist to Control Development in a CACUAB

As an exception to the County policies that the Rural Valley Lands Plan is only advisory within CACUABs, the County may work with an individual city to provide that the requirements of the RVLP will apply to applications for special use permits (including special use permits for the expansion of a non-conforming use), variances considered under Government Code § 65906, or to the extent allowed by law, divisions of land within a CACUAB except in those areas that overlap with a County unincorporated UDB, an HDB, or Corridor Plan area. Such a special use permit, variance, or division of land will be

reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors.

Analysis: The project is the preparation of a General Plan Amendment. As such, this policy would apply to any use permits, variances or parcels maps if the General Plan Amendment is approved.

PF-4.22 Reuse of Abandoned Improvements in a CACUDB

In accordance with other policies in this General Plan, the County may work with a city to provide that any alternative land uses within a CACUDB not otherwise allowed under a particular zoning classification but which are allowed by County policies due to the existence of abandoned structures or improvements with no other available, viable economic uses on the parcel will be reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors. For agricultural related uses, reoccupation and/or expansion is limited not to exceed 20% of the site and/or building square footage subject to special use permit with city consultation. Conversion to non-agricultural uses requiring a zone change is limited not to exceed 20% of the site and/or building square footage or as mutually agreed upon by the city and County. Any expansions are subject to a special use permit.

Analysis: This Policy does not apply. The project is not within a CACUDB.

PF-4.23 Reuse of Abandoned Improvements in a CACUAB

In accordance with other policies in this General Plan, the County may work with a city to provide that any alternative uses within a CACUAB not otherwise allowed under a particular zoning classification but which are allowed by County policies due to the existence of abandoned structures or improvements with no other available, viable economic uses on the parcel will be reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors expansion or re-occupation will require irrevocable consents to annex, and accommodation for setbacks and other standards for future streets and utilities. The RVLP will be used to determine if non-agricultural use is appropriate.

Analysis: This Policy does not apply. The project is not within a CACUDB.

PF-4.24 Annexations to a City within the CACUDB

In addition to the County's current policies on development within a CACUDB, the County may work with a city to provide that urban development projects within a city's Sphere of Influence (SOI) as set by the Tulare County Local Agency Formation Commission will be referred to the affected city for consideration of annexation in accordance with, but not limited to, the following concepts:

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

3. If the affected city is not willing or able to commence annexation proceedings, approval by the County of the project would be conditioned on conformance with County adopted city development standards, County Adopted City General Plans and zoning and any County adopted city long-range infrastructure plan adopted.
4. The County may, as part of this policy, require consent to future annexation be recorded concurrent with approval of the project special use permit for development within the County.

Analysis: This Policy does not apply. The project is not within a CACUDB. However, the project applicant requested the city consider the project development and submitted an application for annexation, prior to filing an application with the County. The applicant was informed that development of the subject site was premature and could not be annexed into the City. Hence, the project applicant withdrew the project from the City.

In either case, the proponent will comply with the consent to future annexation and construct the project with city development standards as described in Policy PF 4.19 Future Land Use Entitlements in a CACUAB above.

PF-4.25 Sphere of Influence Criteria

In addition to the County current policies on annexations and city growth lines, the County may work with one or more cities to propose criteria to the Tulare County Local Agency Formation Commission (LAFCo) for use in the adoption of city Sphere of Influence (SOI) lines consistent with the concept that the SOI is a twenty year city growth boundary including the city's "communities of interest" as defined by LAFCo, and that an affected city should seek approval of amendment by LAFCo of its current SOI lines to reflect such criteria. Communities of interest not included within the SOI may be considered and included in a fifty year growth boundary. If such a criteria is adopted, the County, as a city SOI is brought into compliance with such criteria, may consider amendment of its general plan to make the CACUDB identified in the County general plan, to the extent appropriate, consistent or conterminous with the LAFCo adopted SOI.

Analysis: This Policy does not apply to the project.

PF-4.26 City 50 Year Growth Boundaries

In addition to the County current policies on city boundary lines, the County may work with one or more of the cities to propose that LAFCo consider the adoption of a fifty year growth boundary for each city and to propose criteria to LAFCo for adoption of that boundary. If LAFCo adopts fifty year growth boundaries consistent with such criteria, the County may consider amendments to its general plan to make the CACUAB, to the extent appropriate, consistent or conterminous with the city's LAFCo adopted fifty year growth boundary.

Analysis: This Policy does not apply to the project.

PF-4.27 Impacts of Development within the County on City Facilities and County Facilities

The County may work with a city to consider the adoption, imposition and collection for payment to the city pursuant to agreement Development Impact Fees within the CACUDB, as may be proposed by the city from time to time to offset the impacts of development in the County on city facilities. Reciprocally and under the same conditions, the city will consider the collection of Development Impact Fees within the city to offset the impact of development within the city on County facilities.

Analysis: This Policy does not apply to the project. The project is not within a CACUDB.

ED-1.5 Regional Cooperation

The County will work cooperatively with regional economic development activities to expand and improve the economic base of the County.

Analysis: The development of up to approximately 20 acres of commercial, including location along Avenue 280, will greatly expand the economic base within the County.

ED-3.1 Diverse Economic Base

The County shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services, and commerce, and by expanding its efforts to encourage industrial development including the development of energy resources.

Analysis: The development of up to approximately 20 acres of commercial, including location along Avenue 280 will expand the economic base within the County.

HS-3.1 Airport Land Use Compatibility Plan

The County shall require that development around airports is consistent with the safety policies and land use compatibility guidelines contained in the adopted Tulare County Comprehensive Airport Land Use Plan (CALUP).

Analysis: The proposed project is located within the traffic patterns of the Visalia Airport. The site is located within Zone 6 (see a description of Safety Zone 6 below). According to Table 3-1 of the CALUP, retail commercial is a compatible use within Zone 6, subject to the following indoor noise requirements: "In areas where aircraft noise is expected to exceed 60dB CNEL, inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less."

□ Safety Zone 6, Traffic Pattern Zone – The Traffic Pattern Zone is an oval shaped area centered on the extended runway centerline. This zone encompasses all other portions of the regular traffic patterns and pattern entry routes. This area generally has a low likelihood of accident occurrence at most airports, except where high concentrations of people present the potential for severe consequences. Caltrans research indicates that 18 to 29 percent of near runway accidents occur in this zone, but that these numbers are misleading due to the large size of this zone.

The applicant will comply with all required standards to the extent applicable.

HS-8.13 Noise Analysis

The County shall require a detailed noise impact analysis in areas where current or future exterior noise levels from transportation or stationary sources have the potential to exceed the adopted noise policies of the Health and Safety Element, where there is development of new noise sensitive land uses or the development of potential noise generating land uses near existing sensitive land uses. The noise analysis shall be the responsibility of the project applicant and be prepared by a qualified acoustical engineer (i.e., a Registered Professional Engineer in the State of California, etc.). The analysis shall include recommendations and evidence to establish mitigation that will reduce noise exposure to acceptable levels (such as those referenced in Table 10-1 of the Health and Safety Element).

Analysis: The project proponent will include a noise analysis and provide for reasonably feasible mitigation measures for any significant noise impact that may occur.

WR-3.3 Adequate Water Availability

The County shall review new development proposals to ensure the intensity and timing of growth will be consistent with the availability of adequate water supplies. Projects must submit a Will-Serve letter as part of the application process, and provide evidence of adequate and sustainable water availability prior to approval of the tentative map or other urban development entitlement

Analysis: California Water Service Co provided a will-serve letter (dated 8/17/11) stating that the provider could extend water mains after a deposit is paid and an agreement signed. The proposed project's CEQA document (EIR) will examine water availability in detail.

PFS-1.2 Maintain Existing Levels of Services

The County shall ensure new growth and developments do not create significant adverse impacts on existing County-owned and operated facilities.

Analysis: The proposed project CEQA document will analyze the level of service in detail and mitigate impacts in accordance with this policy. The project applicant will prepare a financing and infrastructure plan to address funding mechanisms of this policy.

PFS-1.3 Impact Mitigation

The County shall review development proposals for their impacts on infrastructure (for example, sewer, water, fire stations, libraries, streets, etc). New development shall be required to pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. The lack of available public or private services or adequate infrastructure to serve a project, which cannot be satisfactorily mitigated by the project, may be grounds for denial of a project or cause for the modification of size, density, and/or intensity of the project.

Analysis: The proposed project CEQA document (EIR) will analyze infrastructure services in detail and any significant impacts will be mitigated.

PFS-1.4 Standards of Approval

The County should not approve any development unless the following conditions are met:

1. The applicant can demonstrate all necessary infrastructure will be installed and adequately financed,
2. Infrastructure improvements are consistent with adopted County infrastructure plans and standards, and
3. Funding mechanisms are provided to maintain, operate, and upgrade the facilities throughout the life of the project.

Analysis: The project applicant will prepare a financing and infrastructure plan to address funding mechanisms of this policy.

Rural Valley Lands Plan Part II, Chapter 1

RVLP Policy Statement: County Adopted City General Plans land use plans shall be adopted for incorporated cities within Urban Area Boundaries. The point exception system shall be used in an advisory capacity to evaluate the relative agricultural or non-agricultural suitability of lands located between the Urban Development Boundaries or Urban Area Boundaries for which a general plan amendment is proposed to expand or establish an Urban Development Boundary. **The point total shall be considered along with other**

relevant information when approving or denying a proposed general plan amendment.

Analysis: Usually, a Rural Valley Lands Plan (RVLP) analysis must be completed when a property is located in an area outside of a UAB to determine the site's suitability under the General Plan for non-agricultural use and zoning. Furthermore, through the Memorandum of Understanding (approved by the County in November of 2013), an RVLP analysis is required when a General Plan or Zoning Amendment is proposed within an UAB of a city and would be only be allowed to proceed if appropriate under the requirements of the RVLP.

However, the subject site is located between the UDB and UAB, and according to the RVLP Policy Statement, the RVLP analysis is one of many factors to be considered, but not the only factor when approving or denying General Plan Amendments. Thus, consideration of this project may be appropriate when considering various factors in connection with a decision on the project. These factors may include, but are not limited to, voluntary agricultural protection and economic benefits.

Additionally, this proposal can present an opportunity to explore implementation of the General Plan 2030 Update by considering the protecting and preserving prime agricultural land through a menu reasonably feasible and reasonably related mitigation evaluated through an Environmental Impact Report.

In regard to the RVLP analysis, it is intended that the RVLP was adopted to establish minimum parcel sizes for areas zoned for agriculture outside of urban boundaries to develop a policy that is fair, logical, legally supportable, and consistent in the utilization of resource information in determining the suitability of rural lands for nonagricultural uses.

A point evaluation system, which places a point value on 15 factors, is used to determine a site's suitability for nonagricultural zoning. After all relevant factors have been applied, the number of points are totaled.

*If the number of points accumulated is 17 or more in an area outside of a UAB, the parcel shall remain agriculturally zoned. If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12, 13, 14, 15, or 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors may make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by the system. **Under the RVLP evaluation system, the subject site may receive 14 points** (see attached Parcel Evaluation Checklist), suggesting that the site is within the gray area and other factors should be considered.*

RVLP-1.4 Determination of Agriculture Land

The County shall not allow re-zoning of parcels that accumulate 17 or more points according to the RVLP Development Criteria (contained in Section 1.3 of this chapter). If the number of points accumulated is 11 or less, the parcel may be considered for non-agricultural zoning. A parcel receiving 12 to 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors shall make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by this system.

Analysis: Usually, a Rural Valley Lands Plan (RVLP) analysis must be completed when a property is located in an area outside of a UAB to determine the site's suitability under the General Plan for non-agricultural use and zoning. Furthermore, through the Memorandum of Understanding (approved by

the County in November of 2013), an RVLP analysis is required when a General Plan or Zoning Amendment is proposed within an UAB of a city and would be only be allowed to proceed if appropriate under the requirements of the RVLP.

However, the subject site is located between the UDB and UAB, and according to the RVLP Policy Statement, the RVLP analysis is one of many factors to be considered, but not the only factor when approving or denying General Plan Amendments. Thus, consideration of this project may be appropriate when considering various factors in connection with a decision on the project. These factors may include, but are not limited to, voluntary agricultural protection and economic benefits.

Additionally, this proposal can present an opportunity to explore implementation of the General Plan 2030 Update by considering the protecting and preserving prime agricultural land through a menu reasonably feasible and reasonably related mitigation evaluated through an Environmental Impact Report.

In regard to the RVLP analysis, it is intended that the RVLP was adopted to establish minimum parcel sizes for areas zoned for agriculture outside of urban boundaries to develop a policy that is fair, logical, legally supportable, and consistent in the utilization of resource information in determining the suitability of rural lands for nonagricultural uses.

A point evaluation system, which places a point value on 15 factors, is used to determine a site's suitability for nonagricultural zoning. After all relevant factors have been applied, the number of points are totaled.

*If the number of points accumulated is 17 or more in an area outside of a UAB, the parcel shall remain agriculturally zoned. If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12, 13, 14, 15, or 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors may make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by the system. **Under the RVLP evaluation system, the subject site may receive 14 points** (see attached Parcel Evaluation Checklist), suggesting that the site is within the gray area and other factors should be considered.*

The following policies pertain to the design and construction of the proposed project. If the General Plan Initiation is approved, the proposed project would be required to comply with the following policies:

PF 1.6 Appropriate Land Uses By Location	TC 5.5 Facilities
AG 1.6 Conservation Easements	PFS 1.2 Maintain Existing Levels of Service
LU 1.1 Smart Growth and Healthy Communities	PFS 1.3 Impact Mitigation
LU 1.2 Innovative Development	PFS 1.4 Standards of Approval
LU 1.10 Roadway Access	PFS 2.2 Adequate Systems
LU 2.1 Agricultural Lands	PFS 2.4 Water Connections
LU 2.3 Open Space Character	PFS 3.2 Adequate Capacity
LU 4.5 Commercial Building Design	PFS 3.3 New Development Requirements
LU 7.3 Friendly Streets	PFS 4.2 Site Improvements
LU 7.4 Streetscape Continuity	PFS 4.3 Development Requirements
LU 7.7 Parking Location	PFS 4.4 Stormwater Retention Facilities
LU 7.10 Gateway/Entry Points	PFS 4.5 Detention/Retention Facilities
LU 7.17 Shared Parking Facilities	PFS 5.6 Ensure Capacity
LU 7.19 Minimize Glare	PFS 7.2 Fire Protection Standards
ED 2.4 Job Quality Diversity	PFS 7.7 Cost Sharing
SL 1.1 Natural Landscapes	
SL 1.2 Working Landscapes	
SL 3.3 Highway Commercial	
ERM 4.1 Energy Conservation and Efficiency Measures	
ERM 4.2 Streetscape and parking Area Improvements for Energy Conservation	
ERM 4.8 Energy Efficiency Standards	
AQ 1.3 Cumulative Air Quality Impacts	
AQ 1.5 California Environmental Quality Act Compliance	
AQ 2.2 Indirect Source Review	
AQ 2.4 Transportation Management Associations	
AQ 3.3 Street Design	
AQ 3.4 Landscape	
AQ 3.5 Alternative Energy Design	
AQ 4.1 Air Pollution Control Technology	
AQ 4.2 Dust Suppression Measures	
AQ 4.3 Paving or Treatment of Roadways for Reduced Air Emissions	
HS 8.14 Sound Attenuation	
WR 2.1 Protect Water Quality	
WR 2.4 Construction Site Sediment Control	
WR 3.5 Use of native and Drought Tolerant Landscaping	
TC 1.13 Land Dedication for Roadways and other Travel Modes	
TC 1.14 Roadway Facilities	
TC 1.15 Traffic Impact Study	
TC 1.16 County Level of Service Standards	
TC 4.4 Nodal Land use Patterns that Support Public Transit	
TC 4.7 Transit Ready Development	
TC 5.2 Consider Non-Motorized Modes in Planning and Development	
TC 5.3 Provision for Bicycle Use	
TC 5.4 Design Standards for Bicycle Routes	

City of Visalia

The subject site is next to the City of Visalia's municipal boundary at the northeast corner. The subject property currently is partially within the City's Urban Growth Boundary or Urban Development Boundary and entirely within the Sphere of Influence. According to the City's current General Plan (1992), the property is designated "Agriculture."

However, the city is currently updating its general plan with a proposed adoption date in late 2014. In regard to the project's consistency with the City of Visalia's Draft General Plan (VDGP), the County provides the following discussion:

County GPU Policy 4.12 (General Plan Designations with City UDB's) recognizes that development proposals within the County's UDB remain compatible with the city's land use designation. The proposed project site is a General Plan Amendment that is outside of the County's UDB and all three draft City General Plan boundaries. Development may occur within the UAB of the County if the project complies with a GPU Policy 4.19, which generally relates to the RVLP analysis within a County Adopted City UAB. Please see Attachment "B" (RMA Planning Staff Analysis of Proposed General Plan Initiation) for the project's apparent consistency with Tulare County's General Plan.

In regard to the project's consistency with the City of Visalia's Draft General Plan (VDGP), the County provides the following discussion for consideration:

The city's draft General Plan proposes a three tier boundary approach. **The subject site is currently outside all three boundaries.** The city's General Plan maps the site as a "reserve" land use designation, with a brief paragraph description as follows:

"The reserve land use designation applies to lands that are outside of the Urban Growth Boundary for which future planned development may be appropriate under the criteria as stated in LU-P-33. Use of lands in "reserve" designation is anticipated to remain in agriculture." (VDGP pg. 2-22)

The text on page VDPG 2-58 indicates that the General Plan designates approximately 675 acres of Airport Industrial south of the Visalia Airport. The following VDGP text below also supports airport compatible industrial development south of the airport. However, no Airport Industrial designation is mapped by the Draft General Plan Land Use Map (VDGP pg. 2-18). Instead this area is mapped as reserve. (See Attachment "A" Maps Depicting Key Features of Proposed General Plan Initiation)

Further insight regarding development of the subject area is provided by the City's Draft General Plan as follows:

"Land around the Airport may be developed with site appropriate industrial uses during the planning period, providing it conforms with the land use compatibility required for the Visalia Municipal environs established by the City." (VDGP pg. 2-32)

The proposed draft General Plan text also states as follows:

"The General Plan proposes to shift focus on industrial development to areas south of State Route 198, particularly around the airport" (VDGP pg. 2-57)

Accordingly, there appears to be a reasonable question regarding the interpretation of the Reserve designation outside of the UGB on the same land that could potentially be developed as Airport Industrial. The following proposed Draft General Plan Policy provides further insight as to how the subject area could potentially be developed:

"Designate land areas for future urban development to be considered (if at all) under separate criteria from City wide growth under Policy LU-P-19 (Urban Boundaries). These areas shall be designated for

"reserve", and remain in agricultural zoning until they are designated and pre-zoned for an appropriate urban land use through the city's General Plan Amendment and Zone process. These areas may be re-designated and pre-zoned for an appropriate urban use upon the following findings as reviewed by the Planning Commission and decided on by the City Council.

- 1. The proposed uses and intensity of development are consistent with all applicable policies and constraints as contained in the Visalia Airport Master Plan.*
- 2. Property is adequately served or will be adequately served by public facilities including streets, sewerage, police and fire protection, water supply, and other required facilities' to be fully funded by the proposed development.*
- 3. Properties located within the previous development boundary or under the land use designation being proposed within the area are already developed or do not provide the likelihood of being developed in a timeframe appropriate to meet the needs of the community.*
- 4. Properties are determined to provide a significant social and economic benefit to the community.*
- 5. There is determined to be a Community level need for the proposed use, including lack of sufficient acreage already designated for the proposed scale and intensity of the proposed use."*

Please see Visalia Master Plan Consistency, Infrastructure Availability and Alternative Sites in Attachment "D" (Intergovernmental Correspondence) for consistency with the above policy.

Attachment C
Preliminary Rural Valley Lands Plan Evaluation

ANALYSIS STATEMENT FOR
RURAL VALLEY LANDS PLAN (RVLP)
EVALUATION CHECKLIST

FOR

GPI 12-002 – Equity Bak L.P. (Derrel's Mini Storage) / DR Mata Consulting
12/31/13

SITE EVALUATED: The subject site is on 19.44-acre APN 119-230-007, on the north side of Avenue 280 (Caldwell Avenue), approximately 0.50 miles west of Road 100 (Akers Road) and @0.40 miles east of Road 92 (Shirk Avenue).

The subject site is within the County's Urban Area Boundary (UAB) but outside and adjacent to the County's Urban Development Boundary (UDB). The County of Tulare's applicable General Plan element is the Visalia Area Land Use Plan (GPA 92-007B/C), which designates the subject site for Agriculture and the Tulare County General Plan 2030 Update. County Zoning on the site is AE-20 (Exclusive Agriculture - 20-acre minimum). The site currently contains no structures. The surrounding area includes AE-20 zoned agriculture and residential uses to the north; the UDB, Roeben Road alignment and a residential uses to the east; Caldwell Avenue and AE-20 zoned agriculture (row crops) to the south; and, AE-20 & AE-40 zoned agriculture (row crops & orchard) to the west.

Applicant proposes changing the land use designation to Commercial and the zoning to C-3 (Service Commercial) Zone. The proposed project is to develop a 19± acre parcel into a mini-storage facility. The facility will be constructed in phases.

The City of Visalia provided a comment letter regarding the proposed project. The City noted that Visalia's working draft General Plan tentatively designates the site as Industrial Reserve. The City expressed several issues of concern that are responded to in appropriate sections below.

RVLP ANALYSIS: Per the County of Tulare General Plan Policy RVLP Policy Statement, a Rural Valley Lands Plan (RVLP) analysis shall be used in an advisory capacity to evaluate the relative agricultural or non-agricultural suitability of lands located between the Urban Development Boundaries or Urban Area Boundaries, for which a general plan amendment is proposed to expand or establish an Urban Development Boundary. The point total shall be considered along with other relevant information when approving or denying a proposed general plan amendment. Furthermore, Policy PF 4.19 may allow General Plan Amendments as appropriate by the RVLP.

A. RESTRICTED TO AGRICULTURAL VALUES

1. Agricultural Preserve Status:

Analysis: The subject 19± acre parcel is not under contract as an Agricultural Preserve. Zero (0) points are allocated.

2. Limitation for Individual Waste Disposal Facilities:

Analysis: Engineer designed septic tank-leach line system will be required at the development stage for the mini-storage facility (manager residence and public restroom). The proposed mini-storage project will not require City-provided sewer services. The City does not presently have sewer mains to serve the site, nor are any envisioned in the foreseeable future, per City's 9/15/11 letter. Zero (0) points are allocated.

B. VARIABLE POINT VALUE

1. Land Capability:

Analysis: The Soil Conservation Service has rated the agricultural capability of the on-site soil types (Akers-Akers and Tagus Loam) as Class I if irrigated and Class IVc if not irrigated. The historical use of the land and adjacent parcels to the west are for agricultural row crops, per aerial photographs. However, the subject site does not have any rights to surface water and does not have a well. Ms. Mata affirms that the site to the north is fallow and has not been irrigated or used for some time. Another neighboring property owner is growing a single crop, silage corn, and irrigating it with water from his parcel. The current site would require the construction of a new well or obtaining water rights to continue agricultural operations, which may be cost prohibitive. The project applicant intends to obtain water from CAL Water, which serves the city of Visalia. Thus, considering water availability of the site a Class IV soil non-irrigated was used and two (2) points may allocated. This factor may be awarded two (2) points, if it is proven that obtaining water onsite, through a well or surface water is infeasible. The project applicant must identify sources of water not limited to well, irrigation canal, water transfer and conduct water availability analysis demonstrating either (1) the insufficiency of adequate water supplies for continued crop production, or (2) the infeasibility of continued agricultural activities on the subject property. This analysis must include input from the water district, or other water authority.

C. FOUR POINT VALUE CATEGORY

1. Existing Parcel Size:

Analysis: The subject 19± acre site under evaluation is larger than the five acre minimum set by the evaluation criteria. This factor receives four (4) points.

2. Existing Land Use/Suitability for Cultivation:

Analysis: The subject site was historically used for agriculture (planted in row crops), is suitable for cultivation, and is adjacent to properties being successfully farmed. However, as noted above, the subject site does not have any water rights to surface water and does not have a well. This factor may be awarded two (2) points if it is proven that obtaining water onsite, through a well or surface water is infeasible.

D. THREE POINT VALUE CATEGORY:

1. Surrounding Parcel Size:

In the ¼ mile buffer area around the subject site, approximately 15.6% of the parcels are less than five acres in size, as calculated by parcel sizes on County Assessor Maps. This is less than the weighting criteria of 35% and adjacent to urban use on one side, which is intended to discourage nonagricultural land uses. This factor is allocated three (3) points.

2. Surrounding Land Uses:

Analysis: The purpose of this evaluation is to prevent the close association of agricultural uses and non-agricultural uses which may have the potential to adversely affect one another. The site is adjacent on one side with non-agricultural uses, with agriculture uses adjacent on three sides. Only 14.06% of the surroundings are residential and commercial, which does not meet the weighting criteria of at least 25% of the area being devoted to nonagricultural uses within one-quarter mile of the perimeter of the site. This factor receives three (3) points.

3. Proximity to Inharmonious Uses:

Analysis: The northern edge of the subject property is approximately 680 feet away from the animal pens of an existing dairy. The dairy could be considered inharmonious to nonagricultural uses. Commercial or industrial uses are not as sensitive as residential uses pertaining to an inharmonious use; therefore, the proposed project as a commercial mini storage within ¼ mile of the grandfathered dairy may receive only one (1) point. It should be noted that the existing dairy is a grandfathered use and is within the City of Visalia's Sphere of Influence (SOI) in an area that is intended for urban development and not agricultural uses. As a parcel within the SOI of the city, it is intended and expected that the grandfathered dairy will eventually close and the lot will be developed for urban uses. Furthermore, the dairy is not an appropriate or permitted use within the cities SOI and/or within one mile of existing urban development boundary according to the County's adopted General Plan. Considering the grandfathered use, the dairy and project within the City's SOI and the continuing encroachment of residences being permitted within 1,000 feet of the grandfathered site, zero (0) points are awarded for an inharmonious use.

The proposed project is located within the traffic patterns of the Visalia Airport. The site is located within Zone 6 (please see a description of Safety Zone 6 below). According to table 3-1 of the CALUP, mini storage commercial facilities are a compatible use within Zone 6 subject to the following indoor noise requirements: "In areas where aircraft noise is expected to exceed 60dB CNEL; inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less."

□ **Safety Zone 6, Traffic Pattern Zone** – The Traffic Pattern Zone is an oval shaped area centered on the extended runway centerline. This zone encompasses all other portions of the regular traffic patterns and pattern entry routes. This area generally has a low likelihood of accident occurrence at most airports, except where high concentrations of people present the potential for severe consequences. Caltrans research indicates that 18 to 29 percent of near runway accidents occur in this zone, but that these numbers are misleading due to the large size of this zone.

4. Proximity to Lands within Agricultural Preserves:

Analysis: Properties across Caldwell Ave from the subject site are within Agricultural Preserves, However, the 38 acres within the ¼ mile buffer area represent 16% of the total area, this is less than the 35% threshold, therefore, zero (0) points are allocated.

E. TWO POINT VALUE CATEGORY:

1. Level of Groundwater and Soil Permeability:

Analysis: The soil types on the site are Akers-Akers and Tagus loam, which have moderate permeability ratings. The groundwater level is estimated to be at 100-110 feet per a Bureau of Reclamation "Ground to Water Surface Contours" 1995 map, deeper than the desirable 20 feet. Zero (0) points are allocated.

F. ONE POINT VALUE CATEGORY:

1. Proximity to Fire Protection Facilities:

Analysis: The subject site is within five miles of a fire station, so could be suitable for nonagricultural use. This factor receives zero (0) points.

2. Access to Paved Roads:

Analysis: The project is located immediately adjacent to Caldwell Avenue / Avenue 280 and has ready access to the County's road system; therefore, zero (0) points are allocated. No road improvements would be required as a result of the zone change, although future development may require right-of-way dedications and road improvements.

3. Historical, Archaeological, Wildlife Habitat, and Unique Natural features:

Analysis: The subject site has no known historic or archaeological importance and has been actively cultivated for agriculture. No endangered species are on or near the site, per the California Natural Diversity Database; therefore, zero (0) points are allocated. If allowed to proceed a biological report will be prepared for the site.

4. Flood Prone Areas:

Analysis: The subject site is in the "F" flood zone which has a 0.2% annual chance of flood. Non-agricultural uses are appropriate in areas not subject to 100-year frequency floods. Zero (0) points were assigned for this category.

5. Availability of Community Domestic Water:

Analysis: California Water Service Co provided a will-serve letter (dated 8/17/11), stating they could extend water mains after a deposit is paid and an agreement signed. Fire flow can be provided. Therefore, the site receives an allocation of zero (0) points.

6. Surface Irrigation Water:

Analysis: The site is currently planted in row crops and an irrigation ditch is located across Caldwell Avenue. However, applicant's agent noted in her 9/4/12 e-mail that the subject site has no water rights to obtain water from the ditch. Therefore, zero (0) points are allocated.

7. Groundwater Recharge Potential:

Analysis: Soils on the site have a moderate rate of water transmission and lack a restrictive layer, which allows groundwater recharge from irrigation water that percolates below the crop root zone and into the unconfined aquifer. However, recharge potential is not evaluated for sites with no surface irrigation water. Zero (0) points are awarded.

Total Points = 14 points.

Usually, a Rural Valley Lands Plan (RVLP) analysis must be completed when a property is located in an area outside of a UAB to determine the site's suitability under the General Plan for non-agricultural use and zoning. Furthermore, through the Memorandum of Understanding (approved by the County in November of 2013), an RVLP analysis is required when a General Plan or Zoning Amendment is proposed within an UAB of a city and would be only be allowed to proceed if appropriate under the requirements of the RVLP.

However, the subject site is located between the UDB and UAB, and according to the RVLP Policy Statement, the RVLP analysis is one of many factors to be considered, but not the only factor when approving or denying General Plan Amendments. Thus, consideration of this project may be appropriate when considering various factors in connection with a decision on the project. These factors may include, but are not limited to, voluntary agricultural protection and economic benefits.

Additionally, this proposal can present an opportunity to explore implementation of the General Plan 2030 Update by considering the protecting and preserving prime agricultural land through a menu reasonably feasible and reasonably related mitigation evaluated through an Environmental Impact Report.

In regard to the RVLP analysis, it is intended that the RVLP was adopted to establish minimum parcel sizes for areas zoned for agriculture outside of urban boundaries to develop a policy that is fair,

logical, legally supportable, and consistent in the utilization of resource information in determining the suitability of rural lands for nonagricultural uses.

A point evaluation system, which places a point value on 15 factors, is used to determine a site's suitability for nonagricultural zoning. After all relevant factors have been applied, the number of points are totaled.

If the number of points accumulated is 17 or more in an area outside of a UAB, the parcel shall remain agriculturally zoned. If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12, 13, 14, 15, or 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors may make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by the system. **Under the RVLP evaluation system, the subject site may receive 14 points** (see attached Parcel Evaluation Checklist), suggesting that the site is within the gray area and other factors should be considered.

Attachment D
Intergovernmental Correspondence

Attachment D Intergovernmental Correspondence
CITY OF VISALIA COMMENT LETTERS AND RESPONSES
(City Comments in Italics)

September 15, 2011

Land Use Consistency: *"The project site is outside of the current city Urban Development Boundary. It is currently zoned County Agriculture AE-20, and has a city Agriculture Land Use Designation. The city's working draft General Plan tentatively designates the entire site as Industrial Reserve. As implied by the designation, development on the site for other than agriculture is not anticipated to occur in the early years of plan implementation. The mini storage component may be compatible with the tentative General Plan land use designation of Industrial Reserve. However, the residential component would conflict with the designation."*

The original proposal of the project consisted of 5 acres of residential units. The applicant revised the project, and eliminated the proposed residential acreage. The entire site is now proposed to be developed as a mini storage. Though zoned agriculture the site is within the County's Urban Area Boundary, a 2/3 majority area within the UDB and UGB of the city and entirely within the Sphere of Influence.

County GPU Policy 4.12 (General Plan Designations with City UDB's) recognizes that development proposals within the County's UDB remain compatible with the city's land use designation. The proposed project site is a General Plan Amendment that is outside of the County's UDB and all three draft City General Plan boundaries. Development may occur within the UAB of the County if the project complies with GPU Policy 4.18 Please see Attachment "B" (RMA Planning Staff Analysis of Proposed General Plan Initiation) for the projects consistency with the County's General Plan.

In regards to the projects consistency with the Visalia's Draft General Plan (VDGP), the County provides the following discussion:

The city's draft General Plan proposes a three tier boundary approach. The subject site is currently outside of all three boundaries. The city's General Plan maps the site as a "reserve" land use designation, with a brief paragraph description as follows:

"The reserve land use designation applies to lands that are outside of the Urban Growth Boundary for which future planned development may be appropriate under the criteria as stated in LU-P-33. Use of lands in "reserve" designation is anticipated to remain in agriculture." (VDGP pg. 2-22)

The text on page VDPG 2-58 indicates that the General Plan designates approximately 675 acres of Airport Industrial south of the Visalia Airport. The following VDGP text below also supports airport compatible industrial development south of the airport. However, no Airport Industrial designation is mapped by the Draft General Plan Land Use Map (VDGP pg. 2-18). Instead this area is mapped as reserve. (See Attachment "A" Maps Depicting Key Features of Proposed General Plan Initiation)

Further insight regarding development of the subject area is provided by the City's Draft General Plan as follows:

"Land around the Airport may be developed with site appropriate industrial uses during the planning period, providing it conforms with the land use compatibility required for the Visalia Municipal environs established by the City." (VDGP pg. 2-32)

The proposed draft General Plan text also states as follows:

"The General Plan proposes to shift focus on industrial development to areas south of State Route 198, particularly around the airport." (VDGP pg. 2-57)

Accordingly, there appears to be a reasonable question regarding the interpretation of the Reserve designation outside of the UGB on the same land that could potentially be developed as Airport Industrial. The following proposed Draft General Plan Policy provides further insight as to how the subject area could potentially be developed:

"Designate land areas for future urban development to be considered (if at all) under separate criteria from City wide growth under Policy LU-P-19 (Urban Boundaries). These areas shall be designated for "reserve", and remain in agricultural zoning until they are designated and pre-zoned for an appropriate urban land use through the city's General Plan Amendment and Zone process. These areas may be re-designated and pre-zoned for an appropriate urban use upon the following findings as reviewed by the Planning Commission and decided on by the City Council.

- 1. The proposed uses and intensity of development are consistent with all applicable policies and constraints as contained in the Visalia Airport Master Plan.*
- 2. Property is adequately served or will be adequately served by public facilities including streets, sewerage, police and fire protection, water supply, and other required facilities' to be fully funded by the proposed development*
- 3. Properties located within the previous development boundary or under the land use designation being proposed within the area are already developed or do not provide the likelihood of being developed in a timeframe appropriate to meet the needs of the community.*
- 4. Properties are determined to provide a significant social and economic benefit to the community.*
- 5. There is determined to be a Community level need for the proposed use, including lack of sufficient acreage already designated for the proposed scale and intensity of the proposed use."*

Please see Visalia Master Plan Consistency, Infrastructure Availability and Alternative Sites in Attachment "D" (Intergovernmental Correspondence) for consistency with the above policy.

In conclusion, the project site, whether designated reserve or airport industrial, may be eligible for urban development. As such, the project site may be considered for development in the County with a General Plan Amendment.

Visalia Airport Master Plan: *The entire site is within VAMP Compatibility Zones B-1 and B-2. As indicated both Zones is 0.2 du/ac, where as the project (including credit for clustering approaches 1.1 du/ac.*

The proposed project no longer contains any residential development. The mini storage is considered a compatible use with the County of Tulare's Comprehensive Airport Land Use Plan, which was approved by CALTRANS. Whereas, the City of Visalia Airport Master Plan is not compatible with the regulations as applied by CALTRANS. The CALUP recommended that the city update the airport plan to be compatible with the new regulations and thus consistent with the County's CALUP.

Provision of Services and Utilities: *The proposal includes a "will serve" by the California Water Company, who provides domestic water service to the general area. However, no mention is made of sewerage for the industrial and residential components. The city is the only sanitary sewer service provider in the area. The city does not presently have sewer mains to serve the site, nor are any envisioned in the foreseeable future. Allowing individual septic systems for these homes would be a significant health and environment concern to the city.*

There are no longer residential units as a part of the project; hence, there will not be a significant number of septic systems. If feasible, the applicant will construct infrastructure to urban development standards, compatible with future water and wastewater systems and city streets/utility setbacks as described in the County's General Plan and MOU with the city. This includes the construction of appropriate road improvements to Caldwell Avenue and Roeben Road to the extent that an appropriate nexus to the project is found. The EIR prepared for the project will analyze the adequacy of infrastructure services for the project including road and wastewater services.

Impacts to City Services: *It appears the project would overwhelmingly rely on city maintained roads and city provided services to sustain its development. If the County ultimately entitles the request, it should be done so with the condition that all city development impact fees (including transportation, public safety, park, drainage, and waterway trails) are to be applied to any building permits issued for this project.*

The County General Plan contains a policy to work with the cities on the collection of Impact fees. The County and cities are still discussing the resolution of this issue. The project will however, be required to construct to city infrastructure standards including roads, drainage etc.

July 24, 2013 Letter:

County Land Use Consistency per the RVLP: *The site's score of 22 is seven points above the maximum score for candidate parcels to be favorably considered for rezoning to a non agricultural use.*

A preliminary score of 22 was obtained for the Project Review Committee; however, this is a preliminary score based on preliminary *analytical data regarding the project site*. Upon further examination regarding the subject site, the preliminary score for the updated RVLP could range from 14 to 21. If approved for processing, the applicant will be required to prepare an Environmental Impact Report (EIR) for the project, and as such, will be required to provide a detailed technical evaluation of the RVLP to verify the checklist score. Thus, the applicant would proceed at his risk with respect to the RVLP analysis.

In addition the Memorandum of Understanding between the City of Visalia and the County stipulates that there may be no General Plan or Zoning Amendments unless appropriate under the RVLP. For projects within the County UAB, the RVLP is one of many factors to be considered, but not the only factor when considering General Plan Amendments. Please see Attachment "B" (RMA Planning Staff Analysis of Proposed General Plan Initiation) and Attachment "C" (RVLP Preliminary Evaluation).

Inconsistency with the City and County Land Use Designations: *The city's current General Plan designation of Agriculture and partial placement in the 165,000 urban growth ring affirms and supports the County's current AE-20 Zoning on the site. The County zoning designation coupled with the city's Land Use designation confirms the site's appropriate agricultural zoning and use, as well as marginal potential for near term conservation to an urbanized use.*

The subject site is near the city of Visalia's municipal boundary at the northeast corner. The subject property currently is partially within the city's Urban Growth Boundary or Urban Development Boundary, and entirely within the Sphere of Influence. According to the city's current General Plan (1992), the property is designated "Agriculture."

County GPU Policy 4.12 (General Plan Designations with City UDB's) recognizes that development proposals within the County's UDB remain compatible with the city's land use designation. The proposed project site is a General Plan Amendment that is outside of the County's UDB and all three draft City General Plan boundaries. Development may occur within the UAB of the County if the project complies with GPU Policy 4.18, see Attachment "B" (RMA Planning Staff Analysis of Proposed General Plan Initiation) for the projects consistency with the County's General Plan.

In regards to the projects consistency with the Visalia's Draft General Plan (VDGP), the County provides the following discussion:

The city's draft General Plan proposes a three tier boundary approach. The subject site is currently outside of all three boundaries. The city's General Plan maps the site as a "reserve" land use designation, with a brief paragraph description as follows:

"The reserve land use designation applies to lands that are outside of the Urban Growth Boundary for which future planned development may be appropriate under the criteria as stated in LU-P-33. Use of lands in "reserve" designation is anticipated to remain in agriculture." (VDGP pg. 2-22)

The text on page VDPG 2-58 indicates that the General Plan designates approximately 675 acres of Airport Industrial south of the Visalia Airport. The following VDGP text below also supports airport compatible industrial development south of the airport. However, no Airport Industrial designation is mapped by the Draft General Plan Land Use Map (VDGP pg. 2-18). Instead this area is mapped as reserve. (See Attachment "A" Maps Depicting Key Features of Proposed General Plan Initiation)

Further insight regarding development of the subject area is provided by the City's Draft General Plan as follows:

"Land around the Airport may be developed with site appropriate industrial uses during the planning period, providing it conforms with the land use compatibility required for the Visalia Municipal environs established by the City." (VDGP pg. 2-32)

The proposed draft General Plan text also states as follows:

"The General Plan proposes to shift focus on industrial development to areas south of State Route 198, particularly around the airport." (VDGP pg. 2-57)

Accordingly, there appears to be a reasonable question regarding the interpretation of the Reserve designation outside of the UGB on the same land that could potentially be developed as Airport Industrial. The following proposed Draft General Plan Policy provides further insight as to how the subject area could potentially be developed:

"Designate land areas for future urban development to be considered (if at all) under separate criteria from City wide growth under Policy LU-P-19 (Urban Boundaries). These areas shall be designated for "reserve", and remain in agricultural zoning until they are designated and pre-zoned for an appropriate urban land use through the city's General Plan Amendment and Zone process. These areas may be re-designated and pre-zoned for an appropriate urban use upon the following findings as reviewed by the Planning Commission and decided on by the City Council.

- 1. The proposed uses and intensity of development are consistent with all applicable policies and constraints as contained in the Visalia Airport Master Plan.*
- 2. Property is adequately served or will be adequately served by public facilities including streets, sewerage, police and fire protection, water supply, and other required facilities' to be fully funded by the proposed development.*
- 3. Properties located within the previous development boundary or under the land use designation being proposed within the area are already developed or do not provide the likelihood of being developed in a timeframe appropriate to meet the needs of the community.*

4. *Properties are determined to provide a significant social and economic benefit to the community.*
5. *There is determined to be a Community level need for the proposed use, including lack of sufficient acreage already designated for the proposed scale and intensity of the proposed use."*

Please see Visalia Master Plan Consistency, Infrastructure Availability and Alternative Sites in Attachment "D" (Intergovernmental Correspondence) for consistency with the above policy.

In conclusion, the project site, whether designated reserve or airport industrial, may be eligible for urban development. As such, the project site may be considered for development in the County with a General Plan Amendment.

Infrastructure Availability: *The site presently lacks adequate utility and road infrastructure for an urban use. Specifically, the site does not have sanitary sewer, which is strongly recommended for urbanized uses. With regard to road improvements the city recommends that any future urban development on the site include construction of Caldwell Avenue (Avenue 280) and Roeben Road (Road 96) to city General Plan Circulation Element classifications.*

If feasible, the applicant will construct infrastructure to urban development standards, compatible with future water and wastewater systems and city streets/utility setbacks as described in the County's General Plan and MOU with the city. This includes the construction of appropriate road improvements to Caldwell Avenue and Roeben Road to the extent that an appropriate nexus to the project is found. The EIR prepared for the project will analyze the adequacy of infrastructure services for the project including road and wastewater services.

Alternative Sites: *the city is available to assist the project proponent in finding a suitable alternative site that achieves their business requirements while maintaining consistency with both the County and city land use standards.*

The applicant met with the city on October 28, 2013 and considered four alternative sites, including sites on the east side of Mooney Blvd. The applicant concluded that none of these alternative sites suited the business needs in serving southwest Visalia. For example, one site was too close to an existing Derrel's Mini Storage, one site was too small, one was not for sale, and the last site had the same infrastructure concerns as the proposed site. The EIR prepared for the project, if approved for processing, will discuss in detail alternative sites, including the sites that were considered with the city.

From: Michael Spata
To: josh.mcdonnell@ci.visalia.ca.us
CC: Bock, Aaron; Przybylski, Charles
Date: 05/07/2014 4:24 PM
Subject: Derrel's Mini Storage
Attachments: GPI 12002 Mini Storage DRAFT Agenda 5-7-14.pdf

Hi Josh,

As part of the cooperative land use process between the city and the county, we would like to meet with you and your colleagues to discuss the proposed General Plan Initiation (GPI) by the applicant, Derrel's Mini Storage.

Essentially, the proposal attempts to initiate the planning process to allow a 19-acre commercial, mini storage development

The project is proposed to be located near Caldwell Avenue and Akers Road adjacent to Visalia. The site is not located within the City's current Sphere of Influence nor in the County's Urban Development Boundary.

Attached for your review is a draft of the Agenda Item which will likely be scheduled before the Board of Supervisors in the latter part of June.

Please let me know when you and your colleagues would like to meet at your offices with our team.

As always, thank you for your courtesy and consideration.

All the best, Mike

Michael C. Spata
Associate Director
Tulare County
Resource Management Agency
5961 South Mooney Blvd.
Visalia, California 93277
Telephone: (559) 624-7000
Facsimile: (559) 730-2653
Email: MSpata@co.tulare.ca.us

Visit the new Economic Development Website at:
www.tularecountyeconomicdevelopment.org



RESOURCE MANAGEMENT AGENCY

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

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

JAKE RAPER JR., AICP, DIRECTOR

June 21, 2013

Mr. Chris Young, P.E.
Community Development Director / City Engineer
City of Visalia
315 E. Acquit Avenue
Visalia, CA 93291

Re: General Plan Initiation Case No. GPI 12-002 – EquityBak L.P. (Derrel's Mini Storage)

Dear Mr. Young:

Please be advised that the County of Tulare has received an application for a discretionary project within the Sphere of Influence (SOI) and the County Adopted Urban Area Boundary (CACUAB) of the City, namely, General Plan Initiation Case No. GPI 12-002 – EquityBak L.P. (Derrel's Mini Storage). Enclosed is a copy of the standard Project Review – Consultation Letter relating to this matter.

Accordingly, please accept this letter as an informal request to consult with the City of Visalia. However, if the city would like to make a formal request for consultation pursuant to the Memorandum of Understanding, please let us know. In any case, we would like to maintain good communication with respect to planning matters of mutual interest.

If you have any comments or questions regarding this application, please contact Chuck Przybylski, Project Planner, at (559) 624-7000. As always, thank you for your courtesy and consideration.

Sincerely,

Michael C. Spata
Assistant Director, Planning

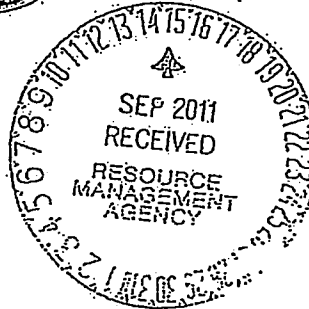
Enclosure

cc: Jake Raper, Jr., AICP, Director, Resource Management Agency
Chuck Przybylski, Project Planner, Resource Management Agency
Mike Olmos, Assistant City Manager, City of Visalia
Josh McDonald, City Planner, City of Visalia
Paul Ridenour, Derrel's Mini Storage
Darlene R. Mata, DR Mata Consulting



September 15, 2011

Tulare County
Resource Management Agency
Attn: Jake Raper, AICP, Director
5961 S. Mooney Blvd.
Visalia, CA 93277



Re: Project Review Committee Item PRC 11-021 Equitybank, L.P. (Derrel's Mini Storage)

Dear Mr. Raper:

This letter is being submitted to you to establish, for the record, several concerns the City has with regard to the above referenced project. It appears that the urban development of this site, as contemplated by the proposed project, is not consistent with either existing land use designations or the general policies of the County's or the City's General Plans. More specifically, the project has been agendized for potential County development entitlements without the benefit of prior referral to the City pursuant to Tulare County Urban Boundaries Element I-4.(1), and therefore should not be recommended for further processing. The City is unaware how the County's new Plan Review Committee process fits into this long-established referral process. Our expectation is that your Project Review Committee process will require submittal of the project to the City pursuant to the policy. Your assistance in clearing up any misunderstanding on our part will be greatly appreciated.

The City's prior knowledge and preliminary review of this proposal is limited to a request by the proponent for consideration of the mix of land uses required by the project proposal you are considering. The City's General Plan Update Review Committee (GPURC) responded to the proponent that the request was pre-mature at the time (early 2011). The applicant has been made aware that this request will be considered in the City's General Plan Update process.

Without limiting the City's general comments as stated above, there are specific issues of concern to the City as follows:

1) Land Use Consistency: The project site is outside of the current City Urban Development Boundary (UDB). It is currently zoned County Agriculture AE20, and has a City Agriculture Land Use Designation. The City's working draft General Plan tentatively designates the entire site as Industrial Reserve. As implied by the designation, development on the site for other than agriculture is not anticipated to occur in the early years of plan implementation. The mini storage component may be compatible with the tentative new General Plan land use designation of Industrial Reserve. However, the residential component would conflict with the designation.

2) Visalia Airport Master Plan (VAMP): The entire site is within VAMP Compatibility Zones B-1 and B-2 (map and supporting information attached). As indicated, the dwelling unit density in both Zones is .2 du/ac, whereas the project (including credit for clustering) approaches 1.1 du/ac.

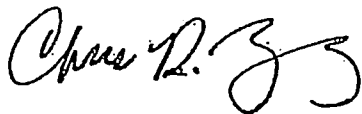
3) Provision of Services and Utilities: The proposal includes a "will serve" by California Water Company, who provides domestic water service to the general area. However, no mention is made of sewerage for the industrial and residential components. The City is the only sanitary sewer service provider in the area. The City does not presently have sewer mains to serve the site, nor are any envisioned in the foreseeable future. Allowing individual septic systems for these homes would be a significant health and environmental concern to the City.

4) Impacts to City Services: It appears the project would overwhelmingly rely on City maintained roads and City provided services to sustain its development. If the County ultimately entitles the request, it should be done so with the condition that all City development impact fees (including transportation, public safety, park, drainage, and waterway trails) are to be applied to any building permits issued for this project.

5) The project borders on Caldwell Avenue (an arterial street) and the Roeben Street alignment (future collector street). Both streets would require right-of-way dedications and street improvements including, but not limited to, streetlights, curb and gutter, storm drainage, etc., per the City's Circulation Element and Traffic Impact Fee Program.

Thank you in advance for your assistance in resolving these issues. A City representative will be present during the proceedings to assist in the PRC review, as appropriate. In the meantime, please do not hesitate to contact me at (559) 713-4392, for any assistance we can provide to you.

Sincerely,



Chris Young, P.E.
Community Development Director/City Engineer

Attachments: Map Showing Site and Surrounding Area
VAMP Table 5-D

CC: Mayor and City Council
Tulare County Supervisor, Phil Cöx
Steve Salomon, City Manager
Michael Olmos, Assistant City Manager
Alex Peltzer, City Attorney

Zone	Location	Maximum Densities		Req'd Open Land ³	Additional Criteria	
		Residential (du/ac) ¹	Other Uses (people/ac) ²		Prohibited Uses	Other Development Conditions ⁴
A	Runway Protection Zone or within Bldg. Restriction Line	0	10	All Remaining	<ul style="list-style-type: none"> ➤ All structures except ones with location set by aeronautical function ➤ Assemblages of people ➤ Objects exceeding FAR Part 77 height limits ➤ Aboveground bulk storage of hazardous materials ➤ Hazards to flight⁵ 	<ul style="list-style-type: none"> ➤ Aviation easement dedication
B1	Approach/Departure Zone and Adjacent to Runway	0.2 (5-acre parcel)	25	30%	<ul style="list-style-type: none"> ➤ Children's schools, day care centers, libraries ➤ Hospitals, nursing homes ➤ Highly noise-sensitive uses (e.g. outdoor theaters) ➤ Aboveground bulk storage of hazardous materials⁶ ➤ Hazards to flight⁵ 	<ul style="list-style-type: none"> ➤ Locate structures maximum distance from extended runway centerline ➤ Minimum NLR of 25 dB in residential and office buildings⁷ ➤ Airspace review required for all objects⁸ ➤ Aviation easement dedication
B2	Extended Approach/Departure Zone	0.2 (5-acre parcel)	50	30%	<ul style="list-style-type: none"> ➤ Same as in Zone B1 	<ul style="list-style-type: none"> ➤ Locate structures maximum distance from extended runway centerline ➤ Minimum NLR of 20 dB in residences (including mobile homes) and office buildings⁷ ➤ Airspace review required for objects >100 feet tall ➤ Deed notice required
C	Common Traffic Pattern	0.2 (5-acre parcel)	125	15%	<ul style="list-style-type: none"> ➤ Children's schools, day care centers, libraries ➤ Hospitals, nursing homes ➤ Hazards to flight⁵ 	<ul style="list-style-type: none"> ➤ Deed notice required ➤ Airspace review required for objects >150 feet tall
D	Outer Traffic Pattern	8.0	125	15%	<ul style="list-style-type: none"> ➤ Hazards to flight⁵ 	<ul style="list-style-type: none"> ➤ Deed notice required ➤ Airspace review required for objects >150 feet tall ➤ Minimum NLR of 20 dB for children's schools, day care centers, libraries⁷

Table 5D

Sample Compatibility Policies

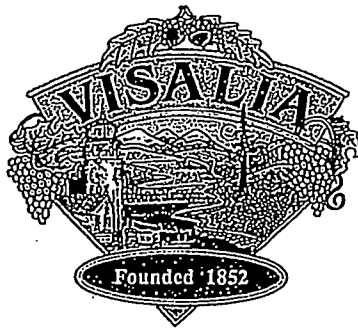
Visalia Municipal Airport

NOTES:

- 1 Residential development should not contain more than the indicated number of dwelling units per gross acre. Clustering of units is encouraged.
- 2 The land use should not attract more than the indicated number of people per acre at any time. This figure should include all people who may be on the property (e.g., employees, customers/visitors, etc.) both indoors and outside. These criteria are intended as general planning guidelines to aid in determining the acceptability of proposed land uses.
- 3 Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan. See supporting compatibility policies on safety for definition of open land.
- 4 Airport proximity and the existence of aircraft overflights should be disclosed as part of all real estate transactions involving property within any of the airport influence area zones. Easement dedication and deed notice requirements apply only to new development.
- 5 Hazards to flight include physical, visual, and electronic forms of interference with the safety of aircraft operations. See the supporting compatibility policies on airspace protection for details.
- 6 Storage of aviation fuel, other aviation-related flammable materials, and up to 2,000 gallons of nonaviation flammable materials are exempted from this criterion in Zones B1 and B2.
- 7 NLR = Noise Level Reduction; the outside-to-inside sound level attenuation which the structure provides.
- 8 Objects up to 35 feet in height are permitted; however, the Federal Aviation Administration may require marking and lighting of certain objects.

Source: Shult Moen Associates (October 2000)

Table 5D, Continued



July 24, 2013

Tulare County
Resource Management Agency
Michael Spata, Assistant Director, Planning
5961 South Mooney Boulevard
Visalia, CA 93277

RE: Referral – GPI 12-002 – EquityBak L.P. (Derrel's Mini Storage)

Dear Mr. Spata:

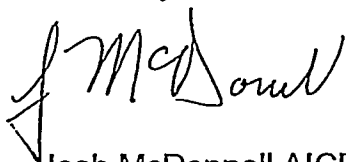
Thank you for the opportunity to respond to the above-referenced General Plan Initiation Case. The City of Visalia respectfully recommends that the County of Tulare deny the project, based on the concerns noted below:

1. County Land Use Consistency per the Rural Valley Lands Plan (RVLP): The site's score of 22 is seven points above the maximum score for candidate parcels to be favorably considered for re-zoning to a non-agriculture use.
2. Inconsistency with City and County Land Use Designations: The City's current General Plan designation of Agriculture, and partial placement in the 165,000 urban growth ring affirms and supports the County's current AE-20 Zoning on the site. The County Zoning designation coupled with the City's Land Use designation confirms the site's appropriate Agriculture zoning and use as well as its marginal potential for near term conversion to an urbanized use.
3. Infrastructure Availability: The site presently lacks adequate utility and road infrastructure for an urban use. Specifically, the site does not have access to sanitary sewer, which is strongly recommended for urbanized uses. With regard to road improvements, the City recommends that any future urban development on the site include construction of Caldwell Avenue (Avenue 280) and Roeben (Road 96) to City General Plan Circulation Element classifications.

On July 15, 2013, the City Council further reviewed the proposal. The Council took unanimous action to direct staff to affirm the City's concerns about the proposed change in land use and the associated development project, as noted above. While the City is on record in opposition to the proposal, we are available to assist the project proponent in finding a suitable alternative site that achieves their business requirements while maintaining consistency with both County and City land use standards.

Thank you for your consideration of these concerns in regard to the proposed project. Please feel free to contact Paul Scheibel, Planning Services Manager at (559) 713-4369, or me for any follow up coordination in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "J McDonnell". The signature is fluid and cursive, with a large initial "J" and "M".

Josh McDonnell AICP
Assistant Community Development Director / City Planner

Cc: Michael Olmos, Assistant City Manager
Chris Young, Community Development Director
Paul Scheibel, Planning Services Manager

P.O. Box 7354
Visalia, California 93290
(559) 739-1870 OFFICE
(559) 799-2942 CELL
Darlene@drmataconsulting.com

DR Mata Consulting

Memo

To: Tulare County
From: Darlene Mata
CC:
Date: 8/15/2011
Re: City Comments Regarding Annexation

As part of a general plan initiation application, the County requests that a letter be submitted if the City is NOT considering annexation. The proposed property was part of an application to the City of Visalia for a general plan amendment and annexation that was never processed by the City.

Earlier this year, the City of Visalia requested that we submit a withdrawal of the application for annexation. The letter was submitted following a meeting upon which the City clarified that the subject property could not be annexed due to the rules of LafCo requiring properties to be contiguous and do not create a substantially surrounded county island.

I am submitting our withdrawal request as part of our County application. If you would like additional information, please do not hesitate to call me at (559) 799-2942.

Thank you.

DR Mata Consulting

PO Box 7354 • Visalia, California 93290

(559) 739-1870 Office • (559) 735-9053 Fax • Darlene @DRMataConsulting.com

December 15, 2010

City of Visalia
Brandon Smith
315 E. Acequia Ave.
Visalia, California 93291

RE: Withdrawal of General Plan Amendment Application

Dear Mr. Smith,

On behalf of Paul Ridenour, we would like to withdraw the application for General Plan Amendment No. 99-14. Thank you for allowing us the time to investigate the issue with Tulare County. Based on the sites location, if we are to proceed with the project, we will do so as a County project, given the parcel would not likely meet the criteria for annexation to the City of Visalia.

We also request a refund of any fees paid for the application(s) that were submitted. I understand only a portion of the fee may be eligible for refund.

Please call me at (559) 799-2942 if you would like to discuss our request further.

Sincerely,



Darlene R. Mata
DR Mata Consulting

Cc: Paul Ridenour

Attachment E Comment Letters



RESOURCE MANAGEMENT AGENCY

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

Michael C. Spata
Britt L. Fussel
Roger Hunt

Planning
Public Works
Administration

JAKE RAPER JR., AICP, DIRECTOR

DATE: June 21, 2013

PROJECT REVIEW - CONSULTATION NOTICE

To: Interested Agencies (see next page)

From: Chuck Przybylski, Project Planner

Subject: General Plan Initiation Case No. GPI 12-002 – EquityBak L.P. (Derrel's Mini Storage).

The Tulare County Resource Management Agency has received a request from EquityBak L.P., to initiate a General Plan Amendment affecting a portion of the Visalia Land Use Plan, a component of the Land Use Element of the Tulare County General Plan. The request is to expand the Urban Development Boundary to include the project site, change the land use designation of approximately 19.33 acres on Assessor Parcel Number 119-230-007 from Agriculture to Commercial or Light Industrial. The request also proposes to rezone the subject parcel from Agricultural Exclusive – 20 acre minimum (AE-40) zone to Service Commercial (C-3) zone. The project site is currently in agricultural row crops. The future proposal for the site, if the general plan amendment and change of zone are approved, will be a 14.25 acre mini- storage facility constructed in three phases. The project site is located at the northside of Avenue 280 (Caldwell Avenue) ½ mile west of Road 100 (Akers Road). The northeast corner is tangent to the Visalia city limits.

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

This stage of the proposal is a request to authorize the applicant to submit an application for a General Plan Amendment. The General Plan Initiation (GPI) is not an approval of the proposed project or General Plan Amendment. The GPI allows the applicant to apply for the General Plan Amendment (GPA) only, with no guarantee that the amendment will be adopted. A detailed analysis of the project and its impacts will be studied upon the Board of Supervisors approving this GPI and GPA/Zone Change/Parcel Map applications are received by the County. If so authorized, a formal environmental review consultation will be sent to all interested agencies.

Please forward your comments and/or recommendations to our office by July 22, 2013 so that they may be considered during the review process. **If you do not have recommendations and/or comments, please respond with "no comment."**

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

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

Sincerely,

Chuck Przybylski, Project Planner
Countywide Planning Division

CONSULTING AGENCY LIST

TULARE COUNTY AGENCIES	STATE AGENCIES								
<input type="checkbox"/> R.M.A. - Building Division <input type="checkbox"/> R.M.A. - Code Compliance Division <input type="checkbox"/> R.M.A. - Countywide Division <input type="checkbox"/> R.M.A. - Economic Development Division <input checked="" type="checkbox"/> R.M.A. - Engineer/Flood/Traffic 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 checked="" 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"/> Fire Warden (Tulare County Fire Department) <input checked="" type="checkbox"/> Sheriff's Department: Visalia Headquarters <tr> <td></td> <td>Traver Substation</td> </tr> <tr> <td></td> <td>Orosi Substation</td> </tr> <tr> <td></td> <td>Pixley Substation **</td> </tr> <tr> <td></td> <td>Porterville Substation</td> </tr> <input type="checkbox"/> Agricultural Commissioner <input type="checkbox"/> Education Department <input checked="" type="checkbox"/> Airport Land Use Commission <input checked="" type="checkbox"/> Supervisor <u>District 3</u> <input type="checkbox"/> Assessor <input checked="" type="checkbox"/> Environmental Review Division		Traver Substation		Orosi Substation		Pixley Substation **		Porterville Substation	<input checked="" type="checkbox"/> *Dept. of Fish & Game Dist 4 (see address below) <input type="checkbox"/> _____, DFG Area Biologist <input type="checkbox"/> Alcoholic Beverage Control <input type="checkbox"/> Housing & Community Development <input type="checkbox"/> Reclamation Board <input type="checkbox"/> Regional Water Quality Control Board - Dist. 5 <input checked="" type="checkbox"/> Caltrans Dist. 6 <input type="checkbox"/> Dept. of Water Resources <input type="checkbox"/> Water Resources Control Board <input type="checkbox"/> Public Utilities Commission <input checked="" type="checkbox"/> Dept. of Conservation <input type="checkbox"/> State Clearinghouse (15 copies) <input type="checkbox"/> Office of Historic Preservation <input type="checkbox"/> Dept. of Food & Agriculture <input type="checkbox"/> State Department of Health <input type="checkbox"/> State Lands Commission <input type="checkbox"/> State Treasury Dept. - Office of Permits Assist. <input type="checkbox"/>
	Traver Substation								
	Orosi Substation								
	Pixley Substation **								
	Porterville Substation								
LOCAL AGENCIES	OTHER AGENCIES								
<input type="checkbox"/> Levee Dist. No 1 <input type="checkbox"/> Levee Dist. No 2 <input type="checkbox"/> _____ Irrigation Dist <input type="checkbox"/> _____ Pub Utility Dist <input type="checkbox"/> _____ Comm. Service Dist <input type="checkbox"/> _____ Town Council <input type="checkbox"/> _____ Elem. School Dist <input type="checkbox"/> _____ School Dist <input checked="" type="checkbox"/> City of <u>Visalia</u> <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 Air Pollution Control Dist (Attn: Senior Air Quality Planner San Joaquin Valley APCD, 1990 E. Gettysburg Avenue Fresno, CA 93726)	<input type="checkbox"/> U.C. Cooperative Extension <input type="checkbox"/> Audubon Society - Condor Research <input checked="" type="checkbox"/> Native American Heritage Commission <input type="checkbox"/> District Archaeologist (Bakersfield) <input type="checkbox"/> TCAG (Tulare Co. Assoc. of Govts) <input checked="" 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 type="checkbox"/> Edison International <input type="checkbox"/> The Gas Company <input checked="" type="checkbox"/> Tulare County Farm Bureau <input type="checkbox"/> Archaeological Conservancy (Sacto) <input type="checkbox"/> Dept. of Social Services, Community Care Division <input type="checkbox"/> SBC @ P.O. Box 1419, Alhambra, CA 91802 <input type="checkbox"/> California Water Service * Department of Fish & Game 1130 E. Shaw Avenue, Suite 206 Fresno, CA 93710								
FEDERAL AGENCIES									
<input type="checkbox"/> Army Corps of Engineers <input type="checkbox"/> Fish & Wildlife <input type="checkbox"/> Bureau of Land Management <input checked="" type="checkbox"/> Natural Resources Conservation Dist. <input type="checkbox"/> Forest Service <input type="checkbox"/> National Park Service <input type="checkbox"/>									

RESOURCE MANAGEMENT AGENCY



Project Review Committee Memorandum

Date: October 6, 2011

Project #: PRC -11-021

Applicant: Equitybak L.P. (Derrel's Mini Storage)
3265 W Ashland
Fresno CA 93722
559-269-0844
pridenour@derrels.com

Agent: D.R Mata Consulting
PO Box 7354
Visalia CA 93290
55-739-1870 or cell 799-2942
Darlene@drmataconsulting.com

Planner: April Hill, Planner II
Co Resource Management Agency
5961 S Mooney Blvd.
Visalia CA 93277
559-624-7108
ahill@co.tulare.ca.us

Re: Project Review Committee Comments on applicant's request to submit a General Plan Initiation request to develop a 19.33 acre parcel into a 14.25-acre mini-storage facility and 18 residential parcels on APN 119-230-007, on the north side of Caldwell / Avenue 280, @ ½ mile west of Akers St / Road 100.

Summary:

1. At the Project Review Committee meeting on September 15, 2011, applicant Paul Ridenaur and agent Darlene Mata informed the committee that the scope has been reduced to remove the residential component. They have met with neighborhood residents, who expressed concerns about the project, do not want to be annexed and prefer access off Caldwell, not Roeben.
2. At the September 15 meeting, City of Visalia Community Development /Planning staff Andy Chamberlain and Chris Young submitted a letter expressing concerns about land use consistency, the site's location near the Visalia Airport, provision of services and utilities (sewer), impacts to city services (impact fees), and necessary right-of-way dedications and street improvements. The letter referred to applicant's request being

- reviewed by the City's General Plan Update Review Committee and being determined to be premature.
3. Chief Planner Ben Kimball explained that the project is in early discussion stage and that preliminary review does not include consultation requests of other agencies such as the City. He also cautioned the applicant that several recent zone changes have been denied by the Board of Supervisors because of concerns about water availability, sewer hookups and loss of viable agricultural land.
 4. At the September 15 meeting, Planner April Hill described potential project issues, including the site's location in the "Horizontal" airport hazard zone of the Visalia Airport. Airport Land Use Commission staff would need to research, consult with City's Airport Manager and prepare a staff report.
 5. At the September 15 meeting, Fire Department representative, Al Miller recommended any project on the site meet Visalia's development standards.
 6. At the September 15 meeting, Public Works representative, Craig Anderson provided written comments and recommended the applicant be authorized to initiate a General Plan Amendment. No impacts to roads are anticipated, but he reserved comment and recommendations for improvements or dedications until specific development proposals are presented. Before the September 15 meeting, Traffic Division's Bruce Webber spoke with planning staff and concurred with Mr. Anderson.
 7. At the September 15 meeting, Environmental Health Services Division (EHSD) representative recommended that the single residential unit for a mini-storage manager could utilize a septic system, although the preferred option would be to hook up to City sewer. She provided written comments.
 8. At the September 15 meeting, agent asked that staff prepare an analysis of the proposed land use based on the Rural Valley Lands Plan (RVLP), although the site is located in the Visalia Area Land Use Plan, which designates the subject site as agricultural. The site is adjacent to but outside Visalia's Urban Development Boundary and inside Visalia's Urban Area Boundary (UAB). A Rural Valley Lands Plan (RVLP) analysis must be completed when property is located in an area outside of an UAB to determine the site's suitability under the General Plan for non-agricultural use and zoning and is often used to advise decision-making bodies in questionable projects. The RVLP was adopted in order to establish minimum parcel sizes for areas zoned for agriculture and to develop a policy that is fair, logical, legally supportable, and consistent in the utilization of resource information in determining the suitability of rural lands for nonagricultural uses. A point evaluation system, which places a point value on 15 factors, is used to determine a site's suitability for nonagricultural zoning. After all the factors have been applied, the number of points the parcel has accumulated are totaled. If the number of points accumulated is 17 or more, then the parcel shall remain agriculturally zoned. If the number of points accumulated is 11 or less,

the parcel may be considered for nonagricultural zoning. A parcel receiving 12, 13, 14, 15, or 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors may make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by the system. **Under the RVLTP evaluation system, the subject site received 22 points** (see attached Parcel Evaluation Checklist), clearly indicating the site should be retained for agricultural zoning.

9. Additional information will be required for subsequent applications and may be requested by the planner, in order to determine whether the project might have an impact on the environment. If the project impacts Biological resources, the State Fish and Game Department may require a fee of \$2,044 (2011 fee may increase in January 2012).
10. Applicant may choose to apply for the General Plan Initiation, General Plan Amendment / Zone Change and Special Use Permit. If the project is not approved, a refund may be requested for Fish and Game fee, recording fee, and compliance monitoring deposit. County staff time would still be due.

Application	Fee
General Plan Initiation	\$5,311 deposit (plus \$100/hour) plus \$1,500 for ALUC action item
General Plan Amendment / Zone Change	\$13,493 deposit plus \$100/hour (fee includes initial study / staff report, ordinance publication, State Fish & Game Fee, County Clerk filing fee for Notice of Determination, recording fees – all subject to change
Special Use Permit	\$3,005 deposit plus \$100/hour

Attachments were provided to the applicant and agent at the September 15 meeting for the following:

1. Comments and conditions from other departments
2. Blank application forms for all needed processes
3. Indemnification and Cost Recovery Agreement

Disclaimer: This information is provided as a convenience to the project applicant(s) and is in no way intended to be a final recommendation or a guarantee of project completeness. This information does not constitute final approval of the proposed project. All processing of projects required in the Tulare County Ordinance Code and Zoning Ordinance are required to be carried out in the manner prescribed by law. Modifications to suggested conditions and additional conditions of approval can be incorporated into the project at any time up until final approval. These comments shall expire if the required applications are not submitted within 180 calendar days of the date of the Project Review Committee meeting if the required applications for further processing are not submitted to the Tulare County Resource Management Agency.



CALIFORNIA WATER SERVICE COMPANY
216 NORTH VALLEY OAKS DRIVE • VISALIA, CA 93292-6717
(559) 734-6734 • FAX (559) 734-9512

VISALIA DISTRICT

August 17, 2011

County of Tulare
5961 S. Mooney Blvd.
Visalia, California 93277

RE: APN Map No. 119-230-07

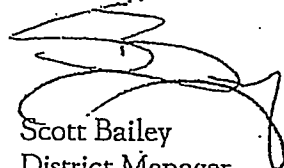
Gentlemen:

We have reviewed APN Map No. 119-230-07 located at future Roeben St. and Caldwell Ave. in Visalia and found it to be satisfactory for our purpose.

California Water Service Company (Cal Water) can extend its water mains to serve this development in accordance with main extension Rule No. 15 and General Order 103 of the California Public Utilities Commission. When the applicant has entered into an agreement with Cal Water and has made the appropriate deposit for the estimate of making the extension, a Cal Water approved contractor of your choice can install the water mains necessary to serve this project.

In the event your service requirements exceed the capability of our existing water system, we would provide service in accordance to the above mentioned rules and guidelines.

Sincerely,



Scott Bailey
District Manager

SB:lj

Pc: Equitybak LP (Derrel's Mini-Storage)
3265 W. Ashlan Ave.
Fresno CA 93722

DR Mata Consulting ✓
PO Box 7354
Visalia CA 93290

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net



June 27, 2013



Mr. Chuck Przybylski, Project Planner
Countywide Planning Division

TULARE COUNTY RESOURCE AMANGEMENT AGENCY

5961 S. Mooney Boulevard
Visalia, CA 93277

Sent by FAX to: 559-730-2653

No. of Pages: 3

RE: Native American Consultation pursuant to California Government Code Sections 65351, 65352.3,, 65562.5 *et seq.* for the proposed "**General Plan Amendment and Change of Zone for Initiation Case No. GPI 12-002-EquityBak L.P. (Darrrel's Mini Storage,**" located in the Tulare County, California.

Dear Mr. Przybylski

Government Code Sections 65351, 65352.3, 65562.5, *et seq.* requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting and/or mitigating impacts to cultural places. The Native American Heritage Commission (NAHC) is the state 'agency with responsibilities for Native American cultural resources.

In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites. Note that the NAHC does NOT APPROVE General or Specific Plan; rather, it provides a list of tribal governments with which local jurisdictions must consult concerning any proposed impact to cultural resources as a result of the proposed action.

An NAHC Sacred Lands File search was not conducted. As part of the consultation process, the NAHC recommends that local governments and project developers contact the tribal governments and individuals to determine if any cultural places might be impacted by the proposed action. Also, the absence of specific site information in the sacred lands file

does not preclude their existence. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a consultation list of tribal governments with traditional lands or cultural places located in the vicinity of the Project Area (APE). The tribal entities on the list are for your guidance for **government-to-government consultation** purposes.

A Native American tribe or individual may be the only source of the presence of traditional cultural places. For that reason, a list of Native American Contacts is enclosed as they may have knowledge of cultural resources and about potential impact, if any, of the proposed project.

If you have any questions, please contact me at (916) 373-3715.

Best regards,



Dave Singleton
Program Analyst

Attachment

California Tribal Government Consultation List
Tulare County
June 27, 2013

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

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

Muksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
179 Rock Haven Ct.
Salinas, CA 93906
Foothill Yokuts
Mono
wood8934@aol.com
Wuksache
(31-443-9702

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Tribal Chairperson
P.O. Box 226
Lake Isabella, CA 93240
Tubatulabal
(760) 379-4590

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

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

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3. and 65362.4. et seq.



TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY

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

DEPARTMENT OF ADMINISTRATION • KEVIN MARKS • DIRECTOR

ENVIRONMENTAL HEALTH SERVICES • VIVIAN NELSON, MSEE REHS • DIVISION MANAGER

June 26, 2013

CHUCK PRZBYLSKI
RESOURCE MANAGEMENT AGENCY
5961 S MOONEY BLVD
VISALIA CA 93277

Re: GPI 12-002 – EquityBak L.P (Derrel's Mini Storage)

Dear Mr. Przbylski:

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

1. If the facility is located within access of a sanitary sewer access point (1320 feet), then the site is shall be required to connect to the sanitary sewer for sewage disposal. If the site is not within the 1320 feet of an access point, then an individual sewage disposal system can be utilized.
2. Any new sewage disposal systems shall be designed by an Engineer, Registered Environmental Health Specialist, Geologist, or other competent persons, all of whom must be registered and/or licensed professionals knowledgeable and experienced in the field of sewage disposal system and design. The specifications and engineering data for the system shall be submitted to the TCEHSD for review and approval prior to the issuance of a building permit.
3. Leach fields should not be located under structures, pavement, or areas subject to vehicle traffic.
4. Domestic water shall be provided by the California Water Services Company.

Sincerely,

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

Allison Shuklian
Environmental Health Specialist
Environmental Health Services Division



INTEROFFICE MEMORANDUM

July 2, 2013

TO: Chuck Przybylski, Project Planner

FROM: Craig Anderson, Engineer III *CA*

SUBJECT: General Plan Initiation Request – GPI 12-002

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

Impacts to the County road system may result by the proposed action of this project. It should be noted that Caldwell Avenue (Avenue 280) is a county maintained roadway with an 80-foot right-of-way and Roeben Street is a private roadway. Improvements to Avenue 280 and Roeben Street may be required in order to adequately address traffic concerns.

The additional traffic associated with this project has the potential to create traffic operational impacts on Avenue 280. The following traffic information shall be submitted to the Tulare County RMA – Transportation Branch:

- A. Site Trip Generation
 - 1. Daily traffic classified by vehicle type
 - 2. Peak hour traffic classification by vehicle type
- B. Trip Distribution
 - 1. Daily turning movements at Avenue 280 and Roeben Street
 - 2. Peak hour turning movements at Avenue 280 and Roeben Street

The traffic information must be provided so that the Tulare County RMA – Transportation Branch can make a determination of the magnitude of impacts to the county road system and properly recommend appropriate conditions regarding road improvements.

As specific development proposals are presented in the plan area, we will reserve comment and recommendations for improvements or dedications at that time.

CA

RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

July 3, 2013

TO: Chuck Przybylski, Project Planner
FROM: *AM* Al Miller, Tulare County Fire Inspector
SUBJECT: Case No. GPI 12-002

The Fire Department has the following recommendations in response to this item.

1. All new constructions shall comply with the County Fire Safe Regulations pertaining to driveways, gate entrances, defensible space, and Fire Safe standards. Including adequate water supply for Fire suppression operations. Building permit applications shall be reviewed and approved by the County Fire Warden's Office prior to their issuance. All required improvements shall be completed prior to issuance of Certificate of Occupancy.

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

AM:sm



TULARE COUNTY FARM BUREAU

Mission: to promote and enhance the viability of Tulare County agriculture.

July 22, 2013

Chuck Przybylski, Project Planner
Tulare County RMA
5961 S. Mooney Blvd.
Visalia, CA 93277

RE: GPI 12-002. EquityBak, L.P. (Derrel's Mini Storage)

Dear Mr. Przybylski,

The Tulare County Farm Bureau [TCFB] is a non-governmental, non-profit, voluntary membership association whose purpose is to protect and promote agricultural interests throughout Tulare County and to find solutions to the problems of the farm, the farm home and the rural community. TCFB strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of California's resources. TCFB represents over 2,500 member families in Tulare County.

TCFB has reviewed the GPI 12-002 consultation notice for Derrel's Mini Storage to initiate a general plan amendment affecting a portion of the Visalia Land Use Plan.

We oppose the applicant applying for amendment to the GPU as the proposal will prematurely cause development and increased density on land zoned exclusive for agriculture and which received a Rural Valley Land Plan score of 22 points. The score designates the site for agriculture use and suitability, and a score above 17 typically suggests the land has strong agriculture attributes and value at this time. The RVLDP process was adopted in order to establish minimum parcel sizes for areas zoned for agriculture and to develop a policy that is fair, logical, legally supportable, and to provide consistent utilization of resource information in determining the suitability of rural lands for nonagricultural uses.

With the project outside of the current City Urban Development Boundary, we do not believe that at this time the application for amendment to the general plan should be allowed. It appears evident from the consultation notice that the City of Visalia also has several concerns about this project and is not in favor of it being granted an amendment to the General Plan.

Thank you for consideration of my comments.

TRICIA STEVER BLATTLER
Executive Director

From: Michael Washam
To: Spata, Michael; Coyne, Eric
Date: 07/20/2013 10:37 PM
Subject: Gerg Collins - Derrel's Mini-Storage

FYI - In an article related to economic developments in Tulare County:

Sierra 2 the Sea
by John Lindt

Speaking of storage – Derrel's Mini-Storage has applied to the county to site a new facility on the nw corner of Shirk and Caldwell and the City of Visalia is being asked to comment. Council member Greg Collins says he expects the city of oppose the idea."We'll go to the mat on that one."

The full article can be found at the following link:
<http://www.sierra2thesea.com/>

We can discuss this project upon my return, and have a terrific remainder of your weekend.

Warmest regards,

Michael

Michael Washam
Economic Development Manager
Tulare County Economic Development Office
5961 South Mooney Boulevard
Visalia, CA 93277
(559) 624-7128
mwasham@co.tulare.ca.us

Visit the new Economic Development Website at:
www.tularecountyeconomicdevelopment.org



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT



HEALTHY AIR LIVING™

July 18, 2013

Chuck Przybylski
County of Tulare
Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93777

Project: General Plan Initiation Case No. GPI 12-002- EquityBak L.P. (Derrel's Mini Storage)

District CEQA Reference No: 120130550

Dear Mr. Przybylski:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the referenced above referenced project. The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. Based on information provided to the District, the proposed project would/may equal or exceed 2,000 square feet of commercial space. Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review).

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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

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

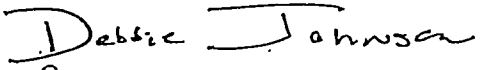
Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

3. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
4. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Ms. Debbie Johnson, at (559) 230-5817.

Sincerely,

David Warner
Director of Permit Services


for
Arnaud Marjollet
Permit Services Manager

DW: dj

Cc: File